

Procedure for the Consideration of Extenuating Circumstances / Mitigation

(HEQMP 4/2)

1. Introduction

Students are expected to demonstrate their achievement of learning through the successful completion of module assessments. However, the College recognises that sometimes, through unexpected and unavoidable circumstances, students are unable to submit assessments or perform in an examination to the full extent of their abilities. These are referred to as Extenuating Circumstances: an extension or mitigation.

The College operates procedures to apply for an extension and/or mitigation, in line with the New College Durham Academic Regulations.

2. Extension

A Programme Leader/Tutor may use their discretion to permit an extension, on the point of assessment (at least 24 hours before the submission deadline). Extensions must not be granted for an examination of any type, including time constrained test, or Objective Structured Clinical Examination (OSCE).

An extension is an unforeseen circumstance beyond a student's control which impacts a student at the point of submission. Examples include: short term illness or injury; short term mental ill-health; a worsening ongoing medical issue; bereavement, long term relationship breakdown; assault, victim of a crime and unforeseen caring responsibilities.

An extension of up to 7 calendar days may be granted in line with the Academic Regulations of the Awarding Body. Extenuating Circumstances which are longer than 7 calendar days will need to go to the Mitigation Panel. A student who is approved for an extension should not then apply for mitigation.

The extension should address the student's difficulties sufficiently. The only exception is where extenuating circumstances continue and has an impact on other assessments. The student will be expected to provide additional evidence to support the request for mitigation.

3. Procedure for Applying for an Extension

It is advised that the Programme Leader/Tutor and student meet to discuss the extension.

- a. The request for an extension must be made at least 24 hours before the assessment submission date.
- b. The extension request must be made in writing by the student (generally email) to the Programme Leader/Tutor informing them of the reason and attaching relevant evidence.
- c. If a student is unable to attend an examination or other assessment event owing to extenuating circumstances, they must inform their Programme Leader as soon as possible and at least 24 hours before the assessment date and provide evidence before published deadlines or within 7 calendar days, whichever is sooner.
- d. An anonymised copy of the email extension request will be stored in the programme file.
- e. The Programme Leader has the authority to approve/reject the request based on the student's rationale/evidence.
- f. Students whose extension requests are approved will be entered on to the extension report, a copy of which will be stored in the programme file and which will be presented at Mitigation Panel for the next convenient Assessment Board.

4. Mitigation

Mitigation is normally defined as, 'circumstances outside the control of the student that have significantly affected performance in any summative assessment' (please refer to the Staff or Student Guide to Mitigation for mitigating examples).

If a student who has previously applied for an extension, at the point of assessment, and remains unable to submit this assessment by the extended submission deadline owing to ongoing extenuating circumstances which are also impacting other assessments, they can apply for mitigation (subject to the relevant awarding body regulations for the programme) and be expected to provide new evidence.

Only in exceptional circumstances will a retrospective application be considered for an extension or mitigation.

Where students are experiencing significant, longer term personal issues, the Programme Leader/Tutor should also discuss the option of a Suspension of Studies.

5. Procedure for Applying for Mitigation

Students and staff will be informed of the deadline date for submissions to the Mitigation Panel. Only under exceptional circumstances will an application submitted late be considered by the Mitigation Panel.

The student should:

- a. In the first instance, the student seeking mitigation is advised to discuss with their Programme Leader/Tutor their reasons for applying for mitigation and to agree new submission deadline dates. Students/tutors must consider the Assessment Board schedule when setting new deadline dates.
- b. Complete the mitigation application form which is available on the HE website and Student Intranet.
- c. When completing the form:
 - i. ensure all details are accurate e.g. personal contact details, programme, module title, module code, assessment method etc;
 - ii. include their supporting statement request for mitigation, which is clear and detailed;
 - iii. obtain a statement and signature from Programme Leader/Tutor prior to submission;
 - iv. attach appropriate, independent evidence which relates directly to their reason for requesting mitigation and which is time specific;
 - v. ensure that late evidence is submitted no later than 4 College days before the Mitigation Panel takes place.

Insufficient evidence or inaccuracies may result in the application being rejected.

Completed mitigation application forms and supporting evidence can be emailed to mitigation@newdur.ac.uk. An email will be sent to the student's inbox as proof of receipt

Or

Handed in as a hard copy to the University Centre Reception in a sealed envelope with their Name, Enrolment number and the words "Application for Mitigation" on the front. Students will be issued with a receipt which will be classed as proof of submission. If the office is closed, the drop box is to be used. This process can only be used in exceptional circumstances.

A list of reasons for and evidence of mitigation can be found in the Student Guide to Mitigation.

The Programme Leader/Tutor will:

- a. Ensure students have access to the validating/awarding body regulations and guidance.
- b. Ensure students are made aware of the designated member of staff to whom they should discuss their circumstances which may give rise to an application for mitigation.
- c. Ensure students are made aware of the location and method by which they should submit requests for mitigation.
- d. Provide students with the scheduled dates of the mitigation panel meetings and the deadlines by which requests for mitigation should be submitted.
- e. Ensure confidentiality at all stages of the process.
- f. Provide the Mitigation Panel, for note, a list of all assessment extensions applied for and granted at the point of assessment.
- g. Ensure that a clear reason has been given and appropriate evidence has been submitted by the student before granting an extension.
- h. Where appropriate complete Section 2 of the application form.
- i. Clearly communicate the outcomes of a request for extension at the point of assessment to the student, any other relevant staff, and the Programme Leader

6. Confidentiality

All submissions giving details of extenuating circumstances will be treated as confidential by the College. However, there may be occasions where New College Durham is required to share relevant information with University/Awarding Body staff and/or a Professional Statutory or Regulatory Body linked to the programme.

7. Mitigation Panel

The Mitigation Panel is an essential mechanism in ensuring fairness and impartiality in giving due consideration to applications made by students, whose ability to undertake an assessment or whose ability during an assessment activity was compromised through unexpected and unavoidable circumstances.

The panel will be responsible for receiving and considering all applications and associated evidence. The panel will agree a recommendation/outcome. This will be presented at the subsequent Assessment Board(s) using the mitigation log which is managed by the HE Administration Co-ordinator.

The substantive details and nature of the extenuating circumstances themselves are not disclosed to the Board.

The Mitigation Panel Meeting

Once convened, the meeting will be conducted in the following format:

- a. The Chair will set out the Terms of Reference and remind the members of the meeting of their roles, responsibilities, and the confidentiality of the proceedings.
- b. The Chair will ensure the agenda is followed.
- c. The Chair will introduce each application and invite comments and discussion by panel members.
- d. The panel will arrive at their decision for each application and each element of the assessment(s) and apply the appropriate outcome code(s).
- e. The Panel Secretary will minute the outcome of the discussion ensuring each application and each element under consideration is clearly recorded. This is to be able to provide detailed feedback to students where they have requested information on the decision reached.
- f. Panel members will attend for the entirety of the meeting. Where early departure is unavoidable, the minutes will indicate precisely the point at which the member left.

Due to the confidential nature of the panel proceedings, panel members are not permitted to discuss any aspects of the business of the meeting, outside of the meeting. If a request for information is made to them, the requestor must be directed to the Chair.

8. Dissemination of Mitigation Panel Outcomes

Students will be informed of the decision of the Mitigation Panel by the Panel Secretary using a standard template letter which will be sent normally within 5 College days of the meeting.

Following the meeting, the Panel Secretary will:

- a. Produce the panel outcomes letters which set out the panel decision and outcome code and the subsequent actions which may be required. These will be sent to students by email within 5 College days of the meeting;
- b. Circulate the anonymised outcomes spreadsheet within 5 College days to:
 - c. BIS for uploading against the student assessment record on Pro;
 - d. the Chair of relevant Assessment Board meetings;
 - e. Programme Leader and Curriculum Manager, for note;
 - f. Head of School, for note;

- g. HE Quality Manager, for note.
- h. Ensure the confirmed minutes and outcomes report are saved to the HEDQU Sharepoint site, with controlled access.

Outcomes

a. Mitigation A (MA)

Very serious extenuating circumstances such as to make appropriate, if the Assessment Board or Committee so considers, the provisions of the following:

- i. Permit the student to be assessed in a form agreed by the Assessment Board.
- ii. Judge the student to have passed the assessment.
- iii. Award a mark.
- iv. Raise a mark or permit re-assessment to raise a mark.
- v. Offer the relevant award if it is the final stage.

b. Mitigation B (MB)

Extenuating circumstances sufficiently serious to make appropriate a decision to defer an assessment.

c. Mitigation C (MC)

Extenuating circumstances not deemed sufficiently serious to make a deferral of assessment appropriate.

Outcome Code and Action Description

- a. Outcome 1 – Submit assessment by the required date without penalty*
- b. Outcome 2 – Submit assessment by the required date with penalty
- c. Outcome 3 – Sit the examination at the next available opportunity without penalty – see Programme Leader for details
- d. Outcome 4 – Re-sit the examination at the next available opportunity with penalty – see Programme Leader for details
- e. Outcome 5 – Insufficient evidence to support the application
- f. Outcome 6 – Date(s) of the supporting evidence do not align with the date(s) of assessment.
- g. Outcome 7 – Application form is incomplete or missing key information / evidence
- h. Outcome 8 – Other – This will be stated on the letter received by students

*Penalty – is a grade which is restricted to a minimum level of pass mark

9. Further Evidence Request / Appeal Process

It may state in the decision letter, that the Mitigation Panel will re-consider a decision if the student is able to submit additional evidence within seven days of the decision letter being received and which fully supports the mitigation request. Any submissions received after the 7 day deadline will only be considered at the Mitigation Panel's discretion.

Where mitigation is rejected, the student has the opportunity to lodge an appeal via the Academic Appeals Procedure.

10. Ongoing Extenuating Circumstances

Where a student has a pre-existing condition(s) or other circumstances which may impact upon their studies on an on-going basis, they are required to declare this upon registration (enrolment), and the College will endeavour to provide appropriate support and make reasonable adaptations/adjustments throughout their studies.

For further information: <https://www.oiahe.org.uk/media/1039/oia-good-practice-framework-supporting-disabled-students.pdf>

For these circumstances, the student should not need to make an application for extenuating circumstances as their assessment processes will be adjusted by mutual agreement to take account of their study and support needs. This would not preclude a request for an extension or an application for mitigation if at the point of assessment, the ability to perform or their performance has been affected by other extenuating circumstances.

Where a student has a pre-existing medical condition or extenuating circumstance that only impacts upon their studies on an ad hoc basis, they are required to declare this upon registration. This would not preclude them for applying for an extension to their assessment deadline or an application for mitigation if, and at the point when, their studies may be affected. The student will be required to provide up to date evidence to support the extenuating circumstance at the point of assessment.

It may be necessary for students with on-going or long-term extenuating circumstances to submit an application for extenuating circumstances at more than one point in an academic year to support any ad hoc occurrences / episodes of their condition. Up to date evidence should be supplied with each application.

11. Associated Documentation

Application for Mitigation

A Student Guide to Extenuating Circumstances

A Staff Guide to Extenuating Circumstances

Mitigation Panel Agenda

Terms of Reference for Mitigation Panels

Extension to Assessment Deadline Report

Pro-forma for recording outcomes of Mitigation Panel (anonymised)

Mitigation Panel Outcomes Letter