

Mitigating Circumstances Quick Guide



Contents

1. Introduction and scope

2. Mitigating Circumstances

- 2.1. Explanation of a mitigating circumstance
- 2.2. Criteria for submitting a claim
- 2.3. Submission of a claim
- 2.4. Deadlines for submissions
- 2.5. Requirement for supporting evidence
- 2.6. Assessment of claim
- 2.7. Recommendations and outcomes

3. Self-Certification

- 3.1. Reasons for self-certification
- 3.2. Self-certification period
- 3.3. Allowed Frequency of Self-certification claims
- 3.4. Assessments in scope for self-certification
- 3.5. Definition of examinations

4. Data Protection

5. Related regulations and polices



1. Introduction and scope

This quick guide is produced by the Student's Union to provide a summary of the University's Mitigating Circumstances Policy. The full detailed policy and further information is available at www.le.ac.uk/mitigating

Leicester Students' Union offers a free advice service to help any students that may be struggling. Located on the first floor of the Percy Gee Building. The policy applies to all students following taught programmes of study, or taught modules as part of research degrees, full-time or part-time, who wish to apply for mitigating circumstances in relation to an assessment or period of assessments.

The term assessment in this policy relates to any form of coursework, examinations, presentations, in-class tests, lab work, online activities, or other activity resulting in a mark and/or grade.

It should be noted from the outset that if you have not yet completed your assessment, a mitigating circumstances claim will not excuse you from completing the assessment. If your request is successful, your School will likely ask that you attend/submit the same or alternative assessment at a later date. More information about potential outcomes can be found at www.le.ac.uk/mitigating



2. Mitigating Circumstances

2.1. Explanation of a mitigating circumstance

Mitigating circumstances are defined as recognisably serious or significant event(s), affecting a student's health or personal life which are unforeseen and beyond the student's control. They are sufficiently serious enough in nature to result in the student being unable to attend (in person or virtually), complete, or submit an assessment on time.

A student who submits or attends an assessment on time, cannot normally claim mitigating circumstances. However, a student can claim if they feel their judgement was impaired in determining their fitness to complete the assessment, and they will need to demonstrate this with appropriate evidence.

For example, evidence of a medical condition that prevented the student from making a balanced decision immediately before an assessment where reasonable adjustments were not already in place or were not adequate enough in advance of the assessment.

Any student who does not present a mitigating circumstance claim within the given deadlines as outlined in Section 6 cannot subsequently submit mitigating circumstances after the assessment results are known.

The University expects that most cases of mitigating circumstances would fall into one, or more, of the categories listed in Appendix A.



Not normally accepted as mitigating circumstances (this is not an exhaustive list)

Medical circumstances that:

i) do not relate directly to the assessment period in question and/or cannot be attributed as having an impact on the assessment

ii) relate to minor illnesses that would not lead to equivalent absence from a work environment and can normally be treated with over the counter remedies (e.g. colds, sore throat, headaches, day to day ailments)

iii) are unsubstantiated or include retrospective evidence (e.g. doctors note after the illness has disappeared)



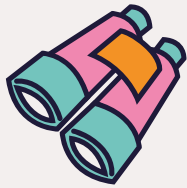
Criminal conviction



Financial issues



Holidays/family events



Foreseeable and/or preventable circumstances



Transport difficulties that could have been anticipated or lack of contingency planning into travel time



Sporting fixtures (including those for University teams)



Loss of computer data/printer problems or submitting the wrong work for assessment or draft version of the work



Religious festivals and regular observance (these should be flagged to Schools in advance)



Being reluctant to disclose circumstances (even brief, non-detailed accounts)



Missing exams or assessment deadlines due to misreading of timetables or oversleeping because of poor time management or personal organisation.



A long-term condition where treatment or additional support/arrangements are already in place to mitigate the impact and there has been no additional unforeseen flare-up

2.2. Criteria for submitting a claim

The following criteria should be applied to claims for mitigating circumstances, only assessments affected in one of the following ways will be considered. At the point of submitting a claim, all students will need to declare which criterion is applicable for the affected assessments.

- Assessment will be submitted late, but falls within the late submission of coursework penalty scheme (normally 8 working days after published submission deadline for postgraduate modules and 10 working days for undergraduate modules), anything submitted after these dates is assumed to be a non-submission and will be considered under criterion d below.
- Absence from a scheduled assessment which is time bound, such as an examination, class test, lab work or presentation;
- Taken ill during a scheduled assessment, such as examination or presentation;
- Non-submission of an assessment, including submission after maximum period for late penalties;
- Assessment attended or submitted on time but the student can provide medical evidence to support that they were incapable of determining whether or not they were able to undertake the assessment at the time of doing so.

If one of the above criteria is relevant then the claim should demonstrate it meets the additional criteria:

- Beyond the control of the student: the student must demonstrate that they could not have done anything to prevent the circumstances arising, that they were unforeseen and unpreventable.
- Impact on assessment: the claim must demonstrate a significant negative impact on the student's ability to submit/attend or complete an assessment by the deadline. It must make clear the duration of the circumstances and have the appropriate documentary evidence to support this claim.
- Have timely relevance: typically the circumstance must have occurred on the day the assessment was due to be submitted or attended or the week leading up to it. Where the serious or significant event falls before this time the student should be able to demonstrate that the impact (as above) it had can be linked to the assessment being claimed for (e.g. event significantly impacted revision/preparation for assessment that could not be recovered at another time and therefore the assessment could not be attempted or submitted on time).



2.3. Submission of a claim

Should the request be approved, the student should no longer attempt the assessment, and instead an alternative deadline will normally be set.

- If the assessment is attempted or submitted after the mitigating circumstance request has been approved and the student informed, then the mitigating circumstance claim will no longer be valid and the assessment outcome will be final. No additional mitigating request can be submitted against the assessment.

- Where the assessment has been attempted on time before a decision has been communicated to the student then the mitigating circumstance request will take precedence and if accepted any attempt will be null and void and the student will be given a time in which to take the assessment again (see Section 9).

All claims should be submitted online, normally by the student, using the online submission tool in MyStudentRecord. In exceptional circumstances, such as where a student is incapacitated (e.g. hospitalised), it may be permissible for a submission to be made by a member of staff on behalf of the student.

2.4. Deadlines for submissions

All forms of assessment will have a final submission date, or date of completion, and where possible these dates will be held in the University Student Record System. It is expected that assessment due dates will be published to students at the start of each semester.



The latest deadline for the submission of a mitigating circumstance claim will be 7 calendar days after the assessment due date. The submission of a claim after 7 calendar days will be considered in exceptional cases where there is a clear reason for the late submission.

Claims submitted after assessment results are known/released will not be permitted. Students may submit an academic appeal where they wish to raise new evidence of mitigating circumstances, and will be required through the appeal process to demonstrate why it was not possible to bring these circumstances to the attention of their school at the appropriate time in line with the requirements of Senate Regulations and this policy. An academic appeal may only be submitted after students have received the formal notification of their progression or award decision, following the meeting of the relevant Board of Examiners.

Departments must ensure that deadlines for the receipt of mitigating circumstance claims are clearly publicised in course handbooks and module materials and in keeping with the agreed deadlines above.

2.5. Requirement for supporting evidence

It is expected that students will provide the necessary supporting evidence at the point of submitting their claim or within 7 days of the submission. In exceptional cases, and where there are justifiable reasons for doing so, a School can set a new deadline (greater than 7 days) for the receipt of additional evidence and the student will be notified of this date.

All evidence needs to be written in English. If it's originally in another language it's the student's responsibility to ensure a verified translation is provided.

Visit www.le.ac.uk/mitigating for more guidance on specific evidencing requirements.

The following list, whilst not exhaustive, outlines the types of mitigating circumstance where supporting evidence is not necessary. Students should provide a short explanation of the circumstances and the impact on their assessments as part of their claim. Impact is the key thing here, how has what's happened impacted on your ability to undertake an assessment?

- Significant bereavement, for example a death of a close family member or significant other
- Sexual assault (including image based sexual abuse)- Harassment based on a student's disability, faith, gender identity, race, and/ or sexual orientation
- Flare up or deterioration of a declared long-term health condition. If the condition has not already been declared, evidencing of the condition will be required.
- Unexpected disruption to a technology for a time-bound assessment that could not be avoided through advance planning

It should be noted that programmes subject to Professional, Statutory or Regulatory Body (PSRB) accreditation may still require evidence to meet PSRB requirements, students on these programmes should check with their School for guidance.

2.6. Assessment of claim

Claims will be considered by a Mitigating Circumstances Expert in the first instance to determine whether the claim meets the relevant conditions and can therefore be considered.

The expert will be trained and have access to all relevant information and systems to make an informed decision on whether to accept the circumstances in line with the criteria laid out in Section 2.2 of the policy and on what outcome to recommend for the affected assessment(s).

For more information, visit the full University Policy.

3. Self-Certification

Self-certification supports students affected by unexpected short-term minor illness or disruption to their studies. This allows students the opportunity and responsibility to submit a claim to waive late penalties due for certain assessments within the self-certification period.

Students experiencing a more serious or significant event, affecting their health or personal life, should submit an evidence-based mitigating circumstance request rather than a self-certification request.

Students' overall claims and engagement will be monitored. Any misuse of self-certification could result in a student being asked to provide evidence.

3.1. Reasons for self-certification

Self-certification should not be used for an illness for which it would be reasonable to seek medical attention. In such circumstances, evidence must be obtained to support any mitigating circumstance request.

Examples of short-term illnesses and circumstances for which self-certification would be acceptable are as follows (please note this list is not exhaustive):

- Flu
- Food poisoning
- Gastroenteritis
- Migraine
- Menstrual pain
- Norovirus
- Unforeseen carer responsibilities



Distance learning students may also cite employment related pressures as a reason for self-certification.



3.2. Self-certification period

The self-certification period is defined as a period in which students can submit an assessment without normal late penalties being applied. This does not alter the original assessment deadline. The self-certification periods available to students are as follows:

Campus based students (full-time and part-time) can self-certify for a maximum of 5 working days per self-certification period.

Distance learning students can self-certify for a maximum of 10 working days.

Self-certification periods will start at 9am on the first day of the period and conclude at 8.59am on the last day of the period. Any late penalties will then apply from the end of the self-certification period, i.e., 9am on the last day of the self-certification period.

Following a successful self-certification request, assessments can be submitted after the original deadline before the self-certification period ends without a late penalty applying. Assessments submitted after the self-certification period will be subject to late penalties. A successful self-certification request will not change the original assessment deadline. Anything submitted 11 or more working days after the original deadline (9 working days for all PGT programmes, except DL PGT programmes) will be deemed a non-submission, irrespective of whether there is a successful self-certification request.

Submissions of consecutive self-certifications will not be permitted. Students may only submit one self-certification request within a 10 working day period. For real time assessments that are in scope for self-certification, but where the waiving of late penalties is not appropriate, Schools will decide one of the following outcomes from the standard mitigating circumstances outcomes, as appropriate:

- Provide a new date to attend the assessment, or
- Provide a new date to attend an alternative assessment, or
- In exceptional circumstances, void assessment and rescale module mark across the other assessment elements.



3.3. Allowed Frequency of Self-certification claims

Students can request to self-certify twice as follows:

Campus based students (full-time and part-time) can self-certify twice per academic year.

Distance learning students can self-certify as follows:

Full time, Undergraduate: 2 self-certification claims (per level)

Full time, Postgraduate: 2 self-certification claims (per course)

Part time, Undergraduate: 4 self-certification claims (per level)

Part time, Postgraduate: 4 self-certification claims (per course)

Once an instance of self-certification is successfully claimed, it cannot be returned except in exceptional circumstances.

3.4. Assessments in scope for self-certification

Students cannot self-certify for examinations (see definition in Section 4.5).

The self-certification period will usually cover coursework assessments scheduled with the original deadline within the self-certification period.

However, Schools may take assessments out of scope for self-certification where there are good reasons. Please check with your School if an individual assessment is in scope for self-certification.

Only assessments with deadlines that fall within the claimed self-certification period will be eligible for self-certification.

Assessments linked to requirements set by Professional, Statutory and Regulatory Bodies (PSRBs) cannot be self-certified. Therefore, students should submit a mitigating-circumstances claim with the relevant evidence for consideration by a Mitigating Circumstances Expert.

If an assessment that cannot be self-certified is scheduled during the self-certification period, students will need to either:

- sit / submit the assessment as planned, or
- submit a mitigating circumstances claim with the relevant supporting evidence.

3.5. Definition of examinations

For the purpose of self-certification, examinations are defined as:

Any assessment that is both released and has a deadline within the same University-approved exam period. This definition covers both on-campus and online exams and time limited coursework that is released and has a deadline during an exam period.

The exam period may be defined either by the University or a Professional, Statutory or Regulatory Body (PSRB). The main University exam period can be found on the Students' Guide to Exams (login required), Schools can advise on other exam periods.

4. Data protection

All student records in relation to mitigating circumstances claims will be held in SITS and will be subject to the University's Data Protection code of practice and data retention schedule. In cases concerning student health and wellbeing a referral will be submitted to Student Support Services to ensure appropriate support is offered.

5. Related regulations and policies

Students are reminded that in accepting the University of Leicester's terms and conditions at registration, they are agreeing to abide by the Senate Regulations and associated policies. The following regulations are referenced in this Policy on Mitigating Circumstances:

- Senate Regulation 5: Regulations governing undergraduate programmes of study
- Senate Regulation 6: Regulations governing taught postgraduate programmes of study
- Senate Regulation 7: Regulations governing the assessment of taught programmes

