



HE9 – Higher Education (HE) - Extenuating/Mitigating Circumstances Policy

Policy Author:	Director of Curriculum	Policy Owner:	Vice Principal Curriculum & Quality
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Purpose of the Policy

The aim of this policy is to ensure you are not disadvantaged in your studies by serious, significant circumstances beyond your control.

You are encouraged to become a resilient and thriving individual and a competent and confident professional. This means that, while studying with us, we expect you to be able to deal with the inevitable ups and downs of life, including minor illnesses or personal issues, so that they don't affect your studies and, in particular, your ability to attend or complete assessments.

Sometimes, however, you'll face a serious situation which has a significant impact on your ability to attend or complete assessments. For our University of Plymouth students such situations are called 'extenuating circumstances' (ECs) and for our Pearson students 'mitigating circumstances' (MCs). This extenuating/mitigating circumstances policy describes how we can support you by taking such situations into account.

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1. Policy Statement

- At Weymouth College we define 'extenuating/mitigating circumstances' as circumstances that:
 - have a significant impact on your ability to attend or complete assessment(s), and
 - are exceptional, and
 - are outside your control, and
 - occurred during or shortly before the assessment in question.

2. Policy Objectives

- If you are experiencing extenuating/mitigating circumstances, the College can take these into account by allowing you to, for example:
 - submit assessment slightly later than the published deadline, or
 - not submit assessment now, but have an opportunity for re-assessment at the next opportunity, without penalty, or
 - not attend a time specific assessment, such as an examination, test, presentation or performance, or field class, but have an opportunity for reassessment at the next opportunity, without penalty, or
- University of Plymouth students only:**
- not attend or complete an assessment, when this accounts for 25% or less of the module's overall mark and the learning outcomes are met through other assessment (**this option is not available for self-certified extenuating/mitigating circumstances**)
 - The exact outcome of a valid extenuating/mitigating circumstances claim depends on whether your extenuating/mitigating circumstances are self-certified or supported by evidence, the nature of the assessment to which the claim applies and, in some cases, the decision of your Award Assessment Board (which will take account of your whole academic profile)
 - It is not possible, therefore, for this document to be definitive about your specific situation.
 - Please note that opportunities for re- assessment usually occur in the summer referral period or as an opportunity to undertake modules/units in the following academic year. There is a limit to the amount of re-assessment allowed in the summer referral period; a module that is not achieved because of extenuating/mitigating circumstances will count towards this limit.

3. Policy

3.1 What might be considered valid extenuating/mitigating circumstances?

People are affected differently by different circumstances, so it is difficult to provide a definitive list of valid extenuating/mitigating circumstances. However, examples of serious, significant situations that are likely to be considered as valid extenuating/mitigating circumstances include:

HEALTH PROBLEMS

- Your own health problems, including major accident or injury, acute ailments, hospitalisation (including for operations), or those affecting a significant period of study
- Following NHS advice to self-isolate or otherwise restrict mixing with others, even when asymptomatic or with mild systems.
- Cough/cold/sore throats or other minor illness, such as minor viral

infection, **only if it is incapacitating and at its peak at the time of a time-specific assessment**, such as a exam test performance or presentation.

- Personal or psychological problems for which you are receiving counselling, or have been referred to a counsellor or similarly qualified practitioner
- Clinical depression or other significant mental health issue

SIGNIFANT LIFE EVENTS

- Pregnancy-related conditions and childbirth (including a partner in labour)
- Bereavement causing significant impact
- Separation or divorce of yourself or your parents
- Weddings or civil partnership ceremonies of close family members

UNEXPECTED DISRUPTION OR EVENTS

- Recent burglary, theft or serious car accident
- Jury service which cannot be deferred
- For part-time students in full-time employment, exceptional pressure of work or permanent change of employment circumstances
- Emergency or temporary measures enacted by the government such as lockdowns, limitations on movement or travel
- Serious accidents or illness affecting family/friends

ASSESSMENT ISSUES

- Late diagnosis of, for example, dyslexia, meaning you have not had the appropriate support for assessment, including provision in exams
- Disruption in an exam or assessment, such as a fire alarm going off, or excessive noise from building works

3.2 What might NOT be considered valid extenuating/mitigating circumstances?

People are affected differently by different circumstances, so it is difficult to provide a definitive list of extenuating/mitigating circumstances that the College would **not** consider valid. The key issue is whether the claim meets the criteria at paragraph 2.1 above. We expect you to plan your work to allow for the normal ups and downs of your life, including minor illnesses or personal issues, so these are not usually considered to be extenuating/mitigating circumstances.

Examples of extenuating/mitigating circumstances that are NOT likely to be considered valid include:

YOUR OWN TIME MANAGEMENT

- You slept in or your alarm clock did not go off
- Your car broke down, or your train or bus (or equivalent) was delayed or cancelled, unless you can show that you'd made reasonable allowance for such disruption
- Misreading timetables of any kind, or time management problems such as assessment deadlines close to each other

LIFE EVENTS

- Family celebrations, holidays, house moves or similar events, in

which you have input to, or control over, the date or may choose not to participate

- Appointments of any kind, including legal or medical appointments, which could be re-arranged
- Minor accidents or illness affecting relatives or friends, unless you are a sole carer
- Child care problems, or problems with similar caring responsibilities which could have been anticipated
- Financial problems, including debt sanctions imposed by the University, but excluding cases of exceptional hardship or significant changes in financial circumstances since enrolment
- Sporting, recreational or voluntary commitments
- For full-time students, normal pressures of employment, because by enrolling as a student, you have made a commitment to make time available to study

COMPUTER PROBLEMS

- Computing problems, such as corrupt data or media, poor internet connectivity, printer failure, or e-submission of an assessment file in an incorrect format, or lack of access to IT facilities.

OTHER

- Unspecified short-term anxiety from all sources, mild depression or examination stress
- Problems with postal or other third party delivery of work

3.3 Disability

If you have a disability and have a Disabled Students' Allowance your specific teaching and learning support will be outlined in the Needs Assessment Report as part of this process. This document is shared with your teaching team and related staff and also the Examinations Office to ensure that appropriate adjustments are made.

Therefore you should not need to use the extenuating/mitigating circumstance provision in relation to your disability. However, exceptional issues may arise, related to your condition, which mean you require consideration beyond the adjustments already made in this case please discuss this with your Programme Leader.

If you have not applied for a Disabled Students' Allowance you will need to contact your Programme Leader who can refer this to the Head of HE/HE Registrar to discuss options.

3.4 Long Term Health Conditions

A long term health condition is a mental or physical condition that:

- is persistent, typically lasting for more than three months and is often life- long
- cannot be resolved in a short time, or which will recur regardless of action, or which needs to be managed on a long-term basis
- may require you to seek help with some activities but is not otherwise disabling can be managed but can 'flare-up'

If you have a significant 'flare-up' of your condition that affects your ability to attend or complete an assessment you must submit an extenuating/mitigating circumstances claim for the specific assessment(s). However, rather than asking you to provide evidence, if required, for every claim, you can tell your Programme Leader about your long-term health condition and provide a statement from your GP, hospital consultant or appropriate specialist responsible for your treatment, which provides clear confirmation of the nature, severity, duration and effect of your condition.

You must inform the College of any change in your condition, whether improvement or deterioration, so they can review your case annually and offer advice on any support available.

3.5 Temporary, acute conditions

If you have a temporary, acute condition, such as a broken wrist, you should contact your Programme Leader, as soon as possible, so that they can provide additional support for study and put in place arrangements for assessments. You should not need to use the extenuating/mitigating circumstance procedures, unless the support in place does not address the problem sufficiently, or other issues arise.

3.6 Referral to Study and Wellbeing Review Policy

We will refer you to the Study and Wellbeing Review Policy if you submit three extenuating/mitigating circumstances claims in a six-month period, or if the number or pattern of your extenuating circumstances claims causes concern at any time.

4 How to make a claim for extenuating/mitigating circumstances

To make a claim for extenuating/mitigating circumstances, please download a claim form from the College VLE or ask the HE Registrar to send you the form. Submit the completed form to your Programme Leader by email.

4.1 Timing and retrospective claims

Please send us your extenuating/mitigating circumstances claim as soon as possible. For all assessments other than exams, your form must be submitted no later than ten working days after the deadline for submission of the assessment or the date of the time-specific assessment, such as presentation, performance or test. Extenuating/mitigating circumstances claims for formal examinations should be submitted no later than the Monday after the end of the formal examination weeks, in the appropriate term/semester.

It is important that you fill in the form accurately and completely – we can take your circumstances into account only if you give us the right information, including the dates that the circumstances occurred and of the assessments affected.

Late or retrospective claims of extenuating/mitigating circumstances will be considered only if there are the most exceptional reasons for not submitting claims on time, such as impaired judgment through mental health issues. In this situation, we will require you to evidence your inability to engage with the Extenuating/Mitigating Circumstances process on time. You can provide supporting evidence for any extenuating/mitigating circumstances claim in a sealed envelope, marked confidential, so not wanting to disclose personal information will not normally be considered as an

exceptional reason for not submitting on time.

With this in mind, please note that unless there are exceptional circumstances as detailed above, late or retrospective claims for extenuating/mitigating circumstance will be deemed to be invalid. Appeals against Award Assessment Board decisions based on retrospective extenuating/mitigating circumstances will normally be rejected.

4.2 Corroborating evidence and self-certification

4.2.1 Self-certification of short-lived circumstances, affecting you for five working days or fewer

You may self-certify extenuating/mitigating circumstances that affect you for five working days or fewer. Self-certifying means that you must state what your extenuating/mitigating circumstances are, but you do not need to provide further evidence of the circumstances themselves. As well as describing the circumstances, we will ask you to tell us, in your claim, how they have impacted your ability to attend and complete assessments.

Remember that, to be considered valid, extenuating/mitigating circumstances must meet the definition that they:

- 4.1.1 have a significant impact on your ability to attend or complete assessment(s), and
- 4.1.2 are exceptional, and
- 4.1.3 are outside your control, and
- 4.1.4 occurred during or shortly before the assessment in question.

Claims that do not meet this definition (and described further in section 2 of this document) will be considered invalid.

If considered valid, your self-certified extenuating/mitigating circumstances claim is likely to result in you having:

- 4.1.5 an extension of no more than five working days for coursework assessment in a taught module, or
- 4.1.6 for any other type of assessment, an opportunity for re-assessment at the next opportunity, without penalty, depending on the decision of the Award Assessment Board.

A self-certified extenuating/mitigating circumstances claim will never let you avoid submitting any assessment, even if this accounts for a small proportion (25% or less) of a module/unit overall mark.

If you are not able to complete your coursework assessment in a taught module/unit within the extended deadline of five working days, and you wish us to continue considering your extenuating/mitigating circumstances claim, we will require supporting evidence.

Please see further details in section 6 about the outcomes of an extenuating/mitigating circumstances claim. Exactly what opportunities for re-assessment you have, following a claim for extenuating/mitigating circumstances, depends on the extent of their impact on your academic profile, and your performance in other modules/units, and is decided by the Award Assessment Board. Please note that opportunities for re-assessment usually occur in the summer referral period or as an opportunity to undertake

modules/units in the following academic year. There is a limit to the amount of reassessment allowed in the summer referral period.

We will refer you to the Study and Wellbeing Review Policy if you submit three extenuating/mitigating circumstances claims in a six-month period, or if the number or pattern of your extenuating/mitigating circumstances claims causes concern at any time. The academic offences procedure will be invoked if an extenuating/mitigating circumstances claim is thought to be fraudulent.

4.2.2 Extenuating/Mitigating circumstances that affect you for more than five working days

Unless a Long-Term Ill Health form has been validated all claims for extenuating/mitigating circumstances that affect you for more than five working days must be supported by independent, reliable documentary evidence that confirms the nature and timing of the circumstances. We will also ask you to tell us, in your claim, how the circumstances have impacted your ability to attend or complete assessments.

The College reserves the right to take any steps it considers necessary to verify any evidence submitted, without notifying you beforehand. If the College is unable to authenticate the material to its satisfaction, the claim may not be accepted.

Independent evidence used to corroborate extenuating/mitigating circumstances should meet the following standards. The evidence should:

- be written by appropriately qualified professionals who are independent to the student. Evidence from family and/or friends will not normally be accepted.
- 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
- confirm specifically that the circumstances were witnessed on the relevant date as opposed to being reported retrospectively

and

- be unaltered by the student. Documentation that has been amended for any reason will be deemed inadmissible by the College and may be considered under the awarding body or the College Academic Offences regulations.
- be original – copies of supporting evidence will be accepted only in exceptional circumstances. Where extenuating/mitigating circumstances claims are emailed to the College, documents should be scanned and attached to the email. The College reserves the right to see the original documents before validating a claim.

Examples of corroborating evidence likely to be acceptable include:

- A medical note confirming a mental or physical health condition, provided at the time when you were suffering from that condition. During term time the College expects you, normally, to consult with and provide evidence from a registered doctor local to your place of study.
- A letter from a counsellor, such as a member of the College Counselling Service or a qualified counsellor working outside the College, confirming a personal, psychological or emotional problem for which you have been

receiving counselling.

- An official document such as a police report including a police reference number, court summons or other legal document
- A letter from a solicitor, social worker or other official agency
- An insurance claim document supported by a letter from the insurance company.
- For part-time students in full-time employment, wishing to make a claim based on exceptional pressures in their employment, a letter from your employer that confirms the particular circumstances, explains why they are exceptional and outside your control and formally supports your claim. If you are self-employed, you must provide independent evidence to support the claim that the pressures are exceptional and outside your control.
- We may also accept evidence provided by College staff closely involved in your pastoral care. This may be for reasons which are difficult to obtain independent evidence such as a family bereavement.

For an extenuating/mitigating circumstances claim to be considered valid, both the nature of the circumstances and the standard of evidence supplied must meet the definition and standards described in this document. Medical certification that verifies a minor illness, or simply reports a claim that you felt unwell, for example, will not normally be deemed valid.

If considered valid, your extenuating/mitigating circumstances, supported by independent corroborating evidence, claim is likely to result in you having

- an extension of no more than ten working days for coursework assessment in a taught module/unit, or
- for any other type of assessment, an opportunity for re-assessment at the next opportunity, without penalty, depending on the decision of the Award Assessment Board.

We will refer you to the Study and Wellbeing Review Policy and Procedure if you submit three extenuating/mitigating circumstances claims in a six-month period, or if the number or pattern of your extenuating/mitigating circumstances claims causes concern at any time. The academic offences procedure will be invoked if an extenuating/mitigating circumstances claim is thought to be fraudulent.

5 Considering Extenuating/Mitigating Circumstance Claims

Each extenuating/mitigating circumstance claim will be considered individually and all students will be treated fairly and equitably. The decision will take into consideration the nature, timing and severity of the problem and the impact it has had on assessment.

Forms are considered as a matter of priority, and the majority are considered soon after submission. However, occasionally some forms can take a little longer to assess. You will be informed of the outcome by email (sent to your College email address). If the claim is deemed invalid you will receive an explanation for this decision.

6 What will happen if you have valid extenuating/mitigating circumstances

Valid extenuating/mitigating circumstances do not normally change your grade, but allow you to complete or attend assessments at a time when you are not affected by the extenuating circumstances. Most often they allow you to, for example:

- 6.1.1 submit assessment slightly later than the published deadline, or

- 6.1.2 not submit assessment now, but have an opportunity for re-assessment at the next opportunity, without penalty, or
- 6.1.3 not attend a time specific assessment, such as an examination, test, presentation or performance, or field class, but have an opportunity for re- assessment at the next opportunity, without penalty
- 6.1.4 (University of Plymouth students only): not attend or complete an assessment, when this accounts for 25% or less of the module's overall mark and the learning outcomes are met through other assessment (this option is not available for self-certified extenuating circumstances)

Exactly what opportunities for re-assessment you have, following a claim for extenuating/mitigating circumstances, depends on the extent of their impact on your academic profile, and your performance in other modules/units, and is decided by the Award Assessment Board. Please note that opportunities for re-assessment usually occur in the summer referral period or as an opportunity to undertake modules/units in the following academic year. There is a limit to the amount of reassessment allowed in the summer referral period; a module/unit that is not achieved because of extenuating circumstances will count towards this limit.

6.1 Submitting assessments slightly later than the published deadline

If you are making an extenuating circumstances claim about coursework, do not wait for a decision on your claim before submitting your work. Please submit the final version of your work within 5 working days of the original deadline (for self-certified extenuating circumstances) or 10 working days of the original deadline (for all other extenuating circumstances).

For valid, self-certified extenuating circumstances for taught modules/units, you will normally be allowed a maximum of 5 days working days from the original deadline to submit your assessment.

For valid, evidenced extenuating/mitigating circumstances for taught modules/units, you will normally be allowed a maximum of 10 working days from the original deadline to submit your assessment.

The extended deadline may vary with the period that academic staff teaching on the module/unit allow for return of work and/or feedback to students, or because there is insufficient time to mark the work before the Award Assessment Board. In particular, an extended deadline in the summer referral period will be no more than five days. You will be advised of the extended deadline by email. You can submit your coursework earlier than the date indicated by your extended submission deadline. If you have already submitted work, a penalty for late submission may be waived, or you may submit another version of your work. Details of your awarding bodies policy on Late submission of Coursework is available under Section 3 of the HE Assessment Policy.

6.1.1 Working days, extended deadlines and vacation periods

A working day is defined as a day on which the College is open, so includes student vacation periods but excludes weekends, Bank Holidays and other times that the College is closed, such as the period between Christmas and New Year. An extended deadline may, therefore, fall in the vacation period.

If the extended deadline is in term-time and you have been unable to meet the

extended deadline due to Extenuating/Mitigating Circumstances, you must submit a further claim. If you have self-certified your claim for extenuating/mitigating circumstances, are not able to complete your assessment within the extended deadline of five working days and you wish us to continue considering your extenuating/mitigating circumstances claim, we will require supporting evidence for your claim.

However, if the extended deadline, for taught modules, is in the vacation period and you are unable to meet the extended deadline, for any reason, you do not need to submit further claims and your claim will be made valid for re-assessment. The difference in treatment of extended deadlines that fall in term-time and in vacation periods is because we do not require students to do academic work in vacations. This applies equally to claims that are self-certified and those that are supported by evidence. It is the only situation in which self-certified extenuating circumstances, for coursework submissions, will lead to a re-assessment opportunity without penalty. However, as described below, deciding not to meet an extended deadline that falls in the vacation period may have implications for your progression or graduation and you should seek advice about this from the HE Registrar.

6.2 Re-assessment of coursework at the next opportunity, without penalty

If an extension is not possible, or if you are not able to submit work within the extended deadline, for valid extenuating/mitigating circumstances or because the extended deadline falls in the vacation period and you are unable to meet it, your claim may be made valid for re-assessment of work. In this case, a zero mark will be included in your profile and your extenuating/mitigating circumstances will be forwarded to the Award Assessment Board, which will make a decision on what action to take. Normally the Board will allow re-assessment at the next opportunity, as the same attempt as the submission for which your extenuating/mitigating circumstances are valid. This may be during the summer referral period or as a repeat of the whole module/unit in the following academic year.

University of Plymouth students:

Where you are given a re-assessment opportunity as a result of valid extenuating/mitigating circumstances, this will include all components of an element of assessment and any previous component marks will be overwritten.

In the particular situation that the assessment covered by extenuating circumstances contributes 25% or less of the overall module mark and the module's learning outcomes can be met from the remainder of the assessment, the module leader may waive a zero mark and re-calculate the module mark from the remainder of the assessment. This decision is at the discretion of the Module Leader and is never applied for self-certified extenuating circumstances. Due to the nature of some programmes, particularly those that involve professional practice, this option may not be allowed.

6.3 Re-Assessment of a time-specific assessment such as an examination, test or performance, without penalty

A zero mark will be included in your profile and your extenuating/mitigating circumstances will be forwarded to the Award Assessment Board, which will make a decision on what action to take.

Normally the Board will allow re-assessment as the same attempt as the

assessment for which your extenuating/mitigating circumstances are valid. This may be during the summer referral period or as a repeat of the whole module/unit in the following academic year.

University of Plymouth students:

Where you are given a re-assessment opportunity as a result of valid extenuating circumstances, this will include all components of an element and any previous component marks will be overwritten.

In the particular situation that the examination, test or other time-specific assessment covered by extenuating circumstances contributes 25% or less of the overall module mark and the module's learning outcomes can be met from the remainder of the assessment, the module leader may waive a zero mark and re-calculate the module mark from the remainder of the assessment. This decision is at the discretion of the Module Leader and is **never** applied for self-certified extenuating circumstances. Due to the nature of some programmes, particularly those that involve professional practice, this option may not be allowed.

6.4 Referral to Study and Wellbeing Review policy and procedure

We will refer you to the [Study and Wellbeing Review Policy](#) if you submit three extenuating/mitigating circumstances claims in a six-month period, or if the number or pattern of your extenuating/mitigating circumstances claims causes concern at any time. The [academic offences procedure](#) will be invoked if an extenuating/mitigating circumstances claim is thought to be fraudulent. The Study and Wellbeing Review Policy may lead to considering your support needs or recommending alternative forms of assessment and may include a Student Support meeting. If your extenuating/mitigating circumstances or health problems prevent you from making academic progress, the Award Assessment Board may, subject to the Study and Wellbeing Review Procedure, require you to interrupt or withdraw from the programme of study.

7 Appeal against an Extenuating Circumstances decision

You have the right to appeal against the College decision whether or not to accept an Extenuating/Mitigating Circumstances claim. Such appeals must be submitted within ten working days of the outcome of the extenuating/mitigating circumstances claim being communicated to you and may be made only on the following grounds:

- 7.1 A material and demonstrable procedural irregularity in the Extenuating/Mitigating Circumstances process.
- 7.2 Evidence that the College did not consider all of the information available to it at the time of its consideration of the claim.

Appeals will not be considered on the following grounds:

- 7.3 Dissatisfaction with the reasonable judgment of the College in its consideration of the extenuating/mitigating circumstances claim.
- 7.4 Late submission of an application for extenuating/mitigating circumstances or late submission of evidence to support an application where there are no compelling grounds why the

application was late.

Appeals against the College’s decision on whether or not to accept an Extenuating/Mitigating Circumstances claim must be made within ten working days of the decision as set out above, and will not normally be accepted during the main summer or referral appeal periods.

8 Outcome of Any Appeal

The outcome of any appeal against a decision in relation to Extenuating/Mitigating Circumstances is final and will not be considered subsequently as an appeal against the decision of the Award Assessment Board.

9 Responsibility

9.1 Vice Principal Curriculum & Quality/Director of Curriculum

Definitions:	ECs – Extenuating Circumstances MCs – Mitigating Circumstances	Who Needs to Know?	<ul style="list-style-type: none"> All College staff teaching on HE programmes HE Students
Related Policies and Procedures:	<ul style="list-style-type: none"> HE Assessment HE Appeals HE Study & Wellbeing Policy HE Fitness to Study Policy HE Academic Offences 	Approval Date:	March 2023
<p>This policy was approved and adopted by:</p> <p><i>Julia Howe</i></p> <p>Julia Howe Principal & CEO</p>			