

TEDI-LONDON

MITIGATING CIRCUMSTANCES POLICY

Summary	Policy describing the Mitigating Circumstances process for TEDI-London students. Outlines what Mitigating Circumstances are, and which circumstances will normally be acceptable and unacceptable. It also outlines important deadlines and progression information.		
Policy Owner	Registrar		
Policy Sponsor	Academic Board		
Policy applies to	All TEDI-London students		
Equality impact assessment completed	[date]		
Version	3		
Date of implementation	September 2021	Date of next formal review	September 2024

DOCUMENT CONTROL

Date	Version	Action	Amendments
11/2020	1	Document created	
01/2021	2	Document updated	Updates made to clarify the process of communicating outcomes to students, the role of Module and Programme Boards and submission deadlines.
08/2021	3	Document Updated	Updates made to reflect change from Module and Programme Boards to Assessment Boards. Changes also made to reflect the removal of

			opportunities for students to request extensions
--	--	--	--

Contents

1. INTRODUCTION	4
2. POLICY STATEMENT	4
3. SCOPE OF THIS POLICY	4
4. DEFINITIONS USED IN THIS POLICY	5
5. CONFIDENTIALITY.....	5
6. ROLES AND RESPONSIBILITIES	5
7. PRINCIPLES OF MITIGATING CIRCUMSTANCES.....	6
8. MITIGATING CIRCUMSTANCES PROCESS	7
9. CONSIDERATION OF MITIGATING CIRCUMSTANCES CLAIMS.....	8
10. DOCUMENTARY EVIDENCE	9
11. IMPACT OF MITIGATING CIRCUMSTANCES ON ASSESSMENT	9
12. ASSESSMENT BOARD CONSIDERATION OF MITIGATING CIRCUMSTANCES	10
13. OUTCOMES	11
14. OPPORTUNITIES FOR REASSESSMENT.....	12
15. TRAINING, DISSEMINATION AND IMPLEMENTATION	12
16. MONITORING AND REVIEW	12

1. INTRODUCTION

- 1.1. This Policy has been framed with reference to the [QAA Quality Code Advice and Guidance on Assessment](#).
- 1.2. This Policy explains what we mean by Mitigating Circumstances and gives examples of the types of circumstances that we would accept. It outlines what you should do if you do experience mitigating circumstances, what happens to your claim, and the next steps for your assessment.

2. POLICY STATEMENT

- 2.1. Our programmes are intended to prepare you for your working life where you will be expected to meet deadlines. It is your responsibility to plan your work to ensure that you can meet assessment deadlines, but we understand that there may be circumstances beyond your control (mitigating circumstances) which mean that you may miss a deadline or are not able to perform as well as you had hoped.
- 2.2. For circumstances impacting on your ability to perform in the short term, we have processes which enable you to take additional time to complete your assessments (for coursework only) or to defer your assessments to the next submission point. If you have long-term mitigating circumstances, you can interrupt your studies, details about how to do this are outlined in the Interruption and Withdrawal Policy.
- 2.3. We operate a process for making reasonable adjustments for students with disabilities. Information about this is available from the Student Hub.

3. SCOPE OF THIS POLICY

- 3.1. This Policy covers all students of TEDI-London. A student is defined as a student registered for an award of TEDI-London or an exchange student taking TEDI-London modules for credit as part of their programme elsewhere.
- 3.2. This Policy should be read alongside the Assessment Regulations and the Academic Appeals Policy.

4. DEFINITIONS USED IN THIS POLICY

- 4.1. **Mitigating Circumstances** are defined as circumstances which are sudden, unexpected, significantly disruptive and beyond your control which affect your performance at assessment.
- 4.2. **Deferral** means that you submit your coursework or take your exam at the next available opportunity (either during the next submission period, or the next exam period).

5. CONFIDENTIALITY

- 5.1. We are committed to ensuring confidentiality and only those staff who are part of the decision making and academic process will have access to the information you provide.
- 5.2. Your Mitigating Circumstances claim will be considered anonymously insofar as this is feasible. Registry staff will attempt to redact any information provided but there may be instances where this is not possible, we will let you know if this is the case.
- 5.3. If your submission contains sensitive or highly confidential personal information and/or evidence, you may submit your evidence directly to the Chair of the Mitigating Circumstances Panel via email. The Chair will not provide this information to the Mitigating Circumstances Panel but will confirm to them whether the evidence was sufficient and valid.

6. ROLES AND RESPONSIBILITIES

- 6.1. You should let us know about any Mitigating Circumstances, using the Mitigating Circumstances Form, as soon as possible, and where possible, before the original deadline.
- 6.2. Registry is responsible for receiving your claim and ensuring that this is processed in a timely manner. A member of Registry staff will act as the Secretary to the Mitigating Circumstances Panel and will keep you updated on the progress of your claim.

- 6.3. The Mitigating Circumstances Panel is responsible for deciding whether your Mitigating Circumstances claim is accepted and for communicating this decision to Assessment Boards.
- 6.4. The Assessment Board is responsible for ensuring that the decision is accounted for when considering your results and confirming your final mark.

7. PRINCIPLES OF MITIGATING CIRCUMSTANCES

- 7.1. We define Mitigating Circumstances as circumstances which are sudden, unexpected, significantly disruptive and beyond your control which affect your performance at assessment.
- 7.2. These circumstances might mean that:
- You do not attempt an assessment.
 - You need more time to submit your work.
 - Your performance in the assessment is affected.
- 7.3. If you believe that you are unlikely to perform to the best of your ability in an assessment due to mitigating circumstances, you are strongly advised not to take the assessment and submit a Mitigating Circumstances claim.
- 7.4. Claims must not be submitted as insurance against poor performance in an assessment. By submitting a claim for Mitigating Circumstances, you are confirming that your circumstances are severe and have impacted on your assessment. Submitting false claims or evidence is a serious matter and will be dealt with under our disciplinary procedures.
- 7.5. Mitigating Circumstances must occur at the time of the assessment or in the period immediately leading up to the assessment. For example, if you were unwell for two weeks at the beginning of term, this would not normally be expected to impact on assessment later in the year.
- 7.6. Acceptable mitigating circumstances include:
- a. Illness or Injury
 - b. Death of a close family member or friend
 - c. Personal problems/trauma/family crisis

- d. Court attendance
- e. Being a victim of crime
- f. Exceptional financial or accommodation problems
- g. Severe TEDI-London IT problems

7.7. Unacceptable mitigating circumstances include:

- a. Minor ailments (e.g. coughs, colds etc.)
- b. Circumstances which do not relate to the assessment period in question
- c. Minor computer problems including failure to save documents appropriately
- d. Poor time management (e.g. pressure of work, conflicting assessment deadlines, unavailability of resources etc.)
- e. Misreading the examination timetable or submitting the wrong assignment in error
- f. Assessments or examinations scheduled close together
- g. Transport difficulties such as strikes, delayed trains or traffic jams
- h. Holidays/domestic events (e.g. moving house, attending a wedding)
- i. Routine work commitments
- j. Sports activities

7.8. Long-term health conditions (including pregnancy) and/or disabilities are not in themselves considered a basis for Mitigating Circumstances and you should instead follow the process for reasonable adjustments. However if you have a long term condition and/or a disability, you can submit mitigating circumstances claims if you are experiencing a serious unforeseen effect of your condition or if you experience mitigating circumstances based on factors not connected with your condition.

7.9. If you have an on-going condition, you are encouraged to access the Student Support service via the Student Hub to arrange support and reasonable adjustments for specific learning requirements and assessments.

8. MITIGATING CIRCUMSTANCES PROCESS

8.1. Although you are welcome to discuss your circumstances with TEDI-London staff members if you need advice or guidance, you should remember that discussing the case with a member of staff does not constitute a submission of a Mitigating Circumstances claim. Individual members of staff cannot adjust the assessment

process or make decisions on mitigating circumstances; therefore, you must follow this procedure and submit a Mitigating Circumstances claim.

- 8.2. Mitigating Circumstances claims must be submitted on the Mitigating Circumstances Form, which you can find here [link]. The form should be submitted no later than 10 working days after the submission deadline or date of assessment.
- 8.3. The form allows you to note whether you failed to submit or whether you believe your performance in the assessment was affected by your mitigating circumstances.
- 8.4. If you submit work after an authorised deadline date, you will be subject to late submission penalties, which are detailed in the Assessment Regulations.
- 8.5. The form should concisely outline the nature and timing of the circumstances and what their impact has been on you.
- 8.6. If you are unable to submit your Mitigating Circumstances claim yourself due to illness or other circumstances, you can ask someone to submit the claim on your behalf.

9. CONSIDERATION OF MITIGATING CIRCUMSTANCES CLAIMS

- 9.1. All requests will be considered by the Mitigating Circumstances Panel, which will meet regularly around the time of assessment deadlines.
- 9.2. The Panel will consider the following factors:
 - The circumstances meet the criteria for acceptable mitigating circumstances
 - The proximity of the events covered by the claim to the timing of the relevant assessment(s)
 - The suitability and validity of the evidence submitted
- 9.3. If a claim is submitted to the Panel and the evidence is deemed insufficient, you will be given an opportunity to provide further evidence within a defined timescale.

- 9.4. For all other claims, the Panel will either accept or reject the claim and report this decision to the Assessment Board.
- 9.5. The Secretary to the Mitigating Circumstances Panel will write to you with the outcome of your claim.

10. DOCUMENTARY EVIDENCE

- 10.1. All Mitigating Circumstances claims must be accompanied by independent third-party documentary evidence which must confirm the existence of the mitigating circumstances and state how the circumstances have impacted upon you.
- 10.2. You are responsible for providing documentary evidence; we will not obtain evidence on your behalf.
- 10.3. Evidence must be legible and in English. Evidence which is written in another language must be accompanied by a certified translation.
- 10.4. Mitigating Circumstances Panels will decide whether the documentary evidence meets the requirements of this policy; their decision is final but you are able to appeal this decision via the Academic Appeals Policy if you believe that you have grounds.
- 10.5. TEDI-London staff with a recognised professional qualification e.g. may provide a confidential statement as evidence.

11. IMPACT OF MITIGATING CIRCUMSTANCES ON ASSESSMENT

- 11.1. **Non-completion of coursework/Absence from examinations/Deferral**
If you cannot sit an examination or submit coursework due to mitigating circumstances, you can submit a Mitigating Circumstances claim. Where you know in advance of an assessment period that you cannot complete your assessments, you can request a deferral of all your assessments to the next assessment period (it is not possible to defer some assessments and not others). Deferral requests must be submitted as soon as you know you are unable to complete the assessments.
- 11.2. **Performance Affected**

If you believe your performance in your assessment has been adversely affected by mitigating circumstances, you can submit a claim for Mitigating Circumstances. Mitigating Circumstances will only be accounted for where the assessment component has been failed and the module has been failed overall, as detailed in the Assessment Regulations.

11.3. **Late Submission**

If you do not submit an assessment on time due to mitigating circumstances, you can submit a claim for Mitigating Circumstances. Any coursework submitted after the deadline without an approved case for Mitigating Circumstances will be subject to have late submission penalties, as detailed in the Assessment Regulations.

11.4. **Illness during an examination**

If you are taken ill during an examination, you must report your illness immediately to the invigilator. You must submit a Mitigating Circumstances claim as close to the affected examination as possible after the exam. The Mitigating Circumstances claim will be considered in the usual way by the Mitigating Circumstances Panel.

12. ASSESSMENT BOARD CONSIDERATION OF MITIGATING CIRCUMSTANCES

12.1. Accepted Mitigating Circumstances claims will be logged on your assessment record (without details, which will remain confidential) and will be made available to the Assessment Boards considering your results.

12.2. The Assessment Boards will consider the assessment result in light of the mitigating circumstances and will determine whether the circumstances had an impact on your performance and if further action is needed.

12.3. The acceptance of a Mitigating Circumstances claim does not necessarily mean that the Assessment Board will take action. The Board may determine that the mitigating circumstances had no impact on your performance (e.g. if your claim related to coursework which you submitted and achieved a pass mark in line with your usual performance), and will not recommend further action. In these cases, the mark that you received will stand. If you are unhappy with this decision, you can submit an Academic Appeal.

- 12.4. Assessment Boards cannot normally alter individual assessment marks to take account of Mitigating Circumstances. Instead, they may offer additional opportunities for assessment which are detailed in section 13 below.

13. OUTCOMES

13.1. Compensation

The Assessment Board may be able to compensate the failed assessment if the assessment and the mark are within the parameters described in the Award Regulations.

13.2. Assessment Component Failure

You are not required to pass all assessment components to achieve an overall pass for the module (see Assessment Regulations for more detail). In these cases, the Assessment Board will not take any action on the Mitigating Circumstances as long as the minimum pass mark has been achieved for the module overall.

13.3. Assessment not attempted/failed

If you have failed an assessment, you will be allowed one further attempt, as detailed in the Assessment Regulations. If the Mitigating Circumstances claim is accepted, this will not use up an attempt. You will be required to complete the assessment at the next available opportunity (see section 14) and the mark will not be capped (unless the assessment was already a resit attempt).

13.4. Assessment passed

You are not permitted to retake an assessment which you have already passed even if the Mitigating Circumstances claim is accepted. Assessment Boards may, in exceptional circumstances, re-consider your overall degree result where the claim for mitigating circumstances has been accepted, and make any adjustments which it considers appropriate (see the Award Regulations).

13.5. Rejected Mitigating Circumstances claims

These use up one attempt, and you will be required to resit the examination or resubmit the coursework, and the mark for this will be capped at the minimum pass mark as detailed in the Assessment Regulations.

13.6. **Coursework submitted late**

If the mitigating circumstances claim is accepted, then the late submission will not use up a right of assessment entry for the relevant module. The normal penalty deduction for late coursework will not apply.

14. **OPPORTUNITIES FOR REASSESSMENT**

14.1. **Late summer resit period**

We operate a late summer resit period. You will be required to submit resit coursework within this period, regardless of when the first attempt was made. We have one exam period per year, at the end of the third teaching block. Resit exams will be scheduled during the late summer resit period. We will inform you of the dates for the late summer resit period at the start of each academic year.

14.2. **Non-progression**

If you are not able to progress to the next year of study, you have two options:

- a. **Apply for an interruption** (see the Interruption and Withdrawal Policy), and take the assessments in the following year.
- b. **Repeat the failed module(s) or repeat the year of study.** The Assessment Regulations give further detail on this.

15. **TRAINING, DISSEMINATION AND IMPLEMENTATION**

- 15.1. All TEDI-London staff will be made aware of this Policy at their induction and we will remind staff about the process at regular training.
- 15.2. The Policy is available on the TEDI-London website and it will be highlighted to students when they join.

16. **MONITORING AND REVIEW**

- 16.1. Academic Board will monitor the effectiveness of this Policy by considering key indicators such as number of Mitigating Circumstances requests and queries about the process.
- 16.2. This version of the Policy is valid from September 2021 and will be reviewed in September 2022.