

# Mitigating Circumstances Policy and Procedure

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## 1. Introduction

- 1.1 During your studies you may encounter unforeseen or significant personal difficulties/circumstances outside of your control which have an impact on your ability to complete, submit or attend a specific assessment. The University refers to these personal difficulties as “Mitigating Circumstances” (commonly abbreviated as Mit Circs when talking about it). The mitigation is the action which the University takes to adjust some element of your academic programme such as extending assignment deadlines.
- 1.2 There is a separate procedure for suspending your studies or for changing to part-time mode of study and you should contact your personal tutor about such a request
- 1.3 This document sets out general principles and guidance followed by procedural process and the terms of reference of the Mitigating Circumstances Panel. This policy is aligned with the Taught Programme Academic Regulations accessible under Essential Info on the myLTU app.

## 2. University and students’ responsibilities

- 2.1 The University will make this policy, and related application forms, directly and easily available to students, for example on the myLTU app, and will draw attention to it in induction materials such as the Get Going Guide. The University expects all appropriate staff, such as module coordinators, personal tutors and certain professional support staff, to be able to guide students in its operation.
- 2.2 The University will publish a schedule of deadline dates for applications for consideration of Mitigating Circumstances. You should submit requests for extensions and applications for mitigating circumstances as soon as you have the necessary evidence (see 4.3 and 5 below) in order to allow proper consideration. The University will try to consider applications promptly but reserves the right to request further information and/or reject applications.
- 2.3 You should read this policy before making an application. You should also be aware of:
  - regulations on late submission of coursework
  - incorrect submission of coursework
  - related policies on Academic and Professional Misconduct
  - online declarations of academic integrity at the point of assignment submission

- 2.4 You should consult your Personal Tutor or Level Tutor promptly for guidance and clarification or, in their absence, professional support staff.
- 2.5 Whenever necessary, you should consult your GP, Leeds Trinity Student Support Services or other relevant professional at the time the issue presents itself. You are responsible for payment of any fees associated with providing evidence in support of a mitigating circumstances claim.

### 3. General principles and procedures

- 3.1 We want consideration to be efficient and not bureaucratic and we want to avoid appeals which could have been dealt with at a much earlier stage. So, you can request up to 5 additional working days to submit coursework and you are permitted 2 x 5 working day extensions per component of assessment and per level. In exceptional cases, academic staff may permit one of these extensions to be increased to 10 working days (see 3.6 below). If you require longer than 5 days due to the nature of the circumstances, you should submit a Mitigating Circumstances application.
- 3.2 We do not mitigate by adding marks as compensation. Mitigation usually involves additional time and opportunity for you to perform as would have been the case without the circumstances arising. Please refer to Annex A for possible outcomes.
- 3.3 Any extra time granted as mitigation will normally correspond to the amount of time you were unable to study. This amount of time may well have been used up since the application was made and, therefore, no additional time is granted. You should never assume that any extra time granted will be after the application is considered. You may be asked for material evidence of work in progress before the deadline and whilst awaiting a decision.

#### Extensions

- 3.4 At any time before the deadline, you may apply for an extension. To ensure fairness across the University, the maximum extension normally allowed is **5 working days**. You can request 2 x 5 working day extensions per component of assessment and per level. Please note you cannot request an extension on an exam.
- 3.5 If you wish to request an extension, you should submit a request for a 5 working day extension via your e:Vision account. There is no requirement for evidence and as long as you have not exceeded 2 extensions for your level of study, the request will be automatically granted.
- 3.6 In **exceptional** circumstances, your tutor may permit one of the 2 x 5 working day extensions to be increased to 10 working days. You should meet with your tutor to discuss your situation. Your tutor will confirm approval of any 10-working day extension to Student Administration who check eligibility, record the decision and communicate the outcome to you.

#### Disability and chronic conditions

- 3.7 If you have declared a disability, you should be supported by the University in other specific and ongoing ways. You should not have to apply for mitigating circumstances every time you have an assignment but, like anyone else, you can apply when other circumstances are unforeseen and have had an effect on your performance.
- 3.8 You should seek support from the Dyslexia and Disability Support team to create a Learning Support Plan in order that reasonable adjustments can be made to support you throughout your studies.
- 3.9 If you have a disability or condition which might fluctuate or deteriorate, this might have an impact on your ability to complete, submit or attend a specific assessment or perform well. You should contact the Disability Service for advice and further support including evidence for this change to be considered as mitigating circumstances.

## 4. Mitigating Circumstances Applications

### 4.1 Apply

You may apply for consideration of Mitigating Circumstances in order to

- postpone (“defer”) an attempt for assessment(s) you have not yet taken or to
- request mitigation if you have already taken an exam or submitted an assignment.

In both cases, you will need to supply independent evidence of the circumstances to be considered [see below].

### 4.2 Timing

Applications should be made promptly and you are expected to be familiar with the requirements of this policy.

Applications made significantly later than the circumstances will only be considered if you can provide a satisfactory explanation of why they were not submitted within the expected timescale. Such an explanation should be based on independent medical evidence that you were physically or mentally unfit when an application should have been made.

### 4.3 Grounds

A mitigating circumstance is one which:

- is unforeseen and out of your control;
- has (had) a significant impact on your ability to complete, submit or attend a specific assessment;
- has credibly affected you at the time relevant to the specific assessment.

### 4.4 Evidence

You will need to supply evidence which is appropriate for the circumstance [see 5 & 6 below]. However, in principle, it should be in English and be:

*either*

written evidence from a relevant professional [e.g., a medical note from a GP or a letter from a counsellor] and must confirm that the circumstance has prevented or will prevent your ability to submit or attend a specific assessment or affect your performance;

*or*

written evidence from an independent third party who has previous first-hand knowledge of your situation [e.g. LTU Student Support, a solicitor or a statement from the police]. The evidence should include a description of the nature of the circumstance, when it occurred, its duration and, preferably, an opinion on how it may have affected your ability to complete, submit or attend a specific assessment or perform well. Evidence from your Personal Tutor will not usually be sufficient without other supporting evidence unless there are exceptional circumstances.

Please note that evidence which, for example, justifies a week’s extension might not be sufficient to grant a deferral for three months; and that mitigation for an exam in May would not be automatically rolled forward to an exam in August, for example, unless the evidence explicitly stated that you would be unfit for both assessment periods.

You should keep all original evidence and submit/upload copies or scans. We will delete copies from our systems in line with our retention policy.

## 4.5 Outcomes

A set of potential outcomes of consideration of mitigating circumstances is set out further below and is fully incorporated into the online form. All decisions will be communicated by email to your LTU email address. You should check your account frequently and set up alerts as necessary.

## 5. Circumstances eligible for consideration & types of evidence required

This list is provided for guidance and to ensure that the processing of your claim is not delayed. The guidance is not exhaustive.

### 5.1 Illness

You must provide an official medical certificate or letter from an appropriate medical or healthcare professional. It must identify specific date(s) when you became unable to undertake formal assessment and/or study and the likely date on which you would be fit to resume studies. Photographs or scans of documents are acceptable but it is your responsibility to ensure they are clearly legible. Photographs of medication or images of injuries are not acceptable.

### 5.2 Hospitalisation of the student

You must provide a letter or certificate from the hospital or a GP. It must identify specific date(s) when you became unable to undertake formal assessment and/or study and the likely date on which you would be fit to resume studies.

### 5.3 Illness of a family member, partner or dependant

If a family member, including partner or dependant, has become ill and this has impacted on your ability to undertake your studies, we want to see evidence of this impact on you [not just of the other person's illness itself].

You must provide an official medical certificate or letter from an appropriate medical or healthcare professional which relates to the impact on you. It must identify specific date(s) when you became unable to undertake formal assessment and/or study and the likely date on which you would be fit to resume studies. There is no requirement to provide evidence relating to the person's condition.

### 5.4 Bereavement

You must provide reasonable evidence such as a death certificate or an order of service from a funeral, together with a statement from you explaining the relationship between you and the person who has died.

### 5.5 Pregnancy and related circumstances

Pregnancy is not an illness and not therefore a mitigating circumstance in itself. You should consult your personal tutor about the University's separate policy and support procedure for pregnant students. However, if, as a consequence of pregnancy and related complications and outcomes, you become unable to study or be assessed as normal, mitigating circumstances may apply. Some form of evidence of childbirth would be acceptable for mitigation.

### 5.6 Victim of crime

You must provide official police communication which is more than just a crime reference number. It should be clear that you are the victim of the crime. You will need to explain how it has affected you, for example theft of possessions or car. If the crime has caused you continuing stress you will need to provide additional evidence.

### 5.7 Domestic disruption

We recognise that some domestic disruption can be significant, unforeseen and outside a student's control. It might include material damage but also significant personal trauma, such as separation, divorce or abuse.

We want to see a letter from an appropriate independent individual or authority (e.g., personal tutor in exceptional circumstances, LTU Student Support, a solicitor or a statement from the police). The letter

should indicate not only the nature of the circumstances but also the likely impact the disruption is having on your ability to submit or attend a specific assessment or perform well, the dates when such impact would apply and the likely date on which you would be fit to resume studies.

For longer-term disruption, or where the disruption is having an impact on your wellbeing, you should contact your personal tutor or Student Support.

## 6. Circumstances which will not be considered under this policy

### 6.1 Minor ailments

You are expected to manage normal and typical circumstances in your life. Short-term minor ailments [common cold, cough, sprains, upset stomachs], even when supported with medical evidence, will not normally be accepted.

### 6.2 Planned personal circumstances

We do not mitigate domestic events such as house moves, family celebrations, weddings or other such events where you have some control over the date or can make alternative arrangements or choose not to attend the event or plan your work around the event, including submitting work in advance.

### 6.3 Transport issues

Credible transport issues might be eligible for short extensions to coursework, for example 24 hours. They would not normally be accepted for full mitigating circumstances unless exceptional and completely unforeseeable. You are expected to be aware of warnings of strike action or roadworks or changes to schedules, for instance, so that you could judge when to begin your journey.

### 6.4 Holidays

Personal and family holidays are not normally accepted, particularly for coursework. Exceptionally, these might be accepted as grounds for absence at an exam or equivalent event if you can provide evidence that the holiday was booked before the publication of calendar and assessment information. Calendar information is usually published in the January before the start of the academic year in question. Module assessment schedules are published at the start of the academic year.

### 6.5 Paid employment or voluntary work

You are expected to manage normal and typical circumstances in your life. It is expected that you will ensure that any paid employment or voluntary work does not interfere with your ability to submit or attend a specific assessment.

### 6.6 Misreading the exam timetable or misunderstanding a coursework submission deadline

Mistaking a deadline, misreading the exam timetable or submitting the wrong assignment in error are not grounds for mitigating circumstances.

### 6.7 Exam stress and assignment deadlines

Exam nerves or feeling academically anxious, for example because of several deadlines in a short space of time, is predictable in a degree course and you are generally expected to develop resilience and coping strategies. If you have independent evidence of depression, stress or panic attacks then you would be able to apply for mitigating circumstances.

### 6.8 IT and/or computer failure

It is your responsibility to ensure that all your work is well backed up, for example on your University personal drive or cloud storage. If you are unable to submit work via Moodle because of a technical problem, you should contact the eLearning Team (elearning@leedstrinity.ac.uk) immediately to rectify the problem.

6.9 **Undisclosed circumstances**

We cannot mitigate completely undisclosed circumstances. All information is confidential and will be destroyed in line with our retention policy.

6.10 **Withdrawal of IT facilities or other resources due to debt**

If you are in financial difficulties you are expected to take steps to prevent facilities from being withdrawn, to consult the Student Finance Adviser to discuss any debt and to respond immediately to any warning from the University in relation to the consequences of a debt.

## ANNEX A – Process

### Application

You should complete a Mitigating Circumstances Application form which is available through e: Vision (on the myLTU app) – select My Modules and scroll down to Mitigating Circumstances button. Application forms must be completed in full and you should upload a copy of the independent supporting evidence. Incomplete applications or those provided without evidence will not be considered.

### Submission

You should submit completed Mitigating Circumstances Applications as directed on the online form. Application deadlines and a full list of Mitigating Circumstances Panel (MCP) dates are listed in the student guidance adjacent to the Mitigating Circumstances Application button under e:Vision > My Modules.

### Consideration

The Mitigating Circumstances Panel (MCP) is responsible for the consideration of Mitigating Circumstances applications but may delegate authority to Student Administration to make decisions pertaining to Outcomes 1-2. Decisions of the MCP pertaining to Outcomes 3 – 7 are reported as *recommendations* to the relevant School Progression and Award Board to be taken into account when determining progression and award. In those circumstances where it would be detrimental to the student to wait for a Mitigating Circumstances Panel, decision may be sought by Chairs Action.

Your application will usually be considered within 10 working days.

Possible Outcomes	
<b>Outcome 1</b>	Extension to the submission date for assessment(s)
<b>Outcome 2</b>	Alternative form of assessment
<b>Outcome 3.1</b>	A further opportunity for (re)assessment in module(s)
<b>Outcome 3.2</b>	Fail mark(s) are expunged and further first attempt(s) be allowed
<b>Outcome 3.3</b>	Submission penalties in one or more modules be reversed.
<b>Outcome 4</b>	Restart the year ( <b>NB:</b> additional fees will apply).
<b>Outcome 5</b>	Suspend studies and return the following academic year
<b>Outcome 6</b>	Mark(s) to be condoned
<b>Outcome 7</b>	Consider the effect on award classification
<b>Outcome 8</b>	Request not upheld

### Communication of outcomes

Student Administration will be responsible for communicating Mitigating Circumstances outcomes to students. All decisions will be emailed to your LTU email address as registered with us. You should check your account frequently and set up alerts as necessary.

### Appeals

Mitigating Circumstances decisions become decisions of the respective Progression and Award Board and any appeal should go through the University Appeal Process.



## ANNEX B - Mitigating Circumstances Panel: Terms of Reference

### Purpose

To consider applications for mitigating circumstances claims thus assisting the University in meeting its obligation to ensure that matters affecting student performance are considered fairly, consistently and equitably.

### Membership

Director of Student & Academic Services (ex-officio, Chair)

Director of Student Support and Engagement (ex-officio)

One Head of Department/Chair of Assessment Panel from each School nominated by Dean of School (ex officio, (one Vice-Chair ad hoc)

One member of lecturing staff from each School

Two members of Student Administration (Student Records)

### Attendance and quorum

The quorum is Chair or Vice Chair plus five other members. However, as a matter of principle a Head of Department from each School should normally be present in order to establish a level of consistency of treatment across Schools.

### Scheduling of meetings

Mitigating Circumstances Panels will be scheduled monthly during the academic session. If there is no business to be considered, the meeting will be cancelled.

### Delegated authority

The Chairperson, or nominated person(s) from Student Administration, shall have delegated authority to approve applications for Mitigating Circumstances on the following basis:

- i) the adequacy of the evidence provided;
- ii) likely possible outcome.

With regard to factor i) the evidence must be clear and unequivocal in supporting the circumstances claimed.

With regard to factor ii) that the possible outcome will be in the range Outcome 1-5 and 8. If another outcome is deemed appropriate the application must be submitted to a full meeting of the MCP.

The decision on whether a Mitigating Circumstances application can be considered under delegated authority of the MCP will be taken by Student Administration in accordance with the above factors and any additional criteria determined by the MCP.

Applications approved by Delegated Authority will be reported to the next meeting of the MCP.

### The powers of the Mitigating Circumstances Panel [MCP]

The MCP is empowered to make decisions on the impact of mitigating circumstances on student performance, either as potential or actual impact.

These decisions will be reported to the relevant Progression and Award Board as recommendations for the Board to take into account when determining progression and award.