



leeds metropolitan university

# **Academic Principles and Regulations**

## **Section C15: Extenuating Circumstances and Mitigation**

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## **SECTION C15: EXTENUATING CIRCUMSTANCES AND MITIGATION**

### **REGULATIONS**

#### **C15.1 General Provisions**

##### **C15.1.1 Extenuating Circumstances**

Students may submit requests for consideration of extenuating circumstances in respect of:

- inability to submit assessed coursework on the required date
- inability to attend examinations or other scheduled assessments
- poor performance.

##### **C15.1.2 Mitigation**

If the submitted extenuating circumstances are found to be valid, mitigation in respect of these will be considered in accordance with the University Regulations.

##### **C15.1.3 Mitigation at the Point of Assessment**

Mitigation at the point of assessment in respect of coursework submissions or scheduled assessments, will be considered and determined within the Faculty, and a report of any mitigation granted will be made to the relevant Mitigation Panel [See Section C15.7 below].

##### **C15.1.4 Other Mitigation.**

All other requests for consideration of extenuating circumstances are submitted to the relevant Mitigation Panel and outcomes are forwarded to the appropriate Board of Examiners. The Board determines what action (if any) should be taken. The nature of the extenuating circumstances themselves is not disclosed to the Board.

##### **C15.1.5 Consequences of Failure to Notify: Appeal**

If, without good cause, a student fails to seek consideration of extenuating circumstances in accordance with University Regulations and Procedures, normally any Request for an Appeal Hearing on the grounds of these extenuating circumstances will be rejected.

##### **C15.1.6 Mitigation Panels**

The University authorises the establishment of Mitigation Panels at Scheme or Faculty level to:

- consider extenuating circumstances
- make appropriate recommendations to the relevant Board or Boards of Examiners.

For collaborative partners panels will be established at an appropriate level as determined by the University.

#### **C15.2 Responsibility of Students**

##### **C15.2.1 Student Responsibility**

(A) It is the responsibility of the student to do the following:

- Inform the University
- Inform the University of any extenuating circumstances which they wish to be taken into consideration in respect of assessed work.

(B) Written Notification and Receipt:

Ensure that the request is submitted in the appropriate manner and ensure that the notification is received (see Sections C15.5.2 and 5.3 below).

##### **C15.2.2 Formal Notification**

Extenuating Circumstances will normally only be taken into account if the formal provisions for notification [Section C15.5 below] are followed.

##### **C15.2.3 Advice to Students**

- A student who considers that they have extenuating circumstances which may have affected their performance;
- and
- which they wish a Mitigation Panel to consider

should ensure that these are brought to the attention of the Mitigation Panel whether or not the student considers that the assessed work may have passed or failed.

##### **C15.2.4 Timing**

A student who considers that they have extenuating circumstances must make the request for consideration of extenuating circumstances at the earliest possible time. The university reserves the right to reject consideration of extenuating circumstances which are not disclosed within a reasonable time from their occurrence.

#### **C15.3 Information to Students**

##### **C15.3.1 Information**

It is the responsibility of the Dean (or Associate Dean) to ensure that students have access to the following information:

- the current University Regulations and associated guidance issued by the Registrar and Secretary's Office

- the name of the person designated to receive submissions in respect of extenuating circumstances
- the location to which submissions should be directed
- sufficient advance notice of the dates by which such submissions must be submitted to enable them to be presented
- appropriate sources of advice and guidance.

#### **C15.3.2 Discussion with University Staff**

Discussion of problems or difficulties with a member or members of University staff does not in itself constitute a submission of extenuating circumstances.

#### **C15.3.3 Statements from University Staff**

Any relevant statement to be presented to a Mitigation Panel arising from previous discussion with or disclosure to a member of University staff

- Needs to be requested from that member of staff by the student
- Be in writing or other documentary form.

### **C15.4 Confidentiality**

#### **C15.4.1 Details of Extenuating Circumstances**

All submissions giving details of extenuating circumstances will be confidential to the University staff authorised to receive and consider them, except for the provisions of C15.4.3 to C15.4.5 below.

#### **C15.4.2 Discussion of Extenuating Circumstances**

Discussion of extenuating circumstances by Mitigation Panels or Boards of Examiners will be confidential to those members of staff, except for the provisions of C15.4.3 to C15.4.5 below.

#### **C15.4.3 Exceptions to Confidentiality**

Submissions of extenuating circumstances will not be disclosed outside the appropriate fora other than in the following circumstances:

- Where the written requirements of a programme of study accredited by a Professional and Statutory Body, and accepted at the validation of that programme of study, require a wider disclosure.
- Where a student subsequently requests and is granted, an Appeal Hearing.

#### **C15.4.4 Professional and Statutory Body requirements**

Where the written requirements of a programme of study accredited by a Professional or Statutory Body require wider disclosure, the following apply:

- All students on such a programme of study will be informed of this provision
- Wider disclosure will be limited to the external examiner(s) and the Chair of the Board of Examiners.

#### **C15.4.5 Request for Appeal Hearing**

Submissions of extenuating circumstances will not be disclosed outside the appropriate fora unless the student subsequently submits a Request for an Appeal Hearing against a decision of a Board of Examiners or Examination Committee.

#### **C15.4.6 Retention of Information**

Records of extenuating circumstances will be securely retained as follows:

##### **(A) Mitigation Granted**

Where the outcome of consideration was that a form of mitigation was granted to the student, records relating to this will be retained for one year after the academic year in which they were submitted.

##### **(B) Mitigation not Granted**

Where the outcome of consideration was that mitigation was not granted to the student (including on account of late submission of the request), records relating to this will be retained for six years after the academic year in which they were submitted.

These provisions also apply to requests for mitigation at the point of assessment (Sections C15.6 and C15.7).

#### **C15.4.7 Reasons for Retention of Information**

Such information will be retained for the purposes of an Appeal against a decision of a Board of Examiners or Examination Committee (if appropriate).

#### **C15.4.8 Destruction of Records**

At the end of the period of retention, records of extenuating circumstances will be destroyed in a manner which ensures that confidentiality of the information is not breached.

## **C15.5 Submission of Extenuating Circumstances**

### **C15.5.1 Written requests**

All requests for the consideration of extenuating circumstances must be in writing in accordance with guidance issued by the Registrar and Secretary's Office.

E-mail submissions are acceptable, provided that they are accompanied by verification of the student's identity (e.g. Student ID number).

This includes requests for extensions to submission deadlines for coursework.

### **C15.5.2 Submission to designated member of staff**

Requests must be submitted to the member of staff who is designated to receive them.

### **C15.5.3 Student's Responsibility**

The student is responsible for ensuring that the written notification is received by the designated member of staff. Evidence that written notification has been sent is insufficient.

### **C15.5.4 Evidence**

All requests for consideration of extenuating circumstances must be substantiated where possible by independent documentary evidence.

Examples of the kind of evidence required are given in the guidance issued by the Registrar and Secretary's Office.

## **C15.6 Late Submission**

### **C15.6.1 Latest date for Submissions to the Mitigation Panel**

The latest date for submission of extenuating circumstances to the Mitigation Panel at which the assessment will be considered, is as detailed in the guidance issued by the Registrar and Secretary's Office.

Provision exists for consideration of extenuating circumstances prior to major re-assessment opportunities during the academic year. Students wishing for such consideration should ensure that any extenuating circumstances are presented to the appropriate Mitigation Panel.

### **C15.6.2 Late Submission**

If, with good cause, a student is unable to meet the requirements of C15. 5.3 above, they should follow the provisions for late submission which are

detailed in the guidance issued by the Registrar and Secretary's Office.

Following the process for late submission is not in itself a guarantee that the claim of good cause will be accepted.

### **C15.6.3 Identification of Modules and Assessments**

Requests to Mitigation Panels should clearly state:

- the module or modules affected
- the specific assessments affected.

### **C15.6.4 Date of Extenuating Circumstances**

Requests to Mitigation Panels should identify clearly the date(s) for or between which the submitted extenuating circumstances are being claimed.

Failure to specify the duration of the existence of the extenuating circumstances may result in the Mitigation Panel being unable to recommend any mitigation in respect of them.

Examples of identified dating are given in the guidance issued by the Registrar and Secretary's Office.

## **C15.7 Mitigation at the point of Assessment: Coursework**

### **C15.7.1 Inability to meet coursework submission date**

A student must seek an extension to the coursework submission date in accordance with the University regulations, where they consider that the relevant submission date cannot be complied with, and that they have valid extenuating circumstances in respect of this.

### **C15.7.2 Requests for Coursework Extensions**

Such requests must be:

- submitted to the person designated to receive them
- identify the circumstances
- provide independent documentary evidence where this is possible or required.

### **C15.7.3 Consideration**

Consideration of such requests will be made by a designated member of academic staff, appointed by the Faculty for this purpose.

#### **C15.7.4 Mitigation**

If the circumstances are found to be valid, an extension to the submission date will be permitted.

#### **C15.7.5 Outcome of Consideration**

The outcome of the consideration will be that the extension will be permitted or not permitted. There is no appeal against the outcome of this consideration through the regulations for an Appeal against a Decision of a Board of Examiners or Examination Committee (see University Regulations Section C16).

#### **C15.7.6 Length of Extensions**

The length of the extension given will normally be:

- for five working days only -“Working Days” includes weekdays and vacations
- Saturdays, Sundays, Bank Holidays, Customary Days, and other days when the University is closed are not working days for the purposes of these regulations.

If the student requests a longer period of time and the member of staff considering the request finds this to be justified, the length of the extension given will be at the discretion of that member of staff.

#### **C15.7.7 Sole Form of Mitigation**

Such an extension will normally be the sole form of mitigation allowed in respect of these extenuating circumstances.

Any request to a Mitigation Panel for mitigation in respect of poor performance will normally be rejected if an extension of the submission date for coursework has previously been given.

#### **C15.7.8 Extensions Requested after the Submission Date**

An extension will not normally be given after the date on which the coursework should have been submitted.

#### **C15.7.9 Notification to Boards of Examiners and Mitigation Panels**

All extensions will be notified to the Board of Examiners at which the assessment will be considered and the relevant Mitigation Panel in accordance with the academic regulations.

#### **C15.7.10 Faculty Procedures**

Specific procedures for mitigation at the point of assessment will be drawn up by each Faculty in accordance with these Regulations, and students will be informed of these procedures.

#### **C15.8 Mitigation: Examinations or Other Scheduled Assessments**

##### **C15.8.1 Absence from Examinations or Other Scheduled Assessments**

A student who was absent from an examination or other scheduled assessment (e.g.. a presentation) and considers that they have valid extenuating circumstances in respect of this, must request the consideration of these extenuating circumstances in accordance with University Regulations.

##### **C15.8.2 Requests for consideration of absence**

Such requests must be:

- submitted to the person designated to receive them
- identify the circumstances
- provide independent documentary evidence where this is possible or required.

##### **C15.8.3 Consideration**

Consideration of such requests will be made an experienced member of academic staff, appointed by the Faculty for this purpose.

##### **C15.8.4 Outcome of Consideration**

The outcome of the consideration will be that the mitigation will be permitted or not permitted. There is no appeal against the outcome of this consideration (except, if appropriate, through the regulations for an Appeal against a Decision of a Board of Examiners or Examination Committee: see University Regulations Section C16).

##### **C15.8.5 Mitigation: Examinations**

If the circumstances are found to be valid, the designated person will permit the student to take the examination as if at the first attempt (deferral) at the next available opportunity.

No special examination will be provided for such students.

##### **C15.8.6 Mitigation: Other Assessments**

If the circumstances are found to be valid, the designated person will permit the student to present the assessment as if for the first time at a later date if:

- this is possible;
- and
- it is consistent with equity and fairness to other students.

In the event of this not being possible, the student will need to present his or her extenuating circumstances to the Mitigation Panel.

### **C15.8.7 Sole Form of Mitigation**

Such deferrals will normally be the sole form of mitigation allowed in respect of these extenuating circumstances.

Any request to a Mitigation Panel for mitigation in respect of poor performance will normally be rejected if the extenuating circumstances put forward are those previously presented to the Faculty, consideration of which resulted in the deferral of the assessment being given.

### **C15.8.8 Notification to Boards of Examiners and Mitigation Panels**

All such deferrals will be notified to the Board of Examiners at which the assessment will be considered and the relevant Mitigation Panel in accordance with current University Regulations.

### **C15.8.9 Faculty Procedures**

Specific procedures for consideration of single-instance mitigation will be drawn up by each Faculty in accordance with these Regulations, and students will be informed of these procedures.

## **C15.9 Extenuating Circumstances affecting a Cohort of Students**

### **C15.9.1 Presentation to Examination Committees**

Extenuating circumstances which may have affected the performance of a cohort of students will be presented to the relevant Examination Committee (or Board of Examiners carrying out the functions of an Examination Committee).

### **C15.9.2 Notification**

The Scheme/Course Leader (or equivalent) (or nominee) is responsible for informing the Committee or Board of such circumstances.

### **C15.9.3 Consideration**

Consideration of such circumstances will be conducted in accordance with Section C12 of the University Regulations: Boards of Examiners and Examination Committees. Where the circumstances are deemed to warrant this, the marks of the entire cohort may be adjusted upwards.

## **C15.10 Mitigation Panels**

### **C15.10.1 Establishment**

Mitigation Panels will be established for the consideration of extenuating circumstances presented to Boards of Examiners.

### **C15.10.2 Scope and Extent**

Mitigation Panels may be established at Scheme or Faculty level in accordance with current University Regulations.

For collaborative partners panels will be established at an appropriate level as determined by the University.

### **C15.10.3 Minimum Membership Requirement**

The following members are required for all Mitigation Panels:

- a senior member of academic staff (Chair)
- one experienced member of academic staff or senior member of support staff external to the Faculty in which the provision is located
- a minimum of two members of academic staff internal to the Faculty in which the provision is located
- a Secretary to the Panel (in attendance).

### **C15.10.4 Agenda and Recording**

Mitigation Panels will be conducted, and their proceedings recorded in accordance with guidance issued by the Registrar and Secretary's Office.

### **C15.10.5 Consideration of Late Submissions**

The Mitigation Panel will consider whether to accept any extenuating circumstances submitted beyond the normal submission date, and will determine whether or not such submissions should be accepted for consideration.

### **C15.10.6 Consideration of Extenuating Circumstances**

The Mitigation Panel will consider the extenuating circumstances presented and will determine as follows:

- The degree of seriousness of the extenuating circumstances accepted
- The assessments which were affected by the relevant extenuating circumstances.

### **C15.10.7 Categorisation of Seriousness**

The Mitigation Panel will categorise the seriousness of accepted extenuating circumstances as follows:

- Very serious extenuating circumstances which are such as to make appropriate, if the Board of Examiners so considers, the provisions of Sections C15.11.4 to C15.11.8 (Category A)
- Extenuating circumstances which are sufficiently serious to make appropriate a decision to defer an assessment (Sections C15.11.2 and C15.11.3) (Category B)

- Extenuating circumstances which are not deemed sufficiently serious to make a deferral of assessment appropriate (Category C)

#### **C15.10.8 Report to the Board of Examiners**

The Mitigation Panel will make a report to the relevant Board of Examiners in respect of each student:

- Identifying the assessments which were affected by the extenuating circumstances and
- Categorising the seriousness of the relevant extenuating circumstances in respect of those assessments.

The Mitigation Panel may make no recommendations to the Board of Examiners beyond those specified here.

#### **C15.10.9 Disclosure: Nature of the Extenuating Circumstances**

The precise nature of the extenuating circumstances will not be disclosed to the Board of Examiners.

#### **C15.10.10 Confidentiality**

All discussion of extenuating circumstances will remain confidential to the membership of the Mitigation Panel, except

- Where the written requirements of a programme of study accredited by a Professional and Statutory Body, and accepted at the validation of that programme of study, require a wider disclosure.
- Where a student subsequently requests and is granted, an Appeal Hearing.

#### **C15.11 Consideration of Extenuating Circumstances by Boards of Examiners**

##### **C15.11.1 Report from the Mitigation Panel**

Boards of Examiners will receive a report from a Mitigation Panel in respect of submitted extenuating circumstances setting out its decisions as provided for under Section C15.10.7 above. The report may not be amended by a Board of Examiners. The Board of Examiners will consider the decisions advised by the Mitigation Panel and discuss appropriate action in respect of the students.

##### **C15.11.2 Mitigation: Deferral of Assessment**

If the Board of Examiners permits mitigation, the mitigation will normally be permission for the student to be assessed in the work in question as if

for the first time. Such a student is deemed deferred.

If the student fails the deferred assessment, any re-assessment will be in accordance with current University Regulations.

##### **C15.11.3 Sole form of Mitigation (Category A and B)**

A deferral will normally be the sole form of mitigation offered by a Board of Examiners.

##### **C15.11.4 Exceptional Circumstances: Other Forms of Mitigation (Category A only)**

In exceptional circumstances, and at its discretion, a Board of Examiners may:

- deem the student to have passed the assessment
- award a mark
- permit the student to be assessed in a form agreed by the Board
- raise a mark or permit re-assessment to raise a mark
- offer the relevant award if it is the final stage.

##### **C15.11.5 Deem the student to have passed the assessment**

Where the Board is satisfied as to the student's progress overall the work relating to the level and the overall achievement of the learning outcomes it may deem the student to have passed the assessment(s) in question.

##### **C15.11.6 Award a mark**

(A) Decision to allocate a mark

The Board may allocate a mark, where it is satisfied that:

- the student's achievement overall in the programme of study is of high quality; and
- the record of work relating to the level is good.

(B) Determination of the allocated mark

Such an allocated mark may be:

- the average of the student overall
- the average for that cohort
- another mark.

(C) Student Option

The student will be given the choice between:

- accepting the mark
- being assessed as for the first time.

**C15.11.7 Re-assessment or raised mark**

Where the student has passed the module(s) but where the grade or mark attained is lower than might reasonably be expected from the student's overall performance, the Board may permit the student either:

- to be re-assessed in that module permitting the mark to be raised
- award a higher mark.

**C15.11.8 Offer the relevant award**

Where the Board is satisfied as to the student's progress overall in the work relating to the programme of study, it may deem:

- the student to have passed the assessment(s) in question
- offer the relevant award if it is the final stage.