

EXTENUATING CIRCUMSTANCES AND MITIGATION EXPLAINED

It is a basic principle of the University that all students should be treated alike, and given equal opportunity to succeed.

However, the University also recognises that certain circumstances arise in which students might be unable to complete or submit an assignment; might have missed an examination or presentation; or have not performed to the best of their ability in one or more of these assessments. These are called **extenuating circumstances**.

In such cases students submit a statement of their extenuating circumstances to the University. These are considered and, if appropriate, remedial action is agreed. Such remedial action is called **mitigation**.

HOW DOES THIS WORK?

The University recognises that it is not always appropriate to wait until a Board of Examiners in order to consider remedial action. It therefore has two methods of considering extenuating circumstances and agreeing mitigation if appropriate.

1. Action to enable the *completion of assessment*

This addresses issues related to:

- Difficulties in the completion of coursework by the required date.
- Unforeseen, *single-instance/single reason*, inability to attend for an examination; a presentation; a practical; or other scheduled assessment.

2. Action to address *Other Circumstances*

This addresses the issues below, especially where there is more than one instance of any of them.

- Late submission of coursework
- Non-submission of coursework
- Failure to attend one or more examinations or other scheduled assessments
- Under-performance in assessments.

WHAT DO I DO?

It is important to know which of these is appropriate to your particular circumstances and to take the right kind of action. This booklet explains how the system works. It:

- Details the responsibilities of the student and the Faculty.
- Explains the different methods of mitigation and what students need to do in order for their extenuating circumstances to be considered.
- Explains what will happen after extenuating circumstances have been submitted.
- Provides information on confidentiality and retention of records.
- Provides information on where further assistance can be obtained.

ASK

All extenuating circumstances are unique to the individual. Your own situation might be more complex than those given here, or you might need re-assurance that you are on the right lines. If in doubt: *ask someone*.

Responsibilities of the Student

Your key responsibilities are:

- Inform:** To inform the University of any extenuating circumstances which you want to be considered.
- Writing:** To do this in writing, which must be on the standard form which can be submitted in person, by e-mail or through the post. The form is available via our website: http://www.leedsmet.ac.uk/prs/index_Mitigation.htm or from your Faculty.
- Submission:** To give or send this to the correct person. It is your responsibility to ensure that it has arrived if you send it through the post. In some Faculties your form will need to be signed by your Course Leader. Please refer to your Course Handbook for details on how to submit your form.
- Timescales:** To do this within the defined timescales.
- Information:** To provide relevant information (eg. dates of the circumstances, modules affected).
- Evidence:** to provide independent documentary evidence of your extenuating circumstances where this is required.

How this works for the different kinds of mitigation will be shown in the sections below.

It's YOUR responsibility

You need to remember the following:

It is NOT ENOUGH to have discussed your problems or difficulties with a member of staff (eg. Course Leader, Personal Tutor, University Counsellor). You need to make a formal, written, request for consideration of these circumstances if you want mitigation to be considered.

Extenuating circumstances can include things like illness, accidents, robbery, family difficulties, finance.

A member of staff may be willing to write a letter of support on your behalf, but you need to ask them to do this, and YOU have to submit it.

Responsibilities of the Faculty

To enable you to fulfil the requirements above your Faculty will provide you with the details of the procedures to be followed (eg. who do you go to, what timescales operate) in respect of

- extensions to coursework submission dates
- missed examinations/presentations etc
- extenuating circumstances which need to go to the Board of Examiners.

Where would you find this?

Your Course Handbook should give you details of what you would do to request an extension, and what you should do if you have missed an examination or other scheduled assessment.

More detailed information on submission of extenuating circumstances to the Board of Examiners, and the deadlines for this, will be done by either or both of the following:

- In your Course Handbook
- Individual letter to your term-time address (make sure you keep the Faculty informed if you move)
- A notice prominently displayed on the course notice board.
- On our University's website: http://www.leedsmet.ac.uk/prs/index_Mitigation.htm

COMPLETION OF ASSESSMENT

When do I use this process?

This process is done entirely within your Faculty.
It can be used throughout the academic year, as circumstances require.

What is it for?

Coursework Assignments: where you have valid reasons for being unable to submit an assignment on the due date.

Examinations, Presentations, Practicals etc: where you have a valid reason for failing to attend an examination or other scheduled assessment.

Coursework Assignment
Possible remedy: extension.
What should I do?

1. If, for good reasons, you cannot complete an assignment by the due date, then you would ask for an **extension** to the submission date.
2. The Faculty will have procedures for this, and have a form which needs to be filled in and given to a specific person like the Course Leader or Course Administrator. This may vary from Faculty to Faculty, so check your Faculty procedures (see Responsibilities of the Faculty, above).
3. You **must** submit this request **before** the submission date for the piece of work.
4. You **must** submit this request for **each** extension requested.

Inability to attend for examinations etc
Possible remedy: do the assessment at a different date (deferral)
What should I do?

1. If, for a good reason, you failed to attend an examination, presentation etc. then you would ask (as relevant):
 - to be permitted to take the examination at the next opportunity, without penalty, (this is called **deferral**); or
 - to give the presentation, practical etc at a later date – also without penalty
2. As with extensions, the Faculty will have procedures for this, so check what they are.
3. In general, this would be a single-instance reason (like a broken-down train) but it might be a single-reason which applied to all examinations in a given period, for example a broken arm. In such a case, where several assessments are affected, you should discuss the best course of action with your Course Leader or Personal Tutor.

What details do I need to give?

You need to identify the circumstance/s; and, where possible, provide independent documentary evidence of them.

[All circumstances vary, and it may not be possible or necessary to do this. If in doubt, see your Personal Tutor, Course Tutor or Course Leader for advice]. Alternatively, you may wish to speak to the Student Union Advice Service, on 0113 8128408 or by email at su.studentadvice@leedsmet.ac.uk, to arrange an appointment.

What is independent documentary evidence?

Essentially, this is simply something which corroborates what you say
Examples of this are:

- A medical certificate
- A letter from a medical professional treating a family member (if family ill-health is affecting your ability to study)
- A letter from your employer (if, say, you were asked to work overtime to cover for a sick colleague)
- A letter from a transport company (if, say, the bus broke down, or the train didn't run)
- A statement from a member of academic staff (if, say, you had discussed difficult family circumstances with them previously)
- A statement of attendance from a Counsellor (if personal problems are affecting your work).

What happens next?

Extensions: if this is agreed, you will be told how long the extension is for. This will normally be *5 days only*. It may be possible, depending on the circumstances, for the extension to be longer, but in any case, you will be given a new submission date. *You must keep to this submission date.*

Examinations: if your reason is found to be valid, you will be told that you can sit the examination at the next opportunity, and it will be marked as a first attempt (i.e. not capped at 40). This is called a *deferral*.

Other assessments: if this is possible you will be told when you can submit for this assessment. As with examinations, this will be considered as a deferral, and will be marked as a first attempt. *However, this may not be possible to arrange*. In such a case, you will be advised to present your extenuating circumstances to the Board of Examiners (see next section).

**I had an extension, but still didn't do well -
can I also submit extenuating circumstances to the Board of Examiners?**

The simple answer is: NO.
The extension/deferral is the ONLY mitigation permitted.

You cannot have BOTH an extension/deferral, AND the right to ask a Board of Examiners to consider poor performance. The extension/deferral is intended to address your difficulties sufficiently and therefore double-consideration of the circumstances will not be given. The only exception to this is where the extenuating circumstances continue and affect other assessments.

What if Mitigation is Refused?

If the Faculty refuses you an extension, or deferral, you can't take it any further at this point.

After the meeting of the Board of Examiners you might be able to lodge an appeal against this decision if you have grounds for doing so [see the Guidance Document C16 Appeal against a decision of a Board of Examiners or Examination Committee].

**OTHER CIRCUMSTANCES:
Uncompleted work, late submission, under-performance
Submission to a Board of Examiners**

When do I use this process?

Generally, this process would be used where mitigation to allow you to complete work has not been possible. This is likely to be because, for example, there were several modules involved; the circumstances went on for a long time; the circumstances were very complex.

What is it for?

You can ask a Board of Examiners to consider extenuating circumstances in respect of any of the following:

- late submission of coursework
- non-submission of coursework
- failure to attend one or more examinations or other scheduled assessments
- under-performance in assessment.

How do I do this?

As with requests for extensions, you present the circumstances and any appropriate evidence. However, there are key differences which you need to be aware of. These will be clearer if we outline the process which will be followed.

Consideration of Request – Mitigation Panels

Once received, all requests are forwarded to a Mitigation Panel. These panels are comprised of experienced academic staff drawn from across the University. They decide on the validity and seriousness of extenuating circumstances and make recommendations in respect of your assessments. *These recommendations do not disclose the precise nature of the extenuating circumstances.*

The benefits of Mitigation Panels are that

- They facilitate equality of treatment for similar cases
- They ensure that your details remain confidential to a very limited number of people.

What do I need to include?

Remember that most members of the Mitigation Panel will not know you – so your claim will stand or fail on the basis of what you present. Therefore it is **essential** that you complete your registration form correctly. This enables the Panel to make a proper judgement. Also, it is up to you to provide the Panel with the full details. They will not make enquiries on your behalf. Think about it like a job application – you would not expect a potential employer to try to find out details which you had left out!

There are two other important matters:

Timescales: The University expects that you will submit any requests for consideration of extenuating circumstances as soon as possible. *You should not wait to see whether you have or have not passed the module/s;* submit the circumstances before finding out the results of the examinations. This adds credibility to the situation; and, very importantly, allows the deadlines for submission to be kept.

Deadlines: The letter and/or notices in the Faculty will tell you the **final date** by which submissions should be received. You should keep to this. If you miss the deadline *it is essential* that you say why. The University does not guarantee to consider submissions which are received late, although it will consider them if it is clear that there was good cause for the deadline to be missed.

What happens next?

(See the Flow Chart on the back cover)

Decision by the Mitigation Panel

The Mitigation Panel considers your submission and categorises the circumstances as follows:

- A Very serious circumstances; range of options possible
- B Serious circumstances, sufficient to warrant deferral
- C Circumstances insufficiently serious to warrant remedial action.

Mid academic year

If your assessment was a mid-year assessment (eg, during semester one) the decision of the Mitigation Panel will be sent to your Faculty. You will be informed of the outcome as follows:

- Category A You need not submit for re-assessment, the Board of Examiners will determine the precise remedy in the summer.
- Category B You should submit for re-assessment. This will be a deferral.
- Category C Any re-assessment will be marked as a referral (maximum mark of 40%).

End of academic year

This is the same as mid-year assessments, except that the recommendations go to the Board of Examiners, and all those with category A circumstances will have the remedy determined at this point.

The range of options open to a Board of Examiners for Category A circumstances are:

- Permit a different form of assessment (eg a viva)
- Deem the student to have passed the assessment
- Award a mark for the work
- Raise the mark for the work, or allow re-assessment to raise the mark
- Offer the relevant award if it is the final stage.

Normal Outcome

To be classed as category A, circumstances have to be very severe or very protracted. Consequently, the more usual outcome where extenuating circumstances are accepted is a classification of B, which results in a decision that the assessment can be **deferred**. A deferral is normally the sole form of mitigation offered by a Board of Examiners.

**Exceptional circumstances are considered and a range of remedies is possible.
But for most accepted circumstances, the normal outcome is the offer of a deferral.**

The University has procedures by which you can Appeal against the decision of a Board of Examiners or Examination Committee.[see relevant booklets].

BUT please do not assume that you can submit your extenuating circumstances via the Appeal process instead of through the processes described here. If you have not submitted them to the Faculty or the Mitigation Panel/Board of Examiners in the first place, you cannot then submit them as valid grounds for request for Appeal. *Any such application will normally be rejected.*

Good Cause

There are **rare instances** where a student may find it difficult or impossible to submit their extenuating circumstances through the normal process. In such cases an Appeal may be allowed. But please note, the reasons for non-submission at the normal time will be stringently examined.

CONFIDENTIALITY

The use of Mitigation Panels is designed to ensure that details of your circumstances are only seen by a very few members of staff, and they will be treated confidentially. The Mitigation Panel reports its recommendations to the Board of Examiners but does not disclose the precise circumstances. The fact that you have requested consideration of extenuating circumstances is confidential to the Board of Examiners.

The only occasion on which further disclosure would occur is if you invoked the procedures for Appeal. There are a limited number of professional bodies which require more than this. These are very few in number, and if your course is one of these the details will be in your course handbook.

FURTHER INFORMATION SOURCES OF HELP

If you are experiencing difficulties in presenting your circumstances, or you would like further advice on how to proceed, the following resources are available.

- Academic Staff: Personal tutors or Scheme/Course Leaders
- Help Zone staff.

They will be able to help you with information on the procedures, and the kind of evidence which is required, but the *presentation and submission* of the material remains your responsibility.

Student Union Advisors will be able to give advice and possibly assistance with the preparation of your submission. For their availability see the Student Union website or contact the Advice Service direct on 0113 8128408 or via email at su.studentadvice@leedsmet.ac.uk.