Annex 9 Appendix 1: Conventions for the Mitigation of Extenuating Circumstances

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# Glossary of Common Terms and Conventions

#  Extenuating Circumstances

Extenuating circumstances are circumstances that have had a negative impact so as to:

* + caused the student to perform less well in their assessed work than they may otherwise have been expected to do; and/or
	+ impact their ability to attend examinations/practical assessments; and/or
	+ submit work to deadlines.
	+ They should normally be beyond the student’s control.

See Annex 9 for more information about what sorts of circumstances might be appropriate for mitigation.

# Mitigation

2.1. The term ‘**mitigation of extenuating circumstances**’ refers to the interventions made by Divisional Mitigation Committees, or by the Chairs of these committees (or their nominees), on behalf of Boards of Examiners in order to offset the impact of extenuating circumstances on student performance in their assessed work or with regard to their attendance or the timely submission of assessments in line with set deadlines. Such interventions may take the form of the granting in advance of extensions to coursework deadlines, or for late-submitted work to be marked without penalty, or for the adjustment of module marks or the award of credit via the conventions set out in section 3 of this appendix.

2.2. The **purpose** of making such interventions is to apply a corrective measure that allows the Board of Examiners to arrive at an outcome that properly reflects the student’s level of achievement on the affected module(s) and therefore on the stage/course of study as a whole.

#  Extensions

3.1. As noted at 2 above, extensions constitute a form of mitigation. In general extension requests are prospective, intended to secure more time to complete assessments, and should be considered in a timely fashion by the Chair of the Mitigation Committee or nominee on an ad hoc basis.

3.2. However, where students self-certify for periods of absence that coincide with coursework assessment deadlines this tends to happen retrospectively as part of an application for mitigation. Self-certification provides the evidence in support of such applications. Where these applications are accepted, the standard response, however, will be to provide extensions for the submission of the affected coursework (see sections 4.2 – 4.2.1 of Annex 9, main document). Divisions should process such applications for mitigation along the same lines as standard extension requests, allowing them to be considered in a timely fashion on an ad hoc basis by the Chair of the Mitigation Committee or nominee.

3.3. Where the application for mitigation takes the form of a request for an extension to a coursework submission deadline, self-certification on medical grounds will be permissible even where the student has remained in attendance.

3.4. Appendix 2 of this Annex sets out the procedures for considering extension requests.

#  Principles for Mitigation

The following principles underpin the University’s standard procedures for mitigation:

* The purpose of making such interventions is to arrive at an outcome that properly reflects the student’s level of achievement on the affected module(s) and therefore on the stage/course of study as a whole.
* In making such interventions examiners must determine that the extenuating circumstances have produced a demonstrably negative impact on student performance in particular assessments. Wherever possible, such judgements should be made on the basis of a comparison to the marks achieved by the student on other assessments in the module and/or on other modules.
* It is important to note that mitigation is not concerned with assessing the severity of any particular set of extenuating circumstances. It is concerned with assessing the impact of extenuating circumstances on student performance on affected assessments. Where the reported circumstances are considered not to have impacted on student performance, no mitigating intervention is required.
* Mitigation, therefore, does not involve awarding students ‘extra’ marks as compensation for suffering misfortune. On the contrary, it involves finding ways to reward students for demonstrating learning by ensuring that the marks/credit awarded for that learning reflect their true level of achievement. Such interventions might involve allowing students a further attempt at an affected assessment or factoring an affected assessment or assessments out of the calculation of the overall mark awarded for the module(s) concerned.
* Mitigation should not compromise academic standards. Examiners should be satisfied that the overall mark arrived at via mitigation reflects the student’s level of achievement as a whole on the module in question and the core requirements for a pass to be awarded.
* Students submitting applications for mitigation should not routinely be regarded with suspicion or of seeking to gain an unwarranted advantage by doing so. While some few may indeed be looking to ‘game the system’, the great majority will not. Divisions should approach all applications for mitigation supportively and, given the unprecedented disruption to student learning caused by the pandemic, be as flexible as possible in applying the conventions for mitigation and achieving the best, most appropriate outcome.

# Conventions

Where mitigation of extenuating circumstances is considered appropriate, the interventions set out below should be taken into account, as relevant. All such interventions should be undertaken in response to the examiners’ assessment of the severity of the impact of the extenuating circumstances on student performance and should be calibrated in order to arrive at the outcome for the affected module(s) that most accurately reflects the student’s true level of achievement on those modules and with respect to the satisfaction of the requirements for a pass.

The following conventions for the mitigation of extenuating circumstances are applicable under the terms of the Credit Framework:

### 5.1. Overriding Late-Submission Penalties / Offer Alternative Assessments

Wherever practicable, decisions on overriding late submission penalties or offering alternative assessments should be considered in a timely fashion by the Chair of the Mitigation Committee or nominee on an ad hoc basis.

### 5.2. Disregarding of assessments

Individual assessments for the affected module or modules may be disregarded, including where these contribute **20% or more to the overall mark** for the module(s) in question, provided that (i) the learning outcomes for the module(s) are achieved; and (ii) such adjusted marks properly represent the student’s achievement on the module(s) as a whole;

**Note 1**. Where the modules in question have been failed, the above disregard measures may only be used either individually or in combination with respect to a maximum of 25% of the credit available for the stage;

**Note 2**. Where the modules in question have been passed, the above disregard measures may be used without restriction.

### 5.3. Condonement

Where student has failed up to a maximum of 25% of the credit for the stage, Boards may consider **condoning**;

Condonement involves the awarding of credit for a failed module where student performance has been impacted by illness or other mitigating circumstances and there is evidence to show that the student has achieved the **course** learning outcomes; where credit for a module is awarded by condonement, the mark awarded for that module should be excluded from the calculation of the classification of the award. (N.B. the marks achieved for such modules will not be adjusted to take account of the extenuating circumstances, but transcripts issued to the student will indicate modules for which credits have been awarded via condonement).

### 5.4. Deferral (Unpenalised opportunity to re-sit or to repeat a module in attendance)

5.4.1. Deferral is the decision on grounds of mitigation to allow a student to undertake reassessment for a module or modules as if for the first time (i.e. an uncapped retrieval attempt), or as appropriate, as if for the second time.

5.4.2. Boards should consider recommending **deferral**, especially where a student has failed 50% or more of the credit required for the stage.

*Note:* As if for the second time i.e. where a student may have suffered extenuating circumstances but had been referred in a previous attempt at the module(s) in question. Under such circumstances it would be inappropriate to offer a student the possibility of an uncapped module mark. Although the student will be permitted to retrieve the credits for a capped module mark, this would take place without incurring a further reduction in the number of permitted attempts.

5.4.3. A student may be deferred on a module or modules for reasons of extenuation under the following scenarios:

(i) where the module(s) have been failed; or

(ii) where the module(s) have been passed but the final mark(s) achieved for the affected module(s) are significantly out of line with the final marks achieved for the student’s unaffected modules.

5.4.4. Under scenario ii above (5.4.3), **the final module mark** should be judged as ‘significantly out of line’ where it falls in a range that is at least two classification bands below the student’s mean average level of achievement as derived from those modules that were unaffected by the mitigating circumstances reported;

* + 1. Where a module has been passed, it would be inappropriate to defer the student on that module as if for the second time (as the final module mark could not be improved upon under this scenario).
		2. Students so affected are to be given the choice whether they will re-sit the assessments concerned or will accept the pass mark already achieved.
		3. Such reassessment opportunities will normally take place in the summer before the next academic year.
		4. Where student performance has been significantly affected in line with the specified conditions specified under section 3.3.2 above (while resulting in passes for the affected modules) for 50% or more of the credit required for the stage, students should be allowed the option to repeat these modules in attendance as if for the first time in the following academic year.
		5. Where a student elects to take up the opportunity to re-sit or repeat in attendance a module that they have already passed, the mark achieved at the earlier attempt will be struck from the record. Students will not be given the opportunity to choose between the better of the marks achieved. The mark achieved at the AFT attempt will stand, even where this results in the failure of the module(s) concerned. The mode of re-assessment (single instrument or like-for-like) will be as set out in the module specification.

### Option to Delay Assessment in Advance of the Meeting of the Board of Examiners

Students may apply at any point to be granted advance permission to delay taking an examination or submitting a significant piece of assessed work\* until the next available opportunity (\*such as a UG dissertation or large project or similar significant item of assessment - Schools to decide the relevance of the latter significant coursework items to this convention). Where on grounds of extenuation or other good reason a student elects in advance to delay the taking or submission of a significant piece of assessment this is not to be regarded as constituting the failure of the relevant module and the delayed attempt is therefore not to be treated as a reassessment but as the completion of the original assessment diet at the first attempt.

In such cases, the following protocol will be observed:

* Undertake an assessment of the grounds for the request for seeking the delay (Note: supporting evidence should be provided);
* If the grounds suggest the student would have genuine difficulties in taking the examinations or completing the assessments in the Summer Term, grant the delayed attempt and inform the student as soon as possible (these requests do not need to wait for the BoE to meet for them to be confirmed);
* Unless the student’s attempt in the Summer Term would have been a penalised attempt (due to previous failure or academic offence), confirm to the student that the delayed attempt in August will be an unpenalised attempt;
* Where the delay is granted, report this outcome to the Board of Examiners.

Where a student is granted permission not to take one or more of their examinations or submit other relevant assessments in the summer term, they will be permitted to take an AFT attempt in the August resit period before the start of the following academic year. Students in this position will not be regarded as having failed their module(s) in the summer term.

When considering such an application students must be advised that such a major decision needs careful consideration as this procedure entails an inevitable delay to their progression to the next stage of their course or, if a finalist, to the award of their degree. Students in this position must be made aware that if their application is successful, then the marks they achieve in their other modules will not be considered by the Board of Examiners until after the August examination period. This means that where any module(s) is failed, the next available opportunity to retrieve credit will be May/June of the following academic year. There may also be financial and other impacts that they may wish to consider in the light of their personal circumstances.