

THE ENGINEERING & DESIGN INSTITUTE 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		
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Date of implementation	September 2022	Date of next formal review	September 2025

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
05/2022	4	Document updated	Updates made to ensure alignment with TEDI-London naming conventions, remove references to deferrals, clarify information on submission of evidence, remove reference to affected performance, clarify outcomes of accepted claims, provide guidance on group work and IT issues impacting on submission
07/2022	5	Document updated	Updates made to clarify decisions made where results exist for 1 st sit and mitigating circumstances sit and the role of the Assessment Board in this

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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 The Engineering & Design Institute, London (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.

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 Servicing Officer 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 in some other way.

- 7.3. By submitting a claim for Mitigating Circumstances, you are confirming that your circumstances are severe and have impacted on your ability to submit or take the assessment. Submitting false claims or evidence is a serious matter and will be dealt with under our disciplinary procedures.

- 7.4. 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.

- 7.5. 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 (see section 8 below)

- 7.6. 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 and lack of access to online services (see section 8 below)
 - d. Poor time management (e.g. pressure of work, conflicting assessment deadlines, unavailability of resources etc.)
 - e. Group work tasks – failure of one member to participate in the assessment (this should be dealt with by the Module Leader during the marking process)
 - f. Misreading the examination timetable or submitting the wrong assignment in error
 - g. Assessments or examinations scheduled close together
 - h. Transport difficulties such as strikes, delayed trains or traffic jams
 - i. Holidays/domestic events (e.g. moving house, attending a wedding)
 - j. Routine work commitments
 - k. Sports activities
- 7.7. 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.
- 7.8. 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. IT ISSUES AND MITIGATING CIRCUMSTANCES

- 8.1. IT problems will only be considered as mitigating circumstances where these are severe and impact on the whole of TEDI-London. Where this happens, you will be notified by the TEDI-London IT team of the issue and can use this as evidence in your claim.
- 8.2. It is your responsibility to ensure that you have access to the correct facilities and services to submit your assessment on time. IT problems that impact individual students only are unlikely to be considered as mitigating circumstances.

9. MITIGATING CIRCUMSTANCES PROCESS

- 9.1. 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.
- 9.2. Mitigating Circumstances claims must be submitted on the Mitigating Circumstances Form, which you can find in the Student Zone Team. The form should be submitted no later than 10 working days after the submission deadline or date of assessment.
- 9.3. 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.
- 9.4. If you submit work after an authorised deadline date, you will be subject to late submission penalties, which are detailed in the Assessment Regulations.
- 9.5. The form should concisely outline the nature and timing of the circumstances and what their impact has been on your ability to attempt your assessment. The Mitigating Circumstances Panel will be unable to consider any forms that do not include all of this information
- 9.6. 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.

10. CONSIDERATION OF MITIGATING CIRCUMSTANCES CLAIMS

- 10.1. All requests will be considered by the Mitigating Circumstances Panel, which will meet regularly around the time of assessment deadlines.
- 10.2. 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
- 10.3. 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.
- 10.4. For all other claims, the Panel will either accept or reject the claim and report this decision to the Assessment Board.
- 10.5. The Servicing Officer to the Mitigating Circumstances Panel will write to you with the outcome of your claim.

11. DOCUMENTARY EVIDENCE

- 11.1. 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.
- 11.2. You are responsible for providing documentary evidence; we will not obtain evidence on your behalf.
- 11.3. Evidence must be legible and in English. Evidence which is written in another language must be accompanied by a certified translation.
- 11.4. 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.
- 11.5. TEDI-London staff with a recognised professional qualification e.g. may provide a confidential statement as evidence.

12. IMPACT OF MITIGATING CIRCUMSTANCES ON ASSESSMENT

- 12.1. If you have failed your module but submitted a mitigating circumstances claim for one or more assessment components, the impact of this is usually as follows:

Reason for mitigating circumstances claim	Impact of successful mitigating circumstances claim	Impact of unsuccessful mitigating circumstances claim
Non-completion of coursework	You will be given an opportunity to submit the piece of coursework again at the next available opportunity (this is likely to be during the summer resit period). Where this is a group piece, you may be required to submit an alternative piece of coursework. You will be notified of this change if required	You will be given a mark of 0 for the coursework and, subject to approval by the Assessment Board, may be given a resit opportunity (see Assessment Regulations for further information)
Late submission of coursework	Your work will be marked and no late submission penalties will be applied	Your work will be marked however, your final mark will be subject to late penalties as outlined in the Assessment Regulations
Non-attendance at exam	You will be given an opportunity to sit the exam again at the next available opportunity (this is likely to be during the summer resit period)	You will be given a mark of 0 for the exam and, subject to approval by the Assessment Board, may be given a resit opportunity (this is likely to be during the summer resit period).

13. ASSESSMENT BOARD CONSIDERATION OF MITIGATING CIRCUMSTANCES

- 13.1. 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.
- 13.2. 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.
- 13.3. 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.
- 13.4. Assessment Boards cannot alter individual assessment marks to take account of Mitigating Circumstances. Instead, they may offer additional opportunities for assessment which are detailed in section 14 below.

14. OUTCOMES

14.1. 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.

14.2. 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 determine the next course of action. Usually, this will include providing you with another opportunity to complete the assessment component where the mitigating circumstances claim was accepted.

Where permission was granted to have one further attempt at an assessment component due to an accepted mitigating circumstances claim, the highest mark achieved for the assessment component will be used for the purposes of all calculations.

14.3. **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 15) and the mark will not be capped (unless the assessment was already a resit attempt).

Where a mark was awarded for the original assessment and for the mitigating circumstances attempt, the highest mark achieved for the assessment component will be used for the purposes of all calculations.

14.4. **Assessment passed**

Where you have passed the assessment component that you have submitted a mitigating circumstances claim for, or you have passed the module overall, the Assessment Board will determine the next course of action. Usually, this will include providing you with another opportunity to complete the assessment component where the mitigating circumstances claim was accepted. Assessment Boards may also, 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).

Where permission was granted to have one further attempt at an assessment component due to an accepted mitigating circumstances claim, the highest mark achieved for the assessment component will be used for the purposes of all calculations.

14.5. **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.

14.6. **Coursework submitted late**

If the mitigating circumstances claim is accepted, then the normal penalty deduction for late coursework will not apply.

15. **OPPORTUNITIES FOR REASSESSMENT**

15.1. **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.

15.2. **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.

16. **TRAINING, DISSEMINATION AND IMPLEMENTATION**

- 16.1. 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.
- 16.2. The Policy is available on the TEDI-London website and it will be highlighted to students when they join.

17. **MONITORING AND REVIEW**

- 17.1. 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.
- 17.2. This version of the Policy is valid from September 2022 and will be reviewed in September 2025.