



# MITIGATING CIRCUMSTANCES POLICY

Valid from:	September 2024
Date of next review:	September 2026

## 1. Purpose

- 1.1 Students are expected to plan their work so that they can meet assessment deadlines at the same time as other obligations which they may have both inside and outside of Metanoia Institute (the Institute).
- 1.2 The Institute recognises that students may experience exceptional short-term issues outside of their control during their studies, which adversely impact their ability to complete or perform in assessments by the specified deadline.
- 1.3 This policy enables students with a legitimate mitigating circumstance to apply for an extension, deferral or consideration of their circumstances by the Mitigating Circumstances Panel or delegated team.
- 1.4 Students would benefit from reading this policy in conjunction with the following:
  - a) Metanoia Academic Regulations (of which this is a constituent part);
  - b) Break in Study Policy;
  - c) Fitness to Study Policy;
  - d) Fitness to Practise Policy;
  - e) The Reasonable Adjustment Policy; and
  - f) Academic Appeals Policy.

## 2. Responsibilities.

- 2.1 Students. To seek advice and support when encountering individual circumstances and to submit claims, including appropriate evidence using the prescribed forms within published deadlines.
- 2.2 Mitigating Circumstances Panel. To consider applications made by individual students for the consideration of mitigating circumstances to inform the decisions made at Assessment and Awards Boards.
- 2.3 Assessment Board. To receive recommendations from the Mitigating Circumstances Panel and to consider the outcomes in light of students' individual profiles. To confirm module marks, level aggregate and/or classification.
- 2.4 Academic Registry. To administer the process and convene the Mitigating Circumstances Panel.

## 3. Scope

- 3.1 This policy is designed to support students studying on Metanoia programmes which are not validated by a partner institution and who are experiencing short term personal difficulties that are outside of their control.
- 3.2 This policy does not cover 'reasonable adjustments' required when a student has an identified disability. These should be covered by a Learning Support Plan, created through the Institute's Disability Services.
- 3.3 This policy is not intended to cover medium to long term issues a student may face which causes disruption to their studies. In these circumstances a student should be referred to more appropriate policies such as the "Break in Study Policy", the "Fitness to Study Policy", the "Fitness to Practise Policy" or the withdrawal procedures.

- 3.4 This policy cannot be used to:
- a) make changes to any academic marks awarded;
  - b) approve a change in the form of assessment;
  - c) consider requests made in relation to an assessment where marks/decisions made by the Assessment Board have been published to the student (Students may follow the 'Academic Appeals Policy' if they have grounds to do so); or
  - d) approve a further opportunity for coursework assessment.
- 3.5 These procedures do not apply to attendance on placements (or practice-based assessments) but do apply to any academic assessments that arise from placements.
- 3.6 In order to help with workload management, the Associate Director may grant extra time following a deadline to students who are - as a consequence of delays in their placement – unable to undertake assessments linked with their clinical practice. It is the student's responsibility to request this extra time by applying for an extension in the usual way.
- 3.7 Students are urged to submit assessments as and when they have been written and not to hand them all in at the last moment. This helps prevent an overload of work at certain times and also enables them to benefit from the feedback given on early assessments to improve the later ones.

#### **4. Definitions**

- 4.1 'Mitigating circumstances' are defined as a serious or acute problem, or an event beyond a student's control or ability to foresee, which has prevented completion of assessment(s) or attendance at examination(s).
- 4.2 In order for a personal difficulty to be considered as a Mitigating Circumstance it must meet all of the following criteria:
- a) be short term;
  - b) be seen as exceptional (above and beyond the normal challenges faced by students);
  - c) identified as unexpected (i.e. could not reasonably have been anticipated by a student);
  - d) be outside of the student's control; *and*
  - e) to have a demonstrable negative impact upon the student's ability to complete an assessment.
- 4.3 A student who submits an assessment or attends an examination is considered to have proclaimed themselves 'fit to sit' and therefore they may not later claim that any failure is due to mitigating circumstances. The only exception is when a student is taken ill during an examination, when the invigilator's or examiner's report may be used to support a mitigating circumstance claim.
- 4.4 A working day is defined as a day the Institute is open, including student vacation periods but excluding Bank Holidays and other closure periods, such as the period between Christmas and New Year. An extended deadline may, therefore, fall in the vacation period.

### What might be considered valid mitigating circumstances?

- 4.5 People are affected differently by different circumstances, so it is difficult to provide a definitive list of valid mitigating circumstances. Circumstances must be unforeseeable, unpreventable and have a significant adverse effect on the performance of a student.
- 4.6 However, examples of serious, significant situations that the Institute may consider valid mitigation include one or more of the following evidenced issues.
- a) Significant health problems, including major accident or injury, acute ailments, hospitalisation (including for operations), clinical depression or a 'flare up' of other significant long term health condition or mental health issue.
  - b) The death or critical illness of a close family member or person for whom the student is the sole carer.
  - c) Family crises or major financial problems leading to acute stress.
  - d) Pregnancy-related conditions and childbirth (including a partner in labour).
  - e) Maternity, paternity or adoption leave, or unavoidable commitments with the armed forces or jury service.
  - f) Late diagnosis of a disability, for example, dyslexia, meaning you have not had the appropriate support for assessment, including provision in exams.
  - g) Unavailability of Moodle where the issue is a provider-related technical fault and the Programme Lead confirms that this would have a significant impact on a student's preparation or submission for an assessment or exam.
  - h) Disruption in an exam or time constrained and fixed assessment, such as a fire alarm going off, or excessive noise from building works.

### What might NOT be considered valid mitigating circumstances?

- 4.7 The Institute expects students to plan their work to allow for the normal ups and downs of life, including minor illnesses or personal issues, so these are not usually considered to be mitigating circumstances.
- 4.8 Examples of circumstances that the Institute is NOT likely to consider valid include.
- a) Holidays and events that were planned or could reasonably have been expected or where the student may choose not to participate.
  - b) Child-care problems or other caring responsibilities which could have been anticipated.
  - c) Travel problems, unless students can show that they made reasonable allowance for such disruption.
  - d) Assessments that are scheduled close together.
  - e) Misreading the timetable or misunderstanding the requirements for assessments.
  - f) Inadequate planning and time management.
  - g) Failure, loss or theft of a computer, printer or the internet that prevents submission of work on time: students should back up work regularly and not leave completion so late that they cannot find another computer or printer.
  - h) Problems with postal or other third-party delivery of work where no certificate of posting has been derived to confirm receipt by the institute by the deadline.
  - i) Consequences of paid employment or other commitments. By enrolling, students make a commitment to make time available to study. Students who have more work than they can cope with should consider alternative arrangements in consultation with their tutor.
  - j) Exam stress, panic attacks or mild depression not diagnosed as illness.

- k) Minor illness, such as a cough/cold/sore throat or minor viral infection, unless the illness is incapacitating and at its peak at the time of a time-specific assessment such as an exam.
- l) Accidents or illness affecting relatives or friends, unless serious, or the student is a sole carer.
- m) Appointments of any kind, including legal or medical appointments, which could be rearranged.
- n) Sporting, recreational or voluntary commitments, unless the student is representing their country at international level.

## **5. Applying for mitigation**

- 5.1 Students should make a request for mitigating circumstances by completing the Mitigating Circumstances Form published in My Registry. Third parties cannot apply for mitigation on a student's behalf. This should be sent to the Academic Registry along with any supporting evidence required.
- 5.2 In submitting the request, students should include all relevant factors and evidence required. Only the information on the student's written submission will be considered.
- 5.3 Requests should be submitted at the earliest opportunity within the published assessment deadlines or examination period, and before the Assessment Board meets to ratify the marks. Requests made in relation to an assessment where marks/decisions made by the Assessment Board have been published to the student (Students may follow the 'Academic Appeals Policy' if they have grounds to do so).
- 5.4 Requests will not normally be considered retrospectively unless there are clear reasons why the delay could not have been avoided or reduced.
- 5.5 Each case will be reviewed by the Mitigating Circumstances Panel on an individual basis, considering all the factors and evidence provided. Forms are considered as a matter of priority, and students will be informed of the outcome via email.
- 5.6 Claims will be rejected if supporting evidence is inadequate or if the circumstances described are not exceptional, unexpected, outside of the student's control and have a demonstrable negative impact upon the student's ability to complete an assessment.
- 5.7 If the claim is deemed invalid, then the student will receive an explanation for the decision.
- 5.8 Requests for mitigation will be monitored to identify students who make repeated requests, so that they can be offered any support that may be needed.

## **6. Outcome of mitigation**

- 6.1 Valid mitigating circumstances do not change a student's grade but allow the student to complete or attend assessments at a time when they are not affected by the mitigating circumstances. This usually involves granting an extension to an assessment deadline or allowing the deferral of an assessment so that the student has the opportunity of reassessment at the next opportunity, without penalty or further penalty.

- 6.2 Extensions to assessment deadlines allow a student to submit an assignment no more than 5 working days after the original deadline. If mitigating circumstances are agreed and a student has already submitted work, a penalty for late submission may be waived, or they may submit another version of their work.
- 6.3 Should a student fail to meet the extended assessment deadline offered, the assessment will be recorded as a 'non-submission'.
- 6.4 Deferral of an assessment or exam may be granted where the mitigating circumstances and supporting evidence are judged to be sufficient and an extension to the assessment deadline would not be appropriate.
- 6.5 The exact opportunities for deferred re-assessment will be decided by the Mitigating Circumstances Panel. Provision is normally made for a subsequent assessment opportunity in that unit before the end of the academic year. This may take place as soon as possible or in the following examination period, per dates published in the course handbook at the beginning of the academic year. Students may be permitted to undertake deferred assessment in the following academic year, as long as this is within the permitted limit for carrying over credits and their allocated maximum length of registration.
- 6.6 A student who has been granted a deferral may nonetheless decide to undertake the assessment at the normal time, in which case the deferral will automatically be cancelled. Otherwise, the decision to defer the assessment will be recorded and appear on the student's file.
- 6.7 Exiting students and those changing courses should be aware that late submission in term 3 (whether for good reasons or not) will inevitably prevent them from graduating in that year, whilst changing course could become impossible.

## **7. Documentary Evidence**

- 7.1 Students should provide reliable documentary evidence that confirms the nature and timing of the circumstances. If possible, the original documents should be provided. The nature of the evidence will necessarily depend on the nature of the circumstances in question. The evidence should follow the following criteria or principles.
- a) Be written by appropriately qualified professionals who are independent to the student. Evidence from family and/or friends will not normally be accepted.
  - b) Be on headed paper and signed and dated by the author. Evidence presented by email is acceptable if the email has been sent by the author from the official domain name of the author's organisation.
  - c) Confirm specifically that the circumstances were witnessed on the relevant date as opposed to being reported retrospectively.
  - d) Be in English, or in the original language with a certified translation into English.
- 7.2 Any confidential evidence should be clearly marked 'Confidential'.
- 7.3 Exceptionally, the Institute may accept evidence provided by Institute staff, such as the student's personal tutor.
- 7.4 Students who are taken ill during an examination must ensure that they inform the invigilator or examiner of the nature of their illness, so that this can be recorded and

used to support a request.

- 7.5 All evidence must be submitted along with the mitigating circumstances request form. The Institute may exceptionally decide to accept documentary evidence which is presented at a later date if it is clear that the delay could not have been avoided or reduced by the student taking reasonable steps to obtain and provide evidence at the appropriate time. In such cases, however, the delay may limit the action which is available to the Institute in response to the student's circumstances.

## **8. Appeal against a mitigating circumstance decision**

- 8.1 Students cannot appeal a decision to refuse a claim made by the Mitigating Circumstances Panel.
- 8.2 Students may appeal decisions made by the Assessment Board, if they have grounds to do so, within a month from publication of confirmed results to the student in accordance with the 'Academic Appeals Policy'.

# POLICY BACK COVER

Section 1 - to be completed by policy proposer and forwarded to Committee Servicing Officer.

<b>Policy Title:</b>	Mitigating Circumstances Policy
<b>Author:</b>	Amalia Sexton, Registrar
<b>Rationale:</b> <i>Outline the purpose of the policy, and its scope e.g. credit-bearing provision</i>	To recommend a Mitigating Circumstances Policy for Metanoia non-validated programmes.
<b>Consultation undertaken:</b> <i>List all groups and/or committees where consultation was undertaken e.g. students, administration, external advisor, QSC, etc.</i>	Consultation with students and staff via JSSC and QSC committees
<b>Resource implication:</b> <i>Outline the potential financial, human and technological resource implication of the policy</i>	No financial or technological resource implications.

## DOCUMENT CONTROL

Section 2 - to be completed by receiving committee.

<b>Recommending committee:</b>	Choose an item.
<b>Circulated to:</b>	

<b>Approved:</b>		<b>Date for adoption:</b>	September 2024
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<b>Version and document Code:</b>		<b>Date for review:</b>	September 2026
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