

Regent College London

Mitigating Circumstances Procedure

1. This Mitigating Circumstances Procedure describes how a student may apply for an extension to the deadline for completing an assessment task, or a deferral of an assessment task, due to unexpected and exceptional life events. It also describes how the College will consider applications.
2. The primary audiences for this document are:
 - Students wishing to apply for an extension or deferral due to Mitigating Circumstances;
 - College staff who are responsible for teaching and supporting students and considering applications for Mitigating Circumstances.

Who can use this procedure?

If you are...	Then...
A HND student on a programme leading to an award from Pearson	All parts of this procedure apply to you.
On a programme leading to an award from the University of Bolton	This procedure does not apply to you. You should talk to your Customer Services Officer, who will refer you to the University's procedures on the Student Policy Zone .
On a programme leading to an award from Buckinghamshire New University	This procedure does not apply to you. Your application for Mitigating Circumstances will be considered using University processes. Students will be informed by the University directly as to whether their claim is accepted or rejected.
On a programme leading to an award from St. Mary's University	This procedure does not apply to you. You should refer to the University's Extenuating Circumstances Policy . Requests for Extenuating Circumstances should be made using the University's form and submitted to Academic.Quality@rcl.ac.uk .
On a programme leading to an award from Regent College	All parts of this procedure apply to you.

3. If you are not sure about who gives the award at the end of your programme, please contact your Customer Service Officer.

What are Mitigating Circumstances?

4. Mitigating Circumstances are short-term, unexpected events that have a serious impact on a student's ability to complete or perform in assessments. This could include illness or injury, the death of a loved one, or personal problems that happen around the time of the assessment.

5. A mitigating circumstance is something that:
 - Prevents a student from attending, completing or submitting an assessment on time; or
 - Affects a student's performance in an assessment in a significant way.

6. To be a mitigating circumstance, the event or issue must be:
 - Severe – having a serious impact on the student's performance;
 - Unexpected;
 - Difficult or impossible to prevent;
 - Relevant – the event or issue must have occurred at the time of the assessment or during the period immediately leading up to the assessment;
 - Evidenced – the application for Mitigating Circumstances must meet the requirements for independent documentary evidence described below.

Examples of Mitigating Circumstances

7. Examples of what the College would normally consider valid Mitigating Circumstances are:
 - Illness or injury such as flu, gastroenteritis or a broken arm;
 - Death or unexpected serious illness of a close friend or close family member;
 - A worsening of a long-term health condition such as depression;
 - Personal problems, for example, court proceedings or separation from a partner;
 - Being the victim of a serious crime, such as assault or burglary;
 - Illness on the day of an exam, for example, food poisoning, a migraine or tonsillitis;
 - Serious, unexpected transport delays on the way to an examination;
 - Severe, unexpected and unpreventable financial difficulties.

8. Examples of what the College would not normally consider valid Mitigating Circumstances are:
 - Missing an assessment deadline due to a misunderstanding or mix up;
 - IT problems causing a student to lose work; students are expected to take appropriate precautions to back work up;
 - Long-standing appointments (e.g. medical or legal) that could be rearranged;
 - Misreading an examination timetable;
 - House moves, holidays or celebrations where the student either has control over the date or could choose not to attend;
 - A long-standing condition for which the student has a support plan;
 - Financial difficulties that are not severe, unexpected or unpreventable;
 - Issues that the College is responsible for, for example, the unavailability of an examination room. Issues like these will be dealt with by the College under different procedures.

When should this procedure not be used?

9. This procedure is not meant for Mitigating Circumstances affecting whole groups of students, such as an absence by a lecturer for a significant period where adequate cover has not been provided by the College. Mitigating Circumstances affecting whole groups will be dealt with by the Programme Leader and/or Head of School under different procedures.

10. This procedure should not be used to deal with issues associated with pregnancy, maternity, paternity or adoption, except for unanticipated paternity leave. These should be referred to the College's Student Maternity, Paternity and Adoption policy.

11. This procedure should not be used for formative assessments which do not contribute to a module or unit mark. Extensions to the deadlines for the submission of formative assessments should be discussed and agreed informally between the student and their academic assessor or lecturer.

How do students apply?

12. Students who have experienced, or are experiencing, Mitigating Circumstances are encouraged to discuss their situation with the relevant Academic Support Officer or Customer Service Officer as soon as possible, who can make sure the student is aware of their options and can make an informed decision.

13. However, applications for Mitigating Circumstances must be submitted in writing using the Mitigating Circumstances Application Form. Discussing Mitigating Circumstances with a member of staff does not constitute a submission of an application.

14. If the student is unable to complete the application form, for instance because they have suffered an injury on the day of the examination, the student, or a friend or family member, should contact a member of the Student Services team who may complete the application on the student's behalf. The student will then be required to provide independent evidence as soon as possible to support the application.

15. The application form asks the student how long they expect the Mitigating Circumstance to last for. This will inform the decision by the College about whether to grant an extension or deferral.

When should students apply?

16. The application for Mitigating Circumstances should be made as soon as possible after the factor has occurred and as far in advance of the assessment deadline or examination date as possible. Applications submitted after the deadline or examination date will only be accepted in the most exceptional cases, for example where the student can demonstrate (and evidence) that they were unable to apply beforehand.

17. Applications submitted after the formal publication of results from the assessment or examination will not be accepted under any circumstances.

Providing evidence

18. Students with Mitigating Circumstances are permitted to self-certify those circumstances for a maximum of two assessments in any one academic year. The circumstances which are being self-certified must meet the definition of Mitigating Circumstances set out above.

19. Students may self-certify for a first submission or sitting and/or a resubmission or resit. However, students may not self-certify an application for the same assessment twice (i.e., to extend a previously self-certified extension).
20. Where a student seeks to self-certify a Mitigating Circumstances application for one or two assessments in a broader set of assessments, the student must explain why the Mitigating Circumstances have impacted some assessments and not others.
21. Where a student seeks to apply for an extension to, or deferral of, a third assessment in any one academic year (or fourth, or fifth, etc.), or where the first application covers more than two assessments, the application must be supported by independent documentary evidence. Evidence must be obtained when the Mitigating Circumstances are present. Post-dated evidence will not be accepted unless it can be demonstrated that the evidence could not have been obtained at the time.
22. Independent evidence would normally be on headed paper, written and signed by an appropriate third party, giving details of the circumstance, its dates and/or duration and, where possible, its impact. An appropriate third party would be one who knows the student in a professional capacity or one who can verify the circumstance from a position of authority, for example a police officer, solicitor, doctor; and who is able to provide objective and impartial evidence. The College reserves the right to check on the validity of the evidence submitted by contacting the third party directly.
23. All evidence must be provided in English. If the documentary evidence is not in English, it is the student's responsibility to ensure that it is accompanied by a translation which has been certified as correct by a Public Notary or translated by an accredited translator.
24. A student must submit medical evidence in support of a Mitigating Circumstances claim related to illness. Any medical certificates/notes must:
- Relate specifically to the dates and duration of the illness;
 - Contain a clear medical diagnosis or opinion and not merely report the claim that the student felt unwell; nor report any claim that there was reason to believe that the student was ill.
25. The College will not obtain medical certificates on behalf of students.

How the College considers the application

26. Mitigating Circumstances applications are considered on a case-by-case basis by the Academic Quality team, which has authority delegated from Academic Council to consider and make decisions about them. Academic Quality may discuss the application with the relevant Customer Services Officer, Academic Support Officer and/or Programme Leader.
27. In reaching their decision, Academic Quality shall take account of:
- whether the Mitigating Circumstances cited are genuinely circumstances beyond the student's control, or ability to foresee, and whether they may seriously impair/have impaired the student's assessment attempt;
 - the severity of the event or circumstance;

- the length of time it lasted;
- the closeness in time of the event or circumstance to the assessment(s);
- whether all/other assessment(s) might be equally affected;
- the strength of the evidence submitted (unless the application is self-certified).

28. Decisions taken through the Mitigating Circumstances procedure shall be accepted by the Assessment Board without discussion.

29. A record shall be kept of all cases considered through the Mitigating Circumstances procedure, along with the decisions made. Mitigating Circumstances documentation will be retained on the student record. An annual report on the operation of this procedure and an analysis of applications shall be submitted to Academic Council.

Outcomes

30. Normally, a student shall be notified of the outcome of an application for Mitigating Circumstances by Academic Quality within five days of submitting the application and the independent evidence specified above.

31. The outcomes available to Academic Quality are:

- To accept the application for Mitigating Circumstances and grant an extension or deferral of the assessment or examination;
- To reject the application.

32. Where the application is accepted, the outcome will include details of the extension or deferral which has been granted:

- An **extension** is defined as permission to hand in a piece of coursework after the published deadline and without incurring a penalty. The standard extension period is five days.
- A **deferral** is defined as permission to delay an assessment task for longer, normally into the next term or semester. A deferred examination involves taking the equivalent examination at the next opportunity when the module is taught; this would normally, but not always, be in the next semester. Deferral of coursework means that the student may only be considered for confirmation of grades, progression or award at the next available Assessment Board.

33. Where it is decided that the application and evidence do not demonstrate Mitigating Circumstances according to the definition above, the application will be rejected. This decision is final, and any challenge must be submitted through the Consolidated Appeals Procedure.

34. If a student makes an application less than five days before the assessment deadline or examination date, they should endeavour to submit the assessment on time or attend the examination. If the application is subsequently accepted, then the first attempt at the assessment or examination may be annulled and an extension or deferral granted, which will allow the student to make a second attempt without penalty. However, if the application is subsequently rejected, then the student's first attempt can be counted.

Student's rights of appeal

35. The student has a right of appeal against the rejection of an application for Mitigating Circumstances using the Consolidated Appeals Procedure.

Continuing inability to proceed owing to Mitigating Circumstances

36. If the Mitigating Circumstances continue for longer than the student anticipates and affect subsequent assessments, the student should make a new application according to the procedure above.

37. A student who makes multiple applications for Mitigating Circumstances because of ill health may be referred to the Fitness to Study Procedure.

<i>Version number</i>	<i>3.6</i>
<i>Approved by</i>	<i>Academic Council</i>
<i>Approval date</i>	<i>July 2024</i>
<i>Next review date</i>	<i>July 2025</i>
<i>Policy owner</i>	<i>Academic Quality</i>