



Mitigating Circumstances and Extensions Policy (Awarding Body – De Montfort University)

Version 6

Approved by the Board of Governors

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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 *England's Regulatory Framework for Higher Education*. Due regard is also given to the Office of the Independent Adjudicator's *Good Practice Framework*.

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1. Definition

- 1.1. The School defines 'mitigating circumstances' as any circumstances that were not within the student's foresight and control and that the School believes may have an adverse effect on a student's academic performance during the assessment period for which they are claiming.
- 1.2. Students are expected to manage their workload effectively and to avoid putting off course work and submission until the last minute. Students may not use mitigating circumstances or extension claims to excuse poor organisation or where students have allowed everyday stress and/or commitments, such as work, to interfere with their assessment preparation.
- 1.3. Mitigating circumstances may include, but are not limited to:
 - a short-term severe illness or injury
 - onset of a serious medical condition
 - family or care emergency
 - bereavement
 - trauma
 - being a victim of a serious crime
 - a requirement to fulfil a public duty (such as undertaking jury service or assisting with a policy enquiry)
- 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 to support their claim along with their mitigation or extension form. Any claims received without accompanying evidence will be rejected, and the School may request additional evidence before considering the claim.
- 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. The existing, original deadline applies until the mitigation and/ or extension claim is approved and the student has received written formal communication of this from either the awarding body and/or the LSST Exams team, 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 with chronic or long-term illnesses, disabilities, or learning disabilities
- ii. Difficulties; this is due to the expectation that students have registered their impairment with the School and, where appropriate, have an individual plan to support their studies in accordance with the Reasonable Adjustments Policy. However, if the School believes that an acute episode or worsening of their condition means that the reasonable adjustments in place are no longer sufficient, this policy will be implemented.
- iii. Absence or tardiness in class; separate procedures should be followed if students are late to lessons or unable to attend them for any reason; guidance will be provided to students upon enrolment in the School.
- iv. Students who have failed to efficiently manage their workload and/or have prioritised other commitments, such as work or vacation plans, over assessment preparation and completion. Consideration for paid employment may be given when an employer makes unexpected demands on an employee (the student), such as sending an employee (the student) abroad on short notice. Cases like this will be handled on an individual basis.
- v. In cases where students are required to complete group coursework tasks and file a claim against a group member who fails to complete their assigned task within the coursework. Instances like this will be taken into account during the marking process.
- vi. 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 in question, or
 - ii. the student became ill during an exam, class-test, presentation, etc. and was unable to continue, or
 - iii. there was significant disruption to the assessment environment during an examination or presentation, affecting the student's ability to do their best work.
- 2.2. The School does not usually make exceptions under this policy for students who are inconvenienced by travel or IT issues; 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 provides learning opportunities through validation and franchise agreements with external awarding bodies such as De Montfort University. The procedures for considering and approving mitigating circumstances and extensions outlined in this policy are consistent with those of De Montfort 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. In handling all claims of mitigating circumstances and extensions, the School will adhere to the following principles:
 - 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 LSST and the awarding body will be informed. LSST will consider each claim with consideration of genuine, verifiable evidence. When an outcome has been decided, DMU will contact the student directly to advise them on the outcome.
 - iii. Extension requests will be processed and accompanying evidence will be reviewed by the DMU Exams Officer at LSST, who will decide whether or not the request can be approved. The outcome of the student's extension claim will be communicated directly by the DMU Exams Officer.
 - iv. When requesting evidence, the School will exercise caution and only request what is necessary to confirm the student's claim; all evidence provided, which may contain sensitive personal information, will be treated in strict confidence and in accordance with the School's *Data Protection Policy*.
 - v. The School will be alert to repeated issues, patterns, or claims that indicate a need for additional study support under another policy (such as reasonable adjustments)



or would necessitate an assessment of a student's ongoing fitness to study.

- vi. No student will be penalised for making a claim for mitigating circumstances, whether approved or rejected, as long as the claim was made in good faith.
- vii. If a claim is denied, students will be notified of their right to request a review of the decision through the School's *Appeals Policy*, as well as the grounds for doing so.

5. Mitigating Circumstance Procedure

- 5.1. As soon as a student realises that they will be unable to meet the assessment requirements and/or submission deadlines, they should contact their campus student support team, who can advise them on the options that may be available to them. One of the following options may be discussed:

5.1.1. To submit an application for an extension of their deadline. This can give a student an extra 10 days to submit their work with no marking penalties.

5.1.2. To claim mitigation circumstances as a result of an unexpected and unforeseeable situation that impacted their ability to complete their work by the deadline, and where an additional 10 days would not suffice given the students circumstances.

5.1.3. To interrupt their studies until they are better able to commit to and meet the course's requirements and components. This may be applicable in cases where a student has become ill and/or has been hospitalised and is unable to engage in their studies. For more information on study interruptions, students should consult the *Withdrawals, Interruptions of Studies, and Transfer Policy* for DMU Students 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 is available on LSST Connect or by contacting the Registry (registry@lsst.ac).
- 5.3. Students should ensure that all information is clearly provided and evidenced when completing their Mitigating Circumstances application; failure to do so may result in the application being rejected.
- 5.4. Students must submit a mitigating circumstances claim with relevant, documentary evidence within 10-working days of the original assessment deadline they choose to claim against. If a student is unable to submit a claim and/or provide the required evidence within this timeframe, they can do so within 5 working days, but they must

provide an additional explanation and evidence to support the reason for the late application on the form. If no explanation for the late claim is provided, the request will be rejected upon receipt. If no evidence can be submitted within the total 15-working-day window, the student should submit the form and state the reason for this as well as the evidence on the claim.

- 5.5. Student must submit an extension request within two working days of the original submission deadline. Claims submitted more than two working days after the deadline will be rejected.
- 5.6. Mitigation Claims submitted within two days of the assessment deadline will be reviewed, and an extension request may be considered if necessary. Registry will contact the student to inform them in this case.
- 5.7. Claims and requests submitted without relevant evidence will be referred back to the student, and a reasonable deadline for evidence submission will be assigned to the student. If the student fails to meet this deadline, the claim/request will be denied and the student will be notified.
- 5.8. Mitigating Circumstances and Extension Request forms for requests can be submitted through the Student Portal E-form System. A student may also contact their campus student support team for assistance with either process. In both cases, it is the student's responsibility to ensure that the correct claim/request and accompanying relevant evidence are successfully submitted in a timely manner.
- 5.9. Students should attach appropriate and relevant evidence to support their mitigating circumstances claim (*a list of evidence requirements can be found in the Appendix*) Students should be aware that any claim supported by false documentary evidence will be deemed invalid and the claimant may face disciplinary proceedings.
- 5.10. Students may also attach work completed on their assignments (so far) in the form of drafts, notes, or completed documents. This may assist the Mitigating Circumstances Panel in determining whether the student could reasonably have been expected to complete the assignment on time and/or achieve a higher grade.
- 5.11. Upon receipt of a timely claim for mitigating circumstances, the Mitigating Circumstances Panel will carefully review the case, evidence provided, and assignment work completed to date, and make one of the following decisions:
 - i. That the circumstances documented had no material impact on the student's performance. If a claim is made for non-attendance at an examination or non-submission of an assignment, a zero will be assigned in the component concerned. However, if the claim relates to a first assessment, a student must be given the opportunity to reassess the component in question using standard assessment procedures.
 - ii. That the circumstances recorded had a material impact on the student's



performance, and thus the student will 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 that is submitted by the deadline and is not supported by a Mitigating Circumstances Form will be considered a non-submission.
- 5.13. Within one month of receipt, LSST will review all Mitigating Circumstances claims and contact the student directly regarding any required follow-up and/or the outcome.
- 5.14. After an award has been officially conferred on a student, no mitigating circumstances claims can be made, regardless of the reason for the delay. If no award is given for a course, such as a short course, a deadline of 6 months after the final board of examiners will be applied to any claims received.

6. Self-Certification

- 6.1. As described above, the majority of claims will require accompanying evidence, and evidence will be expected when a student submits an extension or mitigation claim.
- 6.2. However, in some cases, the student may be unable to provide evidence to support their claim. This could include cases of minor illness where no medical intervention is required, as well as sensitive cases such as legal proceedings.
- 6.3. A student may self-certify for a maximum of five working days prior to and including the original day of submission/assessment or examination.
- 6.4. Self-certification cannot be used for claims submitted after the original deadline, or for Late Claims.
- 6.5. If multiple self-certification claims are submitted within a 12-month period, additional/supporting evidence may be requested and required to support the additional claims.
- 6.6. If the DMU Exams Officer receives an extension or mitigating circumstances claim that is eligible for self-certification but lacks supporting evidence, the student will be contacted and the self-certification form will be provided for completion. Students can also obtain this form from their campus Student Support Officer.

7. Review of Rejected Claims



- 7.1. Students have the right to appeal the Mitigating Circumstances Panel's decision by completing an appeals form in accordance with our *Appeals Policy and Procedure*, which outlines how official DMU/LSST decisions affecting a student's academic standing may be challenged; this includes a student's right to appeal to the awarding body and the Office for Independent Adjudicator (OIA), where it can be demonstrated that the School has not followed these procedures correctly.

8. Further Considerations

- 8.1. Students should be aware that requesting Mitigating Circumstances may result in delays in re-enrolment or progression. As a result, when in doubt, students should contact the Registry (registry@lsst.ac) or Student Support.
- 8.2. The Mitigating Circumstances Panel will take into account cases in which the substance of mitigating circumstances claims, or repeated claims of a similar nature, indicate an ongoing problem for which the student may require additional study support under another School policy, or which may warrant an assessment of their continued fitness to practice. In such cases, the Panel will make appropriate referrals 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)

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