

Annex 9: Appendix 1

Conventions for the Mitigation of Extenuating Circumstances

1. Principles

- 1.1 Mitigation is a corrective measure that allows Boards of Examiners to make adjustments to module marks and award credit where student performance in assessment has been impacted negatively by extenuating circumstances beyond the student's control.
- 1.2 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/programme of study as a whole.
- 1.3 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.
- 1.4 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.
- 1.5 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.
- 1.6 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.
- 1.7 Although extension requests may only be submitted on grounds of extenuation, a distinction is made in this annex between such requests and applications for mitigation. Applications for mitigation are aimed at securing a corrective measure for impaired performance in, or failure to undertake, assessment, on grounds of extenuation (see *clause 1.3, main Annex*). These are retrospective submissions, looking to mitigate the negative impact of circumstances that have already taken place and/or are ongoing. These are considered by the Mitigation Committee. Extension requests are prospective, intended to secure more time to complete assessments, and may be considered by the Chair of the Mitigation Committee or nominee on an ad hoc basis. Appendix 2 of this Annex sets out the procedures for considering extension requests.
- 1.7.1 While the distinction between extension requests and applications for mitigation set out in 1.7 above remains an established and valid distinction, the implementation in 2019/20 of self-certification for student absence (including, on two occasions in any academic year, self-certification for absence that coincides with coursework assessment deadlines), has inevitably introduced an element of overlap between the two. Where students self-certify for periods of absence that coincide with coursework assessment deadlines they are doing so retrospectively as part of an application for mitigation. Self-certification provides the evidence in support of this application. Where

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these applications are accepted the standard response, however, will be to provide extensions for the submission of the affected coursework (see 4.2 – 4.2.1, *main Annex*). Schools should process such applications for mitigation along the same lines as standard extension requests, allowing them to be considered on an ad hoc basis by the Chair of the Mitigation Committee or nominee.

- 1.8 The licence introduced in 2019/20 to allow students, under specified conditions, the opportunity to re-sit a module passed at the previous attempt as if for the first time ('deferral on pass') is intended to be used as a mitigating adjustment on grounds of extenuation for a limited number of modules in any stage. Where student performance has been significantly affected in line with the specified conditions (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 (see 3.3.1 – 3.3.10 of *this Appendix, below*).

2. **Possible Interventions**

Where mitigation of extenuating circumstances is considered necessary, the interventions set out below should be taken into account, as appropriate. 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.

- 2.1 Overriding late submission penalties; granting time-limited extension; offering equivalent assessment, where appropriate (e.g. reschedule missed in-course test); AND/OR:
- 2.2 **Disregarding** affected assessments or c/w requirement for the affected module or modules, where these individually or in combination **contribute less than 20% of the mark** for the module(s) in question. Such adjusted marks should properly represent the student's achievement on the module as a whole;
AND/OR:
- 2.3 **Disregarding** individual assessments for the affected module or modules, 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;
- N.b.1.** Where the modules in question have been **failed**, the above disregard measures (2.2 & 2.3) may only be used either individually or in combination with respect to a maximum of 25% of the credit available for the stage;
- N.b.2.** Where the modules in question have been **passed**, the above disregard measures (2.2 & 2.3) may be used without restriction.
AND/OR:
- 2.4 Where student has failed up to a maximum of 25% of the credit for the stage, consider condoning;
AND/OR:
- 2.5 Consider recommending deferral, especially where a student has failed 50% or more of the credit required for the stage.
AND/OR, where applicable:

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2.6 Where a finalist has achieved seven-eighths of the credit required for the award (including credits awarded via condonement and/or compensation), consider use of the “notwithstanding” convention (see 3.4 below).

3. Definitions of Interventions

3.1 Disregarding of assessments: the exclusion of the piece or pieces of assessment affected by illness or other mitigating circumstances from the calculation of the final module mark;

3.2 Condonement: the award 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 **programme** 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. (Nb. 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).

3.3 Deferral: 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 (see Note¹).

3.3.1. 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.

3.3.2 Under scenario ii, **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;

3.3.6 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).

3.3.7 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.

3.3.8 Such reassessment opportunities will normally take place in the summer before the next academic year.

3.3.9 Where student performance has been significantly affected in line with the specified conditions specified under 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.

3.3.10 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

¹ *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.

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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.

- 3.4 The “Notwithstanding” convention: recommendations by Boards of Examiners on the classification of awards made notwithstanding the conventions of the Credit Framework where a student who, despite suffering extenuating circumstances judged as having a severely negative effect on his/her performance, has nonetheless achieved at least seven-eighths of the credit normally required for the award in question.