

# INTERNAL PROCEDURE



## Title: Mitigating Circumstances and Special Allowances Procedure

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<b>APPROVAL BOARD:</b>	<b>AMB/JBoS/LTC</b>
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**SUMMARY:** Mitigating Circumstances and Special Allowances Procedure for students on Higher Education Programmes.

**Accessibility:** If you would like this information in an alternative format, e.g. Easy to Read, large print, Braille or audio tape, or if you would like the procedure explained to you in your language, please contact the Senior Communications Officer on 01603 773169.

Further information: If you have any queries about this policy or procedure, please contact the name policy holder or the Senior Communications Officer on 01603 773169.

Date	Version no.	Reason for/Summary of change(s)	Author/ Originated by	Approved by
January 2017	9	To reflect HE School structure changes	HE Office	

## 1. Purpose and Scope

- 1.1. The purpose of the Mitigating Circumstances procedure is to ensure that students who experience unforeseeable, unplanned or unexpected exceptional adverse circumstances that may affect, or have affected, their performance in assessment may nevertheless be assessed fairly, without advantage or disadvantage compared with other students.
- 1.2. The purpose of the Special Allowances procedure is to enable appropriate arrangements to be put in place to support students with known, diagnosed disadvantages in order that they may nevertheless be assessed fairly, without advantage or disadvantage compared with other students.
- 1.3. The procedures apply to all programmes governed by the Norfolk Regulatory Framework.
- 1.4. This document will be published on: Blackboard – HE@ CCN – Regulations, Policies & Procedures.
- 1.5. Exception - students wishing to make a claim for mitigating circumstances after the relevant Mitigating Circumstances Panel has met cannot use this procedure, but should refer to the Higher Education Academic Appeals Procedure instead. The Academic Appeals/Academic Complaints procedure is also published on Blackboard as above.

## 2. General Regulations – Mitigating Circumstances and Special Allowances

- 2.1 It is the responsibility of the student to invoke the Mitigating Circumstances or Special Allowances Procedure if they feel that it is justified.
- 2.2 Requests for Mitigating Circumstances or Special Allowances will only be considered if they are made on the appropriate claim forms available from Blackboard, signed by the claimant and submitted with appropriate evidence. Email or other electronic submission is not normally acceptable.
- 2.3 In exceptional cases where, for example, the claimant is in hospital, abroad or for some other good reason unable to lodge the claim themselves, the Panel may agree to accept a claim lodged on behalf of a claimant by the student's next of kin or, if absolutely unavoidable, by a Course Tutor, Academic Leader or Programme Manager.

### 3. Mitigating Circumstances

- 3.1 A student who believes that unexpected exceptional circumstances have materially affected their performance in any assessment should inform the Course Leader at the earliest opportunity and present a claim using the Mitigating Circumstances claim form.
- 3.2 The student should attach documentary evidence in support of their claim.
- 3.3 Claims for Mitigating Circumstances should be submitted to the Academic Leader or Programme Manager 5 working days before the date of the Mitigating Circumstances Panel (dates of which can be found on Blackboard or in the Student Handbook).
- 3.4 Students wishing to make a claim for mitigating circumstances after this deadline (as detailed in 3.3) cannot use this procedure, but should instead refer to the Higher Education Academic Appeals Procedure.
- 3.5 On receipt of a claim for mitigation, the relevant Academic Leader/Programme Manager shall upload the necessary details to the Achievement Tracking System by 23:59 on the day prior to the Mitigating Circumstances Panel.
- 3.6 Claims for Mitigating Circumstances (as detailed in 3.3) will be presented to the next scheduled meeting of the Mitigating Circumstances Panel.
- 3.7 The Panel will be drawn from, but not limited to, staff within the School of Higher Education including the Head of School, Deputy Head of School, Academic Leaders, Programme Managers, Course Leaders and the HE Office/Executive Office.
- 3.8 Claims will be presented by Pool to the Panel according to a timetable determined by the Chair.  
  
Pool Definitions:           AC – Construction and Engineering  
  AB – Early Years and Childhood Studies  
  BA – Health and Social Care  
  PC – Business and Humanities  
  SR – Hospitality, Public Services and Sport
- 3.9 Claims will be presented by one representative of the School (the advocate) who will usually be an Academic Leader, Programme Manager or Course Leader.
- 3.10 Each claim will be considered individually.
- 3.11 Claims will be presented anonymously (i.e. without revealing the identity of the claimant to the Panel).
- 3.12 The Chair and the Advocate will know the identity of each claimant.

### 3.13 The Advocate will:

- 3.13.1 Present the claim in the briefest possible detail whilst not revealing the identity of the claimant.
- 3.13.2 Provide the Panel with sufficient information, which must be taken from the claimant's form, to enable the Panel to form a conclusion.
- 3.13.3 Answer questions from the Panel.
- 3.13.4 If asked, express the programme team's view of the claimant's performance to date and their support (or otherwise) for the claim.
- 3.13.5 Attest to the Panel as to the completion of the proper claim form, the production of relevant evidence and that the timeframe of the evidence and the claim relate directly to the submission period for the assessment.

### 3.14 The Chair will:

- 3.14.1 Check the list of claims to be presented to ensure that there is no conflict of interest between claimants and members of the Panel.
- 3.14.2 Conduct the proceedings so as to ensure that all claims receive a fair hearing.
- 3.14.3 Summarise the judgement of each claim for the benefit of the Panel and the administrator recording the outcome onto ATS.
- 3.14.4 In cases where the Panel is evenly divided the Chair will exercise a discretionary casting vote giving the benefit of any doubt in favour of the claimant.

### 3.15 The proceedings of the Panel meeting will be recorded in:

- 3.15.1 The Achievement Tracking System - If a claim is rejected, in part or in whole, ATS will summarise the key reasons why the claim was rejected. If a claim is conditionally accepted, ATS will summarise the evidence required.

### 3.16 The Panel does not make decisions on behalf of the Assessment Board but will decide whether or not to recommend mitigation.

### 3.17 The Panel is not restricted in the variety of recommendations that it can make, but the following are likely to be the most usual:

- 3.17.1 Recommendation to annul the assessment or to deem it to be incomplete, thus to defer the assessment without any penalty.
- 3.17.2 Viva voce examination to enable the student to be assessed without any loss of time.

- 3.17.3 Recommendation of an aegrotat in respect of either modules or an award (not including BA Hons Applied Social Work Programme).
- 3.17.4 Recommendation not to make any allowance, i.e. a negative result.
- 3.17.5 Recommendation to allow a further opportunity to present work for assessment with or without penalty.
- 3.17.6 Recommendation of the continuation of an existing arrangement.
- 3.18 A request for mitigation cannot be accepted if it relates to circumstances for which a special allowance has been granted.
- 3.19 Claimants receiving a pass mark will not have the mark increased as a result of mitigation being granted.
- 3.20 The HE Office will write to the claimant after the Panel has been held to notify them of the outcome of their claim.

A list of illustrative claims which would generally be considered acceptable for a recommendation of mitigation and those which would generally be considered unacceptable is to be found in Appendix 1.

#### 4. Special Allowances

- 4.1 A student who believes that their studies are being affected by recurrent or continuing adverse circumstances should inform the Academic Leader/Programme Manager of their course at the earliest opportunity and present a claim using the Special Allowances claim form.
- 4.2 The student should attach documentary evidence in support of their claim.
- 4.3 Special Allowance is available to afford fairness to all students. It does not allow for leniency in marking and the work should be marked to the same marking scheme and standards as for other students being assessed. However, where students are formally diagnosed with a Specific Learning Difficulty (SpLD) then markers should not unduly penalise spelling, punctuation and grammar as long as the content and meaning is clear.
- 4.4 The request should be made as early as possible to allow sufficient time for any special arrangements required to be put in place.  
**Ideally, the completed claim form along with accompanying evidence should be submitted to the Academic Leader/Programme Manager at least six weeks before the date of any assessment for which an allowance is requested and preferably at, or before, the start of the programme of study.**
- 4.5 Claims for admission to the Special Allowances Register will be considered by the Deputy Head of School of Higher Education who will consult academic and specialist colleagues, where necessary, before making a decision.

- 4.6 The Deputy Head of School is not restricted in the variety of special allowances that can be made, but the following are likely to be the most usual:
  - 4.6.1 SpLD “Pink Sheet”
  - 4.6.2 Flexible hand-in dates for assessments
  - 4.6.3 Extra time in exams
  - 4.6.4 Coloured paper/overlays
- 4.7 The School of Higher Education Secretary will add the student’s details to the Special Allowances Register and write to the student to advise of the outcome and any Special Allowances they have been granted.
- 4.8 The School of Higher Education Secretary will notify the relevant Academic Leader/Programme Manager and Course Leader of any Special Allowances that are granted.
- 4.9 The relevant Academic Leader/Programme Manager and Course Leader will ensure that the necessary arrangements are put in place for any Special Allowances that relate to their students.
- 4.10 The HE Office will update ATS with any SpLD Special Allowances (pink sheets).
- 4.11 The HE Office will inform the Secretary to the Module Assessment, Referral, or Awards Board to ensure that all special allowances are reported to the Assessment Board to which they relate.

## APPENDIX 1

**Claims for which the panel will generally decide in favour of granting a recommendation to the Assessment Board for Mitigation provided that, wherever possible, documentary evidence has been or will be provided within a reasonable time.**

Academic Leader/Programme Manager to enter the relevant Criteria Code in the Achievement Tracking System under 'Reason'.

Criteria Code	Reason
1	An illness or injury which prevents attendance at college on the day of an assessment or on the day an assessment was due to be submitted.
2	An illness for which a doctor's certificate has been obtained and which covers the period during which the assessment activity was substantially to be completed.
3	Accident, injury or illness necessitating immediate medical treatment or hospitalisation at the time of, or within 3 days preceding, an assessment deadline.
4	Unexpected confinement for childbirth or related matters.
5	The death or serious injury/illness of a partner, close friend or near relative.
6	Interruptions to the normal pattern of study or preparation of assessment which flow directly from decisions made by the student's employer (e.g. unplanned posting, work emergency, significant and unexpected change in responsibilities or shift patterns) or an unexpected change in personal circumstances which has a serious impact on the claimant's physical or mental state or which puts upon them an unexpected additional burden of care.
7	Things that go significantly wrong with an otherwise planned event.
<b>The following will usually not be accepted as reasonable grounds for Mitigation:</b>	
N1	Interruption or delay caused by any kind of holiday irrespective of when it is planned or booked.
N2	Pregnancy other than absence due to formal maternity leave or complications properly diagnosed by a qualified medical practitioner.
N3	Recurrent illness or conditions which should be dealt with through special allowances.
N4	Computer/IT problems of any sort.