Mitigating circumstances, extensions and cohort unit extensions

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1. Purpose

It is recognised that there may be times when a student's circumstances are such that they cannot complete assessments to the best of their ability, or are unable to attend an examination, or are unable to meet an assessment deadline due to adverse circumstances beyond their control. As a result, students can request that these circumstances are taken into consideration by UHI North, West and Hebrides (NWH).

The claim and supporting evidence will be treated confidentially. If it is necessary to disclose any information to another party, other than those mentioned in the principles below, this will be done with the student's permission.

We have a duty to all students to ensure that assessments are conducted fairly, and that students have the opportunity to demonstrate their true level of academic performance. The purpose of this procedure is to ensure the equitable treatment of all students with respect to their ability to undertake assessment, and by the due deadline.

2. Scope

This procedure is relevant to all FE awards and all HN SQA Awards delivered by UHI North, West and Hebrides.

Students may apply for mitigation for all forms of summative assessment, whenever they occur.

Students with an underlying disability or chronic illness should normally have agreed a formal student Personal Learning Support Plan (PLSP)/ Needs Assessment with the Student Services Department to provide additional support for learning and assessment, as required. However, where such an underlying disability or chronic illness suddenly flares up, or is exacerbated, this would fall within the definition of mitigating circumstances. The below section titled PLSP and coursework extensions explains the difference between a coursework extension recommended with a student's approved Personal Learning Support Plan (PLSP) and an extension claimed under mitigating circumstances.

This Procedure should be read in conjunction with the current University guidance on mitigating circumstances, which can be found as an appendix to the UHI Academic Standards and Quality Regulations.

3. Definitions

Students are encouraged to inform their tutor whenever they are experiencing difficulties in meeting an assessment deadline. There are a number of remedies that can be offered, depending on how severe the problem is. In many cases the student's problem can be resolved by extending the assessment deadline to a later date.

Mitigating Circumstances are defined as unforeseen and unpreventable circumstances outside the control of the student, which have significantly affected performance and/or attendance in a summative assessment and could not have been remedied in the time available. These are normally circumstances relating to the health and/or personal life of a student which are sufficiently serious and significant in nature to result in them being unable to attend, complete or submit an assessment on time, or attend an examination. Examples of categories mitigating circumstances will normally fall within are shown below;

- illness or serious accident at the time of an assessment or in the period leading up to formal assessment
- serious illness or death of a family member
- severe unforeseen personal or psychological problems
- unanticipated difficulties in child or adult care arrangements during a semester [where the student is the named carer for an adult].

In addition, for part-time students:

- unforeseen and essential work commitments

The following examples should not be considered valid;

- any ongoing situation known to the student
- inadequate time management
- moving house or holidays
- misreading the assessment or exam timetable
- computer / IT problems of the student's own equipment
- normal work commitments on behalf of an employer

Determinations are the outcome decisions made against an application for mitigating circumstances.

All 'extensions' requested by a student for assessment submission deadlines, including examinations, should be processed through the mitigating circumstances procedure.

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4. Principles

4.1. Applying for mitigating circumstances

A student will normally be expected to submit an application for mitigation circumstances **prior** to an assessment deadline. However, where a student who has completed an assessment feels their academic performance was affected by circumstances outside of their control, they may apply for mitigating circumstances.

Mitigating Circumstances is deemed a supportive service for students. Where mitigation has been granted for an earlier assessment this should be brought to the attention of the Curriculum Leader/Curriculum Area Lead/Head of Department when a further application is received to ensure that a student is not abusing the procedure but only applying for relevant situations.

It is noted that in exceptional circumstances there may be cases where a student is unable to submit a request for an extension on a completed application form. In these circumstances the PAT/Course Lead should populate a form with the relevant details prior to processing. Appropriate evidence must still be received for approval to be considered by the Curriculum Leader/Curriculum Area Lead/Head of Department and recorded.

An application for mitigating circumstances should normally be submitted at least 3 working days prior to an assessment deadline. If it cannot be submitted in advance it should be submitted as soon as possible and include reasons for the delay. Mitigating circumstances claims in all instances must be submitted within two weeks of the end of the module/unit delivery.

4.2. Failure to attend assessments and examinations

A student who does not attend an examination or does not meet an assessment submission deadline will be deemed to have not attempted the assessment unless mitigating circumstances has been submitted in advance of the assessment and should be recorded as a fail at progression board.

4.3. Suspending studies

In some cases, the student and/or the institution may decide that it is appropriate for the student to interrupt their studies for an agreed period of time. Any decision to suspend studies must be done in accordance with the current policy and procedures relating to suspension of study as referred to in the UHI Academic Standards and Quality Regulations.

International students (tier 4) must be treated in accordance with the UKVI visa rules and sponsor guidance. As such, the institution may be unable to grant deferral or suspension of study to international students.

An application should only be considered with full supporting evidence. Where an application has been received without supporting evidence the student must state on the application when the evidence will be available. It is only once evidence is received that a determination may be made.

4.4. Determination/outcome

A determination should be made by the Curriculum Leader/Curriculum Area Lead/Head of Department as to whether a student will be given a new submission deadline for their

assessment, or not. In exceptional circumstances this determination may be made by the Chair of the Progression Board. The relevant Curriculum Leader/Curriculum Area Lead/Head of Department should be informed of this decision thereafter.

Determinations will automatically be considered for first attempt summative assessments but should only be considered in exceptional circumstances for a second attempt assessment (also referred to as 'resit') or exceptional third attempt assessment. Determination will **not** be considered with respect to remediation work or where a draft of assessed work has been submitted for informal comment.

4.5. Evidence

Students must normally provide independent third party documentary evidence to support their application (for example, from a medical practitioner, counsellor, hospital, specialist advisor, the police, a solicitor, or named Student Services staff member) which has dates which cover the period of mitigation. Evidence from family members or fellow students would not normally be accepted.

Evidence for mitigation claims must be current and can be used where circumstances have affected more than one assessment/unit. However, if a future claim (at a different time-period) is for the same or similar circumstance then new evidence must be supplied i.e. current medical note, supporting letter etc.

Where a student has self-certified their mitigation claim they should submit the work they have done to date. The Curriculum Leader/Curriculum Area Lead/Head of Department may determine whether it is possible to mark this work taking into consideration the student's circumstances.

4.6. Multiple assessments/units

Where mitigating circumstances is accepted and affects more than one assessment and more than one unit then the Personal Academic Tutor (PAT)/Course Leader, in liaison with the relevant assessor(s), may determine a phased submission schedule.

4.7. Progression boards

All mitigation applications must be processed prior to the relevant progression board. A report on mitigating circumstances applications must be kept by the PAT/Course Leader and submitted to the progression board for each award. Where provision is networked an individual report for each academic partner for that course should be submitted to the prior to the progression board.

4.8. Retrospective applications

Late mitigation applications will only be accepted and a retrospective determination given in exceptional circumstances and where evidence supports a student's incapacity to submit it prior to assessment deadline. Mitigating circumstances claims in all instances must be submitted within two weeks of the original assessment deadline.

All retrospective mitigation applications received after a progression board must be determined following the normal procedure and the outcome reported to the Chair of the Progression Board to enable a result to be ratified by Chairs Action. The details should be raised as a matters arising at the next progression board.

5. Confidentiality

All mitigation applications are to be treated with confidentiality. Information provided should only be discussed between the relevant parties involved in the initial determination. If it is necessary to disclose any information to another party, other than those mentioned in the principles above, this must be done with the student's permission.

Only details of the determination/outcome (i.e. approved), and subsequent change to dates, are to be discussed at Progression Boards. Specific details of the need/reason/evidence do not need to be discussed.

It is in exceptional cases that a Chair of Progression Board may be required to be informed of more detail pertinent to the case to determine ratification of an assessment result.

6. Responsibilities

6.1. Staff Responsibilities

Students must be advised of the submission/examination dates for summative assessments at the beginning of their programme/unit.

Students must be clearly informed at the beginning of their programmes of the mitigating circumstances procedure and signposted to it on their assessment schedules/briefs.

The assessing tutor, PAT/Course Lead, and Curriculum Leader/Curriculum Area Lead/Head of Department have a responsibility to ensure that all students are treated equitably and with fairness and decision making is consistent. The PAT/Course Lead statement regarding whether they support the application or not must be an objective view and must not be a subjective opinion.

Staff must declare any conflicts of interest when receiving mitigation claims.

A student's PAT/Course Lead is responsible for processing all applications for mitigation for their course/cohort of students, ensuring that the application meets the criteria for mitigation and all relevant supporting evidence is received. Where a tutor has received an application (or request) they should forward it to the student's PAT/Course Lead for processing.

The Curriculum Leader/Curriculum Area Lead/Head of Department is responsible for making the determination on whether a new assessment deadline is given or not.

The PAT/Course Lead is responsible for determining, with the tutor, new submission dates.

The PAT/Course Lead is responsible for informing the student of the determination and, where applicable, new dates and arrangements for submission of coursework or attendance at an examination. The Exams office should be informed of any new exam dates. NB: where a new assessment deadline falls after a progression board then the dates of assessment should be clearly recorded at the Board and the subsequent outcome followed up by the tutor as Chair's Action.

The International Office should be informed of any extensions approved for international students prior to the student being informed to ensure the determination falls within the parameters of the Tier 4 licence.

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6.2. Student Responsibilities

All students have a responsibility to manage their learning during their registration on an award. This requires students to balance their workloads, to ensure that they attend examinations and to submit work for assessment by the set date of the assessment. This is so that students do not miss deadlines or struggle to meet them.

Students should ensure they meet all required deadlines for assessment submission and submit assessments according to the guidance provided.

Students are expected to ensure that they have taken reasonable steps to prevent the circumstances, wherever possible. The previous section provides indicative categories which mitigating circumstances fall within, and clearly shows categories which will not be considered.

It is a student's responsibility to inform a member of academic staff of any circumstances which may affect their ability to meet their programme commitment.

A student should normally submit an application for mitigating circumstances at least 3 working days prior to an assessment deadline.

Any student found to have submitted a false claim for mitigation will be referred to the Student Code of Conduct processes.

7. Procedure

A student submits a mitigation application with appropriate supporting evidence to their Personal Academic Tutor (PAT)/Course Lead.

The PAT/Course Lead confirms the application is complete, including that the evidence submitted is appropriate. If an application is either incomplete or inappropriate, then the PAT/Course Lead should inform the student of the information that is required to complete the application.

The PAT/Course Lead informs the relevant tutor of the receipt of a mitigation application.

The PAT/Course Lead should annotate the application to show whether they are in support or not of the application and provide a detailed written reason for their decision, and then submit the application and supporting evidence to quality.nwh@uhi.ac.uk.

The quality team will progress the application with the relevant Curriculum Leader/Curriculum Area Lead/Head of Department for their consideration.

The Curriculum Leader/Curriculum Area Lead/Head of Department makes a determination based on the evidence supplied i.e. approves or rejects the application.

The Curriculum Leader/Curriculum Area Lead/Head of Department will inform quality.nwh@uhi.ac.uk of their decision.

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After a decision has been taken;

The quality team will;

- Inform the PAT/Course Lead of the outcome
- Inform the registry team of the outcome
- Inform the international team of the outcome, where relevant
- Ensure all details are recorded within the central Mitigating Circumstances area

The registry team will;

- Ensure all mitigation claims are recorded against the student record on SITS.

The PAT/Course Lead will;

- Where relevant, discuss with the tutor; a new deadline date for sitting an examination or submission of the assessment and the details for that submission e.g. new piece of work, etc.
- Inform the student of the determination and, where applicable, new dates and arrangements for submission of coursework or attendance at an examination or in the case of the request not being approved support or guide the student as appropriate.
- Where relevant, inform the Exams office of any new exam dates.
- Ensure that where a new assessment deadline falls after a progression board then the dates of assessment should be clearly recorded at the Board and the subsequent outcome followed up by the tutor as Chair's Action.

The tutor will;

- Ensure the student is aware of any new deadline or conditions of assessment and progress the student assessment as normal, including feedback and resulting.
- Where an application has been rejected, result the student work as a fail for the progression board.

The Curriculum Leader/Curriculum Area Lead/Head of Department will;

- Ensure a record of all mitigation claims, per course (per partner), is recorded on the 'Report on Mitigating Circumstances' and presented to the relevant Progression Board. Note: where there is more than 1 PAT per course the same report form must be used for recording. Where a course is networked, each academic partner should complete a form per course and forward it to the Programme Leader (or equivalent) prior to the Board.

8.   SQA exams

The most current SQA mitigating circumstances and appeals procedures will apply in the case of National Qualification (e.g. Higher and National 5) external examinations.

9. Cohort Unit Extension

Prior to completing paperwork discuss situation with the Curriculum Leader/Curriculum Area Lead/Head of Department with responsibility for the cohort. If a unit tutor identifies potential issue which they feel requires the unit to be extended for the entire cohort/class they should complete a Cohort Unit Extension Request form.

In order to identify students which are part of the cohort a report should be extracted and attached from UHI Records.

The unit tutor should pass the completed form to the Curriculum Leader/Curriculum Area Lead/Head of Department with responsibility for the cohort.

The Curriculum Leader/Curriculum Area Lead/Head of Department should pass supported requests to the SQA Coordinator and return unsupported requests to unit tutor.

The SQA Coordinator will pass approved requests to registry for processing and return requests not approved to the Curriculum Leader/Curriculum Area Lead/Head of Department.

Examples of circumstances which <u>may</u> warrant an Entire Unit Extension;

- Staff absences which has caused prolonged cancellation of teaching
- Estates or IT disruption which has caused prolonged cancellation of teaching
- Other staff disruptions which has cause prolonged cancellation of teaching
- Error in original entry of completion dates
- Examples of circumstances which will not normally warrant an Entire Unit Extension;
- Student illness or injury
- Student bereavement
- Student personal problems
- Student unexpected caring responsibilities
- Student external work commitments

It is important to remember that individual students should apply for mitigating circumstances when that most is appropriate. See Mitigating Circumstances Procedure for further information and examples of what will and will not be considered under mitigating circumstances.

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10. Retention of evidence

Records documenting individual students' submission of assessed work and handling of reports of mitigating circumstances should be retained as per institution guidelines on retention of student assessment records.

11. Linked Policies/Related Documents

University Academic Standards and Quality Regulations

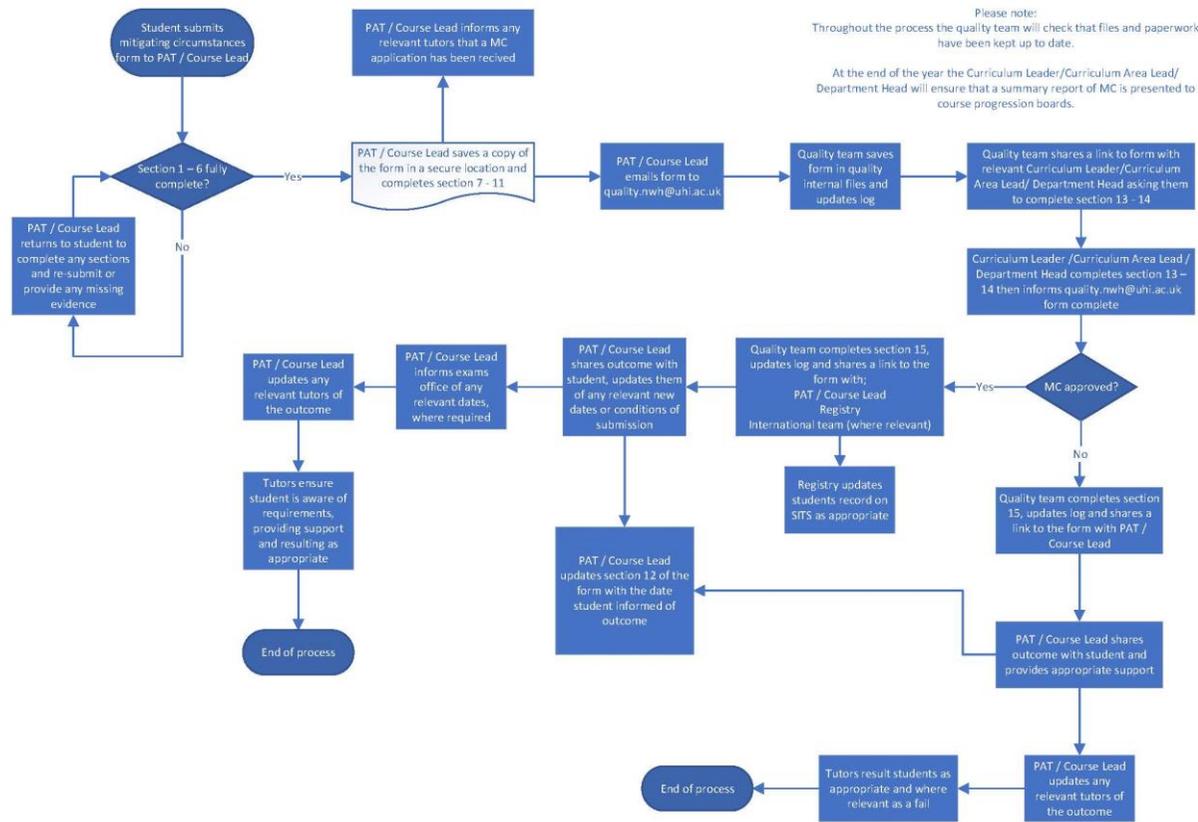UHI NWH Student Conduct Policy and Procedures

UHI NWH Assessment Policy and Procedures

12. Quality Monitoring

Quality approval check of the policy is the responsibility of the Academic Registrar who will arrange for the policy to be posted on the web.

Occurrences of Mitigating Circumstances will be reported annually to the relevant Quality Committee.

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Appendix 1: Flow Chart

Appendix 2: Coursework extensions within student PLSPs
The distinction between mitigating circumstances and PLSP adjustments

Students who disclose an additional support need whilst at the University will have an opportunity to meet with Student Services staff at their Home Academic Partner to have their needs assessed and to set up a Personal Learning Support Plan (PLSP), if appropriate[1]. A PLSP details the support measures that have been approved for a student in light of how their specific disclosed needs impact upon their current studies.

Mitigating circumstances occur unexpectedly and outside of a student's control regardless of need. Conversely, an agreed entitlement (e.g. to access a coursework extension) within an approved PLSP is a planned adjustment in response to the student's specific disclosed additional support needs. This distinction is made clear in current University Regulations.

Special circumstances

For the avoidance of doubt, the arrangements for dealing with claims of mitigating circumstances do not normally apply where students have a long-term support need, eg arising from a disability. Where a student considers that they have a support need which may affect their study and / or assessment, it is the responsibility of the student to seek advice as early as possible and use the Personal Academic Tutor and other support services available through the Home Academic Partner, to ensure that they can undertake their chosen programme and its associated assessments in a way which meets their special needs but still allows them to demonstrate their true academic ability.

*Mitigating circumstances are disruptive to study and occur unexpectedly for **any** student, regardless of need. As outlined in University Regulations, the following circumstances are normally considered valid:*

- *illness or serious accident at the time of an assessment or in the period leading up to formal assessment*
- *serious illness or death of a family member*
- *severe unforeseen personal or psychological problems*
- *unanticipated difficulties in child or adult care arrangements during a semester [where the student is the named carer for an adult].*

In addition, for part-time students:

- *unforeseen and essential work commitments.*

It is not necessary for a student to apply for consideration of mitigating circumstances in order to access any adjustment that has been approved within their PLSP.
Following a contextualised assessment of need, a student may be recommended to access coursework extensions as a planned adjustment in response to disclosed additional needs. Such an entitlement would be included in the student's Personal Learning Support Plan (PLSP).

Thus, it might be appropriate for student support practitioners to recommend that a student 'can have an extension of up to 3 days with no penalty, if requested'. If the parameters of the PLSP were exceeded in this case, the student would either be required to submit a mitigating circumstances claim or would be penalised.

The implementation of a recommended extension is necessarily an academic decision. The parameters given in a student's PLSP are intended as a guide to assist academic staff in making such a judgement for the individual student.

Recommended parameters

In response to feedback from Academic Partner disability practitioners and academic staff in one particular subject area, a mandatory 'Coursework extensions (with recommended parameters)' field has been added to the Recommendations section of the University's online PLSP form[1] (this field has in fact been included in our paper PLSP template since it was first released in July 2013). This addition is available in new and edited online PLSP forms, and is intended to enable student support practitioners to recommend specific parameters where appropriate; practitioners would simply enter 'N/A' in the field if coursework extensions were not to be recommended in the student's PLSP.

This field is automatically replicated in the Summary of Support section of the online PLSP form, so that it is made visible to a student's lecturers as a matter of course[2]

Our Additional Support Online practitioner guidance now includes a section highlighting the benefits and importance of supplying parameters to support recommended coursework extensions within a student's PLSP, where appropriate.

Conclusions / recommendations

A coursework extension recommended within a student's approved PLSP is a planned adjustment in response to the student's disclosed additional needs. A student is not required to apply for consideration of mitigating circumstances in order to access any entitlement that has already been agreed within their approved PLSP.

The Recommendations section of University's online PLSP form now includes a mandatory 'Coursework extensions (with recommended parameters)' field. This addition brings the online form in line with the University's paper PLSP template.

This mandatory field is automatically replicated in the Summary of Support section of the online PLSP form.

Our Additional Support Online practitioner guidelines have been updated to include guidance to assist student support practitioners in recommending parameters within a student's PLSP, where appropriate.

Mark Ross
Disability Support Coordinator

1 – 2015/16 Academic Standards and Quality Regulations, Section 17b.45 (www.uhi.ac.uk/regulations)

2 - Student PLSPs are increasingly being completed online, via the University's Additional Support

Online system (https://www.uhi.ac.uk/en/students/support/disability-matters/additional-support-online).

3 - By default, academic staff only have access to information that has been included within the Summary of Support. (N.B. The 'Assessment Arrangements' field from the Recommendations section is now also replicated in the Summary of Support by default).

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