

Mitigating Circumstances Procedure

Owner	Head of Quality		
Version	3.7		
Changes	<ul style="list-style-type: none"> • Procedure fully redrafted for clarity and compliance. • Awarding body arrangements clarified with a new student type table (Pearson, SMU, BNU, UGM, RCL awards). • Definitions strengthened with five acceptance tests and link to Support Plans. • Examples of valid/invalid circumstances moved to Annex A. • Application process simplified: must use MC form, rep submission allowed if incapacitated, late claims restricted. • Evidence rules tightened: <ul style="list-style-type: none"> • Self-certification capped at two per year. • Stronger requirements for medical and bereavement evidence. • Support Plans recognised as standing evidence. • Decision-making outcomes standardised (extension, deferral, rejection) with clear timescales. • Appeals process aligned to OIA with defined grounds and CoP letters. • QA and data handling strengthened: six-year retention, anonymised reporting, annual review. • Communication improved: reminders before assessment periods and clearer distinction from attendance reporting. 		
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Implementation date	January 2026	Date of next review	September 2026
Related internal policy	<ul style="list-style-type: none"> • Student Appeals Procedure • Student Attendance and Engagement Policy • Fitness to Study Procedure • Student Disciplinary Procedure • Support Plan and Reasonable Adjustments Policy 		

	<ul style="list-style-type: none"> • Student Transfer and Change of Status Policy • Data Protection Policy
Related external policies and regulations	<ul style="list-style-type: none"> • Office of the Independent Adjudicator (OIA) Good Practice Framework – Section on Mitigating Circumstances and Complaints • QAA UK Quality Code – Concerns, Complaints and Appeals • Office for Students (OfS) Conditions – B4 (Assessment) and C2 (Student Complaints Scheme) • Equality Act 2010 – duties on accessibility, fairness, and reasonable adjustments

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Introduction

1. This Procedure sets out how Regent College London (RCL) considers requests from students whose assessments have been affected by unexpected and serious, and time-limited events. It explains the steps students must take, the responsibilities of staff, the evidence requirements, and the range of outcomes that may be applied.
2. Mitigating Circumstances (MCs) exist to ensure that students are not unfairly disadvantaged when unforeseen events significantly impair their ability to attend, complete, or submit an assessment. Where approved, an MC request may lead to measures such as a short extension, a deferral to the next assessment opportunity, removal of a late penalty, or other actions permitted by the relevant awarding body. MCs do **not** adjust marks, change academic judgement, or guarantee a pass; rather, they provide an equitable route for students whose performance has been impacted by circumstances beyond their control.
3. The overarching aim of this Procedure is to support students effectively while upholding academic standards, regulatory compliance, and the integrity of awards. All staff involved in the process must apply this Procedure consistently, promptly, and in line with awarding body requirements and sector expectations.

Scope and Application

4. This Procedure applies to all students enrolled on programmes delivered by Regent College London (RCL). Because RCL works with multiple awarding bodies, the rules governing Mitigating Circumstances vary depending on the programme on which a student is registered. The table below summarises which procedure applies in each case.

Student Type	Procedure Application
HNC/HND (Pearson)	This Procedure applies in full, including the self-certification provisions.
University of Greater Manchester	Students must follow the UGM Mitigating Circumstances Procedure and its requirements for evidence and self-certification.
Buckinghamshire New University	Students must follow the BNU Procedure, including its specific evidence rules.
St. Mary's University	The SMU Procedure applies. For modules delivered by RCL, initial decisions are made by RCL and outcomes are recorded and reported to SMU for oversight. SMU's preference is that Extenuating

	Circumstances are evidenced through a Support Plan rather than self-certification. Appeals are managed under RCL processes unless SMU regulations specify otherwise.
Regent College Award	This procedure applies in full, including the appeal provisions.

5. If students are unsure which awarding body applies to their programme, they should contact their Student Success Officer for clarification before submitting an application.

Definitions

a. Mitigating Circumstances

Mitigating Circumstances are short-term, significant, and unforeseen events that are outside the student's control and which impair their ability to attend an assessment, submit work, or perform to their normal standard during the relevant assessment period.

For circumstances to be accepted, they must meet **all** the following criteria:

- **Severe** – the impact on the student's ability to complete the assessment is serious.
- **Unexpected** – the issue could not reasonably have been anticipated.
- **Unavoidable** – the student could not have prevented or mitigated the impact.
- **Time-relevant** – the event occurred at, or immediately before, the assessment point.
- **Evidence-based** – supported by independent documentation, except where self-certification is permitted.

b. Assessment

Assessment refers to any summative task that contributes to a module, unit, or award. This includes, but is not limited to:

- written coursework
- examinations
- in-class tests
- presentations
- practical assessments
- research or project components

Measures granted under this Procedure may adjust **timing** (e.g., extensions or deferrals) but **will not** change marks, academic judgement, learning outcomes, or the type of assessment, unless required by professional, statutory, or regulatory body (PSRB) rules.

c. **Long-term Health Conditions, Disabilities, or Learning Differences**

Ongoing or chronic conditions are normally supported through **reasonable adjustments** outlined in a Support Plan. The Support Plan documents verified evidence of a long-term condition and confirms the adjustments required for study and assessment.

Mitigating Circumstances should only be submitted where:

- there is an **acute episode**,
- a **temporary deterioration**, or
- a **specific event** that directly impacts an assessment *despite* the Support Plan already being in place.

d. **Self-Certification**

Self-certification is a brief, signed statement submitted by the student confirming an unforeseen issue that prevented them from completing an assessment. Where permitted by the awarding body:

- it may support short coursework extensions;
- it does **not** require third-party evidence;
- it is distinct from absence or attendance reporting.

Self-certification rules, including caps and limitations, are set out in this Procedure and may vary by awarding body.

6. Examples of valid and invalid circumstances are provided in **Annex A** to assist students and staff in interpreting this Procedure consistently.

Principles

7. **Accessibility and Clarity**

RCL is committed to ensuring the Mitigating Circumstances process is accessible to all students. Clear guidance, forms, and supporting information are available online, with alternative formats provided on request. Students may submit applications remotely. Staff at the first point of contact, typically Programme Leaders, Personal Academic Tutors, or Student Services, must signpost students promptly to Academic Quality or the relevant awarding body procedure to ensure students do not miss critical deadlines.

8. **Proportionality and Timeliness**

Evidence requirements and decision-making processes must be proportionate to the seriousness, frequency, and nature of the claim. Applications should be reviewed promptly to minimise academic disadvantage and to support students in planning their next steps.

9. **Fairness, Independence, and Equity**

All decisions must be consistent, impartial, and based solely on the evidence and information submitted. Claims are assessed by trained Academic Quality Officers who have had no prior involvement in the case. The process must be applied equitably, with due regard to equality legislation, ensuring that no student is disadvantaged or treated less favourably because of a protected characteristic.

10. **Confidentiality and Data Protection**

All information submitted as part of a Mitigating Circumstances application is treated confidentially and handled strictly on a need-to-know basis. Records are managed in accordance with the Data Protection Act 2018 and UK GDPR requirements.

Responsibilities and Applications

11. **Student Responsibilities**

Students are responsible for submitting complete, accurate Mitigating Circumstances (MC) applications. This includes clearly explaining what happened, when it occurred, how it affected the assessment, and providing appropriate evidence where required. Students must monitor their RCL email account for requests for further information and for outcome notifications. Students should retain copies of all submissions for their records.

12. **Timeliness of Applications**

Students should submit MC applications as soon as possible after the circumstances arise and, wherever feasible, **before** the assessment deadline or examination date. Late applications will only be accepted in genuinely exceptional cases where the student can demonstrate, with supporting evidence, that it was not reasonably possible to apply earlier.

13. **Applications After Release of Results**

Applications submitted **after** the formal publication of results for the affected assessment cannot be considered under this Procedure. Students who believe they have valid grounds at this stage should consult the Consolidated Student Appeals Procedure.

14. **Academic Quality Responsibilities**

Academic Quality Officers are responsible for assessing MC claims impartially and consistently. Their duties include:

- reviewing applications and evidence;
- requesting further information where needed;
- determining outcomes based on the Procedure;
- recording decisions in the central MC log; and

- communicating clear, reasoned outcomes to students, including next steps.

15. **Programme Leaders and Personal Academic Tutors**

Programme Leaders and Personal Academic Tutors may be asked to provide contextual information relevant to a student's circumstances or engagement. Such information may include attendance patterns, known personal difficulties, or insight into circumstances that may have influenced performance. This information supports decision-making but **does not replace** the requirement for students to provide evidence. These staff members are not involved in determining the outcomes of MC applications.

16. **Oversight and Quality Assurance**

The Head of Quality is responsible for ensuring that the Procedure is applied consistently, that staff receive appropriate training, and that decisions comply with awarding body requirements and sector expectations (including OfS, QAA, and OIA guidance). The Head of Quality also oversees periodic review and enhancement of this Procedure.

How do students apply?

17. **Initial Advice and Support**

Students who experience circumstances that may affect their assessments are encouraged to speak with their Personal Academic Tutor (PAT) or another appropriate member of staff as soon as possible. This discussion helps students understand their options and make an informed decision.

However, speaking to a member of staff does not constitute a formal Mitigating Circumstances (MC) application.

18. **Submitting an Application**

All formal applications must be submitted using the official **Mitigating Circumstances (MC) Application Form**, available on the College website. Students should complete the form electronically and submit it together with any supporting evidence. Alternative formats are available on request for accessibility reasons.

19. **When to Submit**

Students should submit their MC application promptly once the issue arises, and wherever possible **before** the assessment deadline or examination date. Early submission enables timely decisions and minimises academic disadvantage.

20. **If the Student Cannot Submit the Form Immediately**

If a student is unable to complete the form themselves, for example due to sudden illness or an emergency on the day of an examination, a representative (such as a friend or family member) may notify Student Services on the student's behalf.

In such cases:

- Student Services will record the contact as a notification of potential Mitigating Circumstances.
- The student will still be required to complete and submit the formal MC Application Form as soon as practicable, along with appropriate evidence.

21. **Duration of Circumstances**

The application asks students to indicate how long they expect the circumstances to last. This helps Academic Quality determine whether a short extension or a deferral is the most appropriate remedy.

22. **Acknowledgement and Follow Up**

Academic Quality will acknowledge receipt of the application within two working days. Where further information or evidence is required, students will be contacted promptly to ensure the claim can be reviewed without unnecessary delay.

Providing Evidence

23. **Student Statement**

Every MC application must include a clear, signed student statement explaining:

- what happened,
- when it occurred,
- how it affected the assessment, and
- why the student was unable to complete or attend the assessment.

For short coursework extensions obtained through self-certification, this statement is normally sufficient and third-party evidence is *not* required.

24. **Self-Certification Limits**

Students may self-certify for up to **two assessments per academic year**.

Self-certification may be used for either a first attempt or a reassessment but **cannot** be used twice for the same assessment.

The allowance applies across the full academic year and does not reset by semester.

25. **Awarding Body Requirements**

Applicability Self-certification rules differ by awarding body:

- **Pearson HND and RCL Awards:** self-certification provisions in this Procedure apply in full.
- **UGM, SMU, BNU Programmes:** students must follow the self-certification and evidence requirements set by their awarding body (see *Scope and Application*).

26. **Explaining Partial Impact**

Where a student self-certifies or submits evidence for only some assessments within the same period, they should explain why the circumstances affected certain assessments but not others. This explanation will be considered when decisions are made.

27. **Evidence for Multiple or Subsequent Claims**

For a **third or subsequent claim** within the same academic year, or where a single application covers more than two assessments, **independent contemporaneous evidence** will normally be required.

- Evidence should be obtained at the time the circumstances occurred.
- Post-dated evidence will only be accepted where the student can demonstrate that earlier evidence could not reasonably have been obtained

28. **Students with a Support Plan**

Students who already have an approved Support Plan are not required to provide new third-party evidence where the claim relates directly to the condition documented in the Plan.

In these cases:

- the Support Plan serves as standing evidence; and
- the student's statement should explain the acute episode, deterioration, or specific impact on the particular assessment.

29. **Evidence in Other Languages**

Evidence not in English must be accompanied by a certified translation produced by an accredited translator or Public Notary. The College may verify authenticity with the issuer. Students are responsible for any associated translation costs.

30. **Responsibility for Obtaining Evidence**

The College will **not** obtain evidence on behalf of students. Students must arrange, secure, and submit any evidence needed to support their claim.

31. **Fraudulent or Misleading Evidence**

Submitting false, altered, or misleading evidence constitutes misconduct and may result in disciplinary action, up to and including withdrawal from the College. Relief already granted may be revoked.

Legitimate elements of a claim supported by other credible information will still be considered so that disciplinary issues do not prevent appropriate academic support.

Consideration and Decision-Making

32. **Decision-Making Authority**

Mitigating Circumstances (MC) applications are reviewed on a case-by-case basis by Academic Quality Officers, acting under authority delegated from the Academic Council. Officers may seek contextual information from Student Success Officers, Programme Leaders, or Personal Academic Tutors, but the final decision rests solely with Academic Quality.

33. **Criteria for Decision Making**

In assessing each application, Academic Quality Officers will consider the following factors:

- **Nature of the circumstances** – whether the event was genuinely outside the student's control and could not have been anticipated or prevented.
- **Impact on assessment** – whether the circumstances could reasonably be expected to have a material and serious impact on the student's ability to complete, attend, or perform in the assessment.
- **Severity and duration** – how serious the issue was and how long its effects lasted.
- **Timing** – whether the circumstances coincided with the assessment period or a relevant preparation period.
- **Number of assessments affected** – and whether this is proportionate to the explanation provided.
- **Strength and sufficiency of evidence** – including whether evidence is contemporaneous and credible (except where self-certification is permitted).
- **Awarding body, professional, and statutory requirements** – including any regulations that limit or prescribe allowable outcomes.

34. **Possible Outcomes**

Academic Quality Officers may apply one of the following outcomes:

- **Acceptance with an Extension**
Permission to submit coursework after the published deadline without penalty.
 - Standard extensions are normally **five working days** but may be longer where supported by strong evidence.
 - Extensions do not change marks or academic judgement.
- **Acceptance with a Deferral**
Permission to complete the assessment at the next available opportunity.

- For examinations, this is ordinarily the next scheduled sitting.
- For coursework, this is the next published submission point.
- Deferrals may delay progression or award until the next Assessment Board.

- **Rejection**

The application does not meet the definition or evidential requirements for Mitigating Circumstances.

Students may challenge the decision only via the **Student Appeals Procedure**.

35. **Outcome Notifications**

Outcome letters will:

- clearly explain the decision;
- state precise dates for any extension or confirm the next deferral point;
- identify any conditions or follow-up requirements; and
- outline implications for progression, funding, or visa compliance.
- Where information remains incomplete despite reasonable requests, a decision will be made based on the evidence available.

36. **Timescales for Decision Making**

Students will normally be notified of the outcome within **five working days** of submitting a complete application (form plus evidence, where required). When evidence is missing, Academic Quality will:

- request the missing information and allow **five working days** for submission;
- issue a reminder with a further **five working days** deadline;
- issue a final reminder allowing **two working days**.

If the student does not respond, the decision will be made based on the information available. During peak periods or in complex cases, Academic Quality will inform the student of any revised timescale.

37. **Applications Close to an Assessment Date**

Applications submitted fewer than **five working days** before an assessment should not prevent the student from attempting the assessment if reasonably able to do so.

- If the application is later accepted, the first attempt may be annulled and replaced with a deferral or extension.
- If the application is rejected, the original attempt stands.

38. **Recording and Monitoring**

All decisions are logged in the central MC register. Records are retained on the student file, and anonymised data is reported to governance committees to monitor consistency, proportionality, and equality impacts.

Appeals and Completion of Procedures

39. Right to Appeal

Students have the right to appeal the outcome of a Mitigating Circumstances (MC) decision under the **Student Appeals Procedure**. An appeal may be submitted only on one or more of the following grounds:

- **Procedural irregularity** – the correct process was not followed, and this failure may have affected the decision.
- **New and material evidence** – relevant evidence has become available that could not reasonably have been provided earlier.
- **Unreasonableness of the decision** – the decision was not reasonable or proportionate in light of the evidence available at the time

40. Time Limit for Appeals

Appeals must normally be submitted within **ten working days** of the date on which the decision notification was issued.

The original MC decision remains in force while the appeal is being considered unless it is subsequently overturned.

41. Outcome of an Appeal

Appeal outcomes will be issued in writing and will include:

- clear reasons for the decision;
- any changes made to the original outcome; and
- details of any follow-up actions or revised assessment arrangements.

Where the internal appeal process has been completed, RCL will issue a **Completion of Procedures (CoP)** letter. This enables eligible students to submit a complaint to the **Office of the Independent Adjudicator (OIA)** within the OIA's published time limits.

42. For St Mary's University Students

For students enrolled on St Mary's University programmes:

- appeals are managed under **SMU's appeals procedures and time limits**;
- CoP letters are issued by SMU; and
- RCL will cooperate fully with SMU to ensure the timely and fair resolution of cases.

43. Continuing or Recurrent Circumstances

If Mitigating Circumstances continue for longer than anticipated or begin to affect additional assessments, the student must submit a **new** MC application in accordance with this Procedure.

44. Ongoing Concerns and Fitness to Study

Where repeated MC applications suggest significant ongoing health or wellbeing concerns, the student may be referred to the Fitness to Study Procedure. Such referrals are supportive and do not invalidate any relief already granted under this Procedure.

45. **Data Protection and Confidentiality**

All information submitted as part of a Mitigating Circumstances (MC) application is treated as confidential and is processed in accordance with the Data Protection Act 2018 and UK GDPR. Access to MC records is strictly limited to staff who require the information to carry out their legitimate responsibilities within the Procedure.

46. **Secure Storage of Records**

MC records are normally retained for six years from the date the case is closed. This retention period ensures compliance with regulatory, legal, and audit requirements, and supports completion of any subsequent student appeals or external reviews.

47. **Use of Data for Monitoring and Reporting**

Aggregated and anonymised MC data may be used for institutional monitoring, including reviews of consistency, proportionality, equality impacts, and operational performance. No individual student will be identifiable in such reports.

Annex A – Examples of Valid Mitigating Circumstances and Suitable Evidence

Type of Circumstance	Examples of Suitable Evidence
Illness or injury (more than minor)	GP/healthcare practitioner letter, hospital admission/discharge note, medical certificate with dates/diagnosis/impact.
Death or serious illness of close family member/friend	Death certificate, funeral notice/order of service, obituary, letter from funeral director, minister of religion, community leader, or confirmation from Student Services staff aware of the situation.
Worsening of long-term health condition	Medical/healthcare practitioner letter, update to Support Plan, counselling/therapy letter confirming exacerbation.
Serious personal problems (family crisis, relationship breakdown, domestic violence)	Letter from counsellor, social worker, police report, solicitor's letter, refuge/agency support confirmation.
Victim of a serious crime (e.g., assault, robbery, burglary)	Police crime reference/report, solicitor's letter, medical evidence if applicable.
Sudden illness on the day of an exam	Medical certificate, GP/urgent care note, hospital discharge, or equivalent evidence.
Severe and unexpected transport disruption	Official transport provider statement, news report, breakdown recovery report.
Unexpected loss of accommodation (eviction, fire, flood)	Eviction notice, insurance report, fire brigade/police report, landlord confirmation.
Sudden caring responsibilities	Medical evidence relating to dependent, letter from healthcare practitioner/social worker.
Severe and unavoidable financial hardship	Bank statements, official correspondence (e.g., eviction notice), letter from Student Services/welfare adviser.
Jury service or compulsory court attendance	Court summons/jury service letter (UK only).
Major IT or systems failure at the College	College IT Services confirmation (logged fault/incident report).

Notes:

- Bereavement cases will always be treated sensitively; the College recognises that it may not always be possible or appropriate to provide a death certificate immediately.

- A student statement alone will not normally be sufficient unless exceptional circumstances make it impossible to provide corroborating evidence.
- Evidence must normally be contemporaneous, independent, and verifiable.

Invalid Examples (not normally accepted)

- Poor time management, oversleeping, or forgetting deadlines.
- Minor illnesses that are not serious enough to affect assessment (e.g., colds, mild headaches) and are not supported by credible evidence where required.
- IT or technical problems where the student did not take reasonable steps (e.g., failing to back up work, last-minute printing issues, home Wi-Fi problems).
- Pre-planned or routine events that could be rearranged (e.g., medical check-ups, dental appointments, moving house, holidays).
- Social or personal commitments (e.g., weddings, birthdays, sporting events, celebrations).
- Misreading or misremembering a timetable for exams or deadlines.
- Employment-related issues where shifts or hours were known in advance and could have been managed.
- Financial difficulties that are not severe, unexpected, or unavoidable.
- Long-term conditions already supported by a Support Plan, unless there has been a sudden acute deterioration.
- Issues for which the College is responsible (e.g., an exam room not being booked). Such issues are managed separately under College procedures.
- Failure to disclose mitigating circumstances in a timely manner, without a credible explanation for the delay.