



Mitigating Circumstances and Extensions Policy (Awarding Body – BNU)

Version 6

Approved by the Board of Governors

Last Amendment: September 2023

The following sets out the School's policy and procedures for considering mitigating circumstances that have affected a student's performance in a summative assessment or prevented them from undertaking it. This policy also sets out the extensions policy and procedures.

NB: Procedures vary depending on the awarding body for the programme sought. Please read the following carefully to ensure the correct procedures are applied.

This policy has been reviewed and developed in line with the *UK Quality Code for Higher Education*. Due regard is also given to the Office of the Independent Adjudicator's *Good Practice Framework*.

Document Information

Document owner(s)*:	Head of Registry
Date of next review:	September 2024
Document Status:	IN USE
Dissemination:	For general publication

*The document owner is responsible for maintaining and updating the content of this document and ensuring that it reflects current practice at the School.

Contents

1. Definition.....	2
2. 'Fit to Sit' Policy.....	3
3. Scope	4
4. Principles	4
5. Mitigating Circumstance Procedure	5
6. Self-Certification	7
7. Review of Rejected Claims	8
8. Further Considerations.....	8
9. Review and Update.....	8
Appendix: Table of Acceptable Mitigating Circumstances and Evidence Requirements.....	9

1. Definition

- 1.1. The School defines 'mitigating' circumstances as being any circumstances which were not within the foresight and control of the student and which the School believes might adversely affect the academic performance of a student during the assessment period for which they are claiming.
- 1.2. Students are expected to manage their workload efficiently, and avoid leaving course work and submission until the last minute. Mitigating circumstance and extension claims are not to be used by students to account for poor organization, and/or where students have allowed everyday stress and/or commitments, such as work, to affect their assessment preparation.
- 1.3. Mitigating circumstances may include, but are not limited to:
 - Illness at the time of an examination or in the period preceding coursework submission or during placement
 - Death of a family member or close friend
 - Severe unforeseen personal or psychological problems
 - Flare-up or exacerbation of a chronic condition
 - Complication of an existing condition
 - Additional impact of a disability
 - Complications in pregnancy e.g. premature labour
 - Serious transport difficulties which could not have been avoided
 - Specific religious observance
 - University technical difficulties lasting for a short time e.g. such as an unscheduled disruption to the usual VLE provision.
- 1.4. It is the School's aim to ensure that, as far as possible, such unforeseen circumstances do not affect students' grades or achievements.
- 1.5. Students must be prepared to submit relevant evidence with their mitigation or extension form to support their claim. The School will reject any claims which are received without accompanying evidence and/or may request additional evidence before the claim can be considered.
- 1.6. Students are to submit a mitigation and/or extension claim as soon as possible. This is to ensure registry teams have adequate time to process the claim and, where necessary, obtain further evidence and/or information to assist in its review.
- 1.7. Until the mitigation and/or extension claim has been approved and the student has received written formal communication of this from either, the awarding body and/or the LSST BNU Exams team, the existing, original deadline applies and it is the student's responsibility to submit and work towards the existing deadline until informed otherwise.



1.8. Generally, this policy would not apply to the following:

- i. Students affected by permanent or long-standing illnesses, disabilities or learning difficulties; this is because students will have been expected to have registered their impairment with the School and, where appropriate, will have an individual plan to support their studies in accordance with the [Reasonable Adjustments Policy](#). However, the School may consider an acute episode or worsening of their condition which means that the reasonable adjustments in place are no longer sufficient, in which case this policy will be used.
- ii. Students' absence or lateness from classes; separate procedures should be followed if students are late to lessons or unable to attend them for any reason; guidance will be given to students upon enrolment to the School.
- iii. Students who have failed to manage their workload efficiently, and/or have prioritized other commitments, such as work or holiday plans over assessment preparation and completion. Consideration for paid employment may be made where the employer has made unforeseeable demands on an employee (the student) e.g. sending an employee (the student) abroad on short notice. Circumstances such as this will be handled on a case-by-case basis.

Where students are required to complete group coursework tasks, and submit a claim against failure of a group member to complete their assigned task within the coursework. Incidences such as this will instead be considered during the marking process.

- iv. A student has misunderstood the assignment criteria, examination date and/or course work deadline.

2. 'Fit to Sit' Policy

2.1. Generally, by submitting coursework, sitting an examination, or participating in any other form of assessment (e.g. giving a presentation), a student is taken to be confirming that they are fit to submit/sit the assessment concerned and any mitigating circumstances claim in respect of that assessment will be deemed invalid unless:

- i. there is clear evidence that the student was not in a fit state to decide whether they were able to submit/sit the assessment concerned, or
- ii. there is clear evidence that the student became ill during an exam, class-test, presentation etc. and was not in a fit state to continue, or
- iii. in the case of an examination or presentation, there was substantial disruption to the assessment environment that affected the student's ability to do their best work.

2.2. The School does not usually make concession under this policy for students affected by travel disruption or IT problems; however, some exceptional cases may be considered on

a case-by-case basis.

The Appendix of this document gives examples of reasons that are generally considered as mitigating circumstances, reasons that may be considered and reasons that are not likely to be considered. It also provides examples of typical evidence that would need to be submitted to substantiate a claim for mitigating circumstances.

3. Scope

- 3.1. LSST delivers learning opportunities under validation and franchise agreements with external awarding bodies, for example Buckinghamshire New University. The procedures for considering and approving mitigating circumstances and extensions set out in this policy have been formulated in accordance with those of Buckinghamshire New University.
- 3.2. Regardless, of who is responsible for processing mitigating circumstances claims, all students are required to contact the Registry Department (registry@lsst.ac) initially when claiming mitigating circumstances, to ensure the correct procedure is instigated.
- 3.3. Where the term “Registrar” is referenced in this policy, this includes the authorised nominee from the registry department.

4. Principles

- 4.1. The School will observe the following principles in handling all claims of mitigating circumstances and extensions:
 - i. The School will seek to preserve the integrity of assessments and ensure fairness to other candidates undertaking the same assessments.
 - ii. A Mitigating Circumstances Panel will be held by the awarding body, BNU to consider each claim with consideration of genuine, verifiable evidence. When an outcome has been decided, BNU will contact the student directly to advise them on the outcome.
 - iii. Extension claims will be processed and accompanying evidence reviewed by the BNU Exams Officer at LSST, who will decide if the request can be approved or not. The BNU Exams Officer will contact the student directly with the outcome of their extension claim.
 - iv. The length of time granted for an extension will normally reflect the amount of time lost due to the event for which student is claiming: usually up to 10 working days for 1st submissions and 1-2 days for reassessment submissions.
 - v. The School will be mindful when requesting evidence and only request what is needed to confirm the student’s claim; all evidence provided, which may contain sensitive personal information, will be treated in the strictest confidence and in



accordance with the School's [Data Protection Policy](#).

- vi. The School will be vigilant to repeated issues, patterns or claims which indicate a need to provide a student with additional study support under another policy (such as reasonable adjustments) or would require an assessment of a student's ongoing fitness to study.
- vii. No student will be penalised for having made a claim for mitigating circumstances, regardless of whether it is approved or rejected, provided that claim has been made in good faith.
- viii. Where a claim is rejected, students will be notified of their right to request a review of the decision through the School's Appeals Policy, and the grounds on which they may do so.

5. Mitigating Circumstance Procedure

- 5.1. As soon as a student realises that they are experiencing difficulties, which will prevent them in meeting the assessment requirements and/or submission deadlines, they should approach their campus student support team who can advise them on the options which may be available to them. Options discussed may be one of the following:
 - 5.1.1. To complete an application to request an extension on their deadline. This can provide a student with an additional 10 days to submit their work with no marking penalties applied.
 - 5.1.2. To claim mitigation circumstances, due to an unexpected and unforeseeable situation which has impacted their ability to complete their work for the deadline and, where an additional 10 days would not suffice given the students circumstances.
 - 5.1.3. To interrupt their studies until a time when they may be better able to commit to and meet the requirements and components of the course. This may be applicable in situations where a student has taken ill and/or been hospitalized and they cannot engage with their studies. For further information of interruption of studies the student should refer to the *Withdrawals, Interruptions of Studies and Transfer Policy for BNU Students* found on LSST Connect.
- 5.2. Students who believe that they have been adversely affected by mitigating circumstances (as defined in 1.2.) should complete a Mitigating Circumstances Form as soon as the circumstances arise and before the relevant assessment deadline. The form can be found on LSST Connect or may be requested from the Registry (registry@lsst.ac).
- 5.3. When completing their Mitigating Circumstances application, students should ensure that all information is clearly provided and evidenced; failure to do so may result in the application being rejected.

- 5.4. Students must submit a mitigating circumstances claim within 10-working days of the original assessment deadline the student chooses to claim against with relevant, documentary evidence. Should a student be unable to submit a claim within this deadline and/or provide the required evidence within this timeframe, they can submit their claim within a further 5 working days, however, they must provide an additional explanation and evidence to support the reason for the late application on the form. If no explanation is given for the late claim, the request will be rejected on receipt. In cases where no evidence can be submitted within the total 15-working day window, the student should submit the form and state on the claim the reason for this and the evidence to follow with an expected date of evidence submission.
- 5.5. Student must submit an extension request with 2-working days of the original submission deadline being claimed against. Claims submitted later than 2-working days after this deadline will not be accepted.

Decisions regarding a request for an extension should be actioned in a timely manner, normally within 5 working days. Whilst a request is being considered, the student should continue with their studies as though it had not been granted.

- 5.6. Mitigation Claims submitted within two days of the assessment deadline, will be reviewed and where appropriate an extension request may be considered where appropriate. In this case the student will be contacted by BNU directly to advise.
- 5.7. Claims and requests submitted without relevant evidence will be referred back to the student, and a reasonable deadline will be issued to the student for evidence submission. If the student does not make this deadline, the claim/request will be rejected and the student will be informed.
- 5.8. Mitigating Circumstances and Extension Request forms can be submitted via the Student Portal E-form System. Alternatively, a student may choose to contact their campus student support team for assistance with either process. In both cases it is the student's responsibility to ensure that they have successfully submitted the correct claim/request and accompanying relevant evidence in a timely manner.
- 5.9. Students should attach appropriate and relevant evidence to support their mitigating circumstances claim (*See Appendix for a list of evidence requirements*). Students should note that any claim supported by false documentary evidence shall be deemed invalid and may result in the claimant being subject to disciplinary proceedings.
- 5.10. Students may also attach work they have carried out on their assignments (so far) in the form of drafts, notes or finished documents. This may help the Mitigating Circumstances Panel to determine whether the student could reasonably have been expected to complete the assignment at the required time and/or whether a higher grade could have been achieved.
- 5.11. On receipt of a timely claim for mitigating circumstances, the Mitigating Circumstances Panel will carefully consider the case along with the evidence provided and assignment work completed to date, and make one of the following decisions:

- i. That the circumstances recorded did not materially affect the student's performance. Where claims are in respect to non-attendance at an examination or non-submission of an assignment, a mark of zero will be awarded in the component concerned. However, if the claim relates to a first assessment, a student shall have the opportunity to undertake reassessment in the component concerned, in accordance with normal assessment procedures.
- ii. That the circumstances recorded did materially affect the student's performance, thus the student will be given the opportunity to be assessed at the next assessment point in the component(s) in question. This assessment shall replace the opportunity to which the mitigating circumstances claim pertained.

5.12. Any assignment not submitted by the deadline and not documented in a Mitigating Circumstances Form will be treated as a non-submission.

5.13. The awarding body, BNU, will review all Mitigating Circumstances claims within one month of receipt and will contact the student directly regarding any required follow up and/or the outcome.

No mitigating circumstances claims can be made, despite the reason for delay, after an award has been officially conferred upon the student.

5.14. The Board has several options available to it and may make the following recommendations in respect of the Mitigation claim:

- Permit a repeat assessment with no penalty, e.g. reassessment for an 'uncapped mark' on the same basis as a first attempt (i.e. that the full range of marks will be available)
- Permit reassessment for a capped mark, where the successful claim refers to reassessment work
- Permit to undertake a passed assessment in order to gain a better mark, even if the student has passed the module overall. If student should receive a lower mark in the re-taken assessment, the highest mark achieved will stand.
- Grant an aegrotat Pass grade in a module or modules
- Permit an exceptional reassessment for a capped mark
- Permit an alternative assessment, to be determined by the Board
- Accept a late submission for an uncapped mark
- Exercise discretion in, for example, reassessment limits, exceptional continuation with the student's cohort or at the end of the course, award classification or greater discretion at borderlines
- Permit students to 'trail' a module (up to a maximum of 30 credits) in to the next year of the programme.

6. Self-Certification

6.1. The majority of claims submitted will require accompanying evidence as described above and evidence will be expected when a student submits an extension or mitigation claim.

6.2. In limited circumstances, however, the student may not have evidence available which they

can provide to support their claim. This may include incidences of short illness where medical intervention is not required, or sensitive cases such as legal proceedings.

- 6.3. The maximum duration which a student can self-certify is up to five working days prior to and including the original day of submission/assessment or examination.
- 6.4. Self-certification cannot be applied to an extension or mitigation claims submitted after the original deadline, or Late Claims.
- 6.5. Multiple self-certification claims submitted within a 12-month period will be investigated, and additional/supporting evidence may be requested and required to support the additional claims.

Should the BNU Exams Officer receive an extension or mitigating circumstances claim which is eligible for self-certification and lacks supporting evidence they will contact the student and provide the self-certification form for completion. Alternatively, students can obtain this form from their campus Student Support Officer.

7. Review of Rejected Claims

7.1. Students have the right to request a review of the decision of the Mitigating Circumstances Panel by completing the “Mitigating Circumstances Re-review Form”.. The review stage will not consider the case afresh or involve a further investigation and will not consider any new issues raised by the student. The student has the right to appeal to the awarding body decision and the Office for Independent Adjudicator (OIA), where it can be shown that the School has not followed these procedures correctly.

8. Further Considerations

- 8.1. Students should be aware that a Mitigating Circumstances request may cause delays with re-enrolment or progression. As such, students are advised to seek guidance from the Registry (registry@lsst.ac) or [Student Support](#) where in doubt.
- 8.2. The Mitigating Circumstances Panel will be considerate of cases where the substance of mitigating circumstances claims, or repeated claims of a similar nature, indicate an ongoing problem for which the student may need additional study support under another School policy, or which may warrant an assessment of their continued fitness to practice. In such circumstances the Panel will make referrals accordingly, and in consultation with the student.

9. Review and Update

- 9.1. This policy will be reviewed annually by the Registry Department; changes to it will be ratified by the School's Board of Governors.

Appendix: Table of Acceptable Mitigating Circumstances and Evidence Requirements

The below table shows examples of mitigating circumstances and the evidence requirements. All Mitigating Circumstances claims are decided on an individual basis with reference to other contextual information; the below table should serve as a guide only.

	Accepted Mitigating Circumstances	Supporting Evidence	Generally unacceptable
Medical	<ul style="list-style-type: none"> Acute short-term illness (e.g., Influenza, norovirus, food poisoning) 	<ul style="list-style-type: none"> Written evidence from a Registered medical practitioner / GP fit note 	<ul style="list-style-type: none"> Minor ailments (e.g. coughs, mild colds, sore throat, hay fever, etc.) Sleep loss / oversleeping
	<ul style="list-style-type: none"> Serious physical injury incurred near to assessment period. 	<ul style="list-style-type: none"> Written evidence from a registered medical practitioner 	<ul style="list-style-type: none"> Minor accidents or injuries (e.g. small cuts, bruises, sprains)
	<ul style="list-style-type: none"> Onset of severe physical or mental health condition 	<ul style="list-style-type: none"> Written evidence from a registered medical practitioner 	<ul style="list-style-type: none"> Generic exam/assignment stress Long-term physical or mental health condition for which reasonable adjustments have already been made (except where acute episode or worsening of their condition which means that the reasonable adjustments in place are no longer sufficient)
	<ul style="list-style-type: none"> Complications with pregnancy or late stage of pregnancy (e.g. imminent childbirth – partners of pregnant women may be included) 	<ul style="list-style-type: none"> Written evidence from a registered medical practitioner Birth certificate 	<ul style="list-style-type: none"> Pregnancy in and of itself: Students should consult the School's <i>Pregnant Students and Students With Very Young Children Policy</i>
	<ul style="list-style-type: none"> Long standing hospital / surgical appointment 	<ul style="list-style-type: none"> Letter form hospital / medical centre confirming time and date of consultation / procedure. 	<ul style="list-style-type: none"> Routine medical appointment (e.g. non-emergency GP visit, dentist, optician, physiotherapy, etc.)

	Accepted Mitigating Circumstances	Supporting Evidence	Generally unacceptable
Bereavement	<ul style="list-style-type: none"> Loss of a parent, (including stepparents and legal guardian) child, siblings, spouse or common law partner. Death of close relative or friend. 	<ul style="list-style-type: none"> Death Certificate 	<ul style="list-style-type: none"> Death of a pet Death of a public figure / celebrity
	<ul style="list-style-type: none"> Attending funeral for any of the above persons 	<ul style="list-style-type: none"> Order of Service (if available) 	
Academic	<ul style="list-style-type: none"> Disruption to examination conditions / environment Administrative failing attributable to the School (e.g. incomplete assessment instructions, wrong exam paper given). 	<ul style="list-style-type: none"> Corroboration from invigilator / administrator Invigilator report Original assessment materials provided 	<ul style="list-style-type: none"> Misreading examination or timetable or rubric Misinterpreting assessment deadline Submitting the wrong assignment in error or in the wrong format Poor time management Group coursework tasks – failure by one member of the group to submit work or undertake the tasks assigned by the group; this will be taken into account in the marking guidelines
Personal commitments	<ul style="list-style-type: none"> Family / care emergency Work emergency 	<ul style="list-style-type: none"> Written evidence from a registered medical practitioner / solicitor Written corroboration from employer 	<ul style="list-style-type: none"> Normal work commitment Holidays Participation in sporting activities Routine work commitments Domestic events (e.g. wedding, Participation in public demonstrations / political rally
Exceptional financial or accommodation problems	<ul style="list-style-type: none"> Eviction / being made homeless 	<ul style="list-style-type: none"> Notice of eviction 	<ul style="list-style-type: none"> Problems with accommodation Building/decorating work in progress Moving to a new house

	Accepted Mitigating Circumstances	Supporting Evidence	Generally unacceptable
Victim of crime / traumatic personal event	<ul style="list-style-type: none"> • Victim of serious crime or domestic abuse (e.g. rape, assault, mugging, terrorist incident). • Theft or destruction of work required for submission. • Serious fire in residence • Affected by natural disaster • Family breakdown (such as divorce) 	<ul style="list-style-type: none"> - Written corroboration of the reported crime from Police or other investigating authority 	<ul style="list-style-type: none"> • General domestic / family problems
Public Duty	<ul style="list-style-type: none"> • Attendance at court or tribunal as a witness, plaintiff or defendant • Jury duty • Assisting with police enquiries 	<ul style="list-style-type: none"> - Official correspondence from - Court of Tribunal Authority 	<ul style="list-style-type: none"> • Attendance at court as spectator
IT Problems	<ul style="list-style-type: none"> • Failure of School IT equipment at critical time 	<ul style="list-style-type: none"> - Written corroboration from IT Officer 	<ul style="list-style-type: none"> • Minor computer problems including failure to save documents properly
Transport	<ul style="list-style-type: none"> • Involved in road accident • Severe travel disruption (e.g. stuck on broken down train – unable to alight) 	<ul style="list-style-type: none"> - Insurance report - Online transport updates 	<ul style="list-style-type: none"> • Transport strikes • Delayed trains or traffic jams • Personal transport problems (car break-down)

Version History

Version	1.0 - 4.0	
Original author(s):	Head of Registry Head of Assessments	
Reviewed by:	Executive Committee	September 2017 January 2017 September 2018 September 2019
Version	5.0	
Revised by:	Quality Audit Manager Head of Registry	
Revision summary:	<i>Document recomposed; principles added – clarified applicability of process. Appendix revised. Document reformatted and version control added.</i>	
Approved by:	The Board of Governors	October 2020
Version	5.1	
Revised by:	Quality Manager Head of Registry	
Revision summary:	<i>Annual review; partnerships amended. Document reformatted and version control added.</i>	
Approved by:	The Board of Governors	December 2021
Version	5.2	
Revised by:	Quality Manager Head of Registry	
Revision summary:	<i>Annual review; Document amended to align with BNU's processes and procedures; DMU and UWL removed from document.</i>	
Approved by:	The Board of Governors	September 2022
Version	6	
Revised by:	Quality Manager Head of Registry	
Revision summary:	<i>Annual review; Document amended to align with BNU's processes and procedures, version control applied.</i>	
Approved by:	The Board of Governors	October 2023
Version		
Revised by:	Name; Title	
Revision summary:		
Approved by:		Date