

Document title	KMMS Mitigation of Extenuating Circumstances Procedures
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Mitigation of Extenuating Circumstances

1. Introduction

- 1.1. All students have a responsibility to manage their learning, revision and assessment activities throughout the duration of each term or assessment period at KMMS. Students are partners with the Universities in their studies and are expected to plan carefully and manage their workloads. It is reasonable to expect students, in general, to be able to cope with normal life events, to manage their workloads properly, and to expect a level of stress and anxiety around assessments.
- 1.2. Students with Inclusive Learning Plans (ILP) are expected to manage their studies in accordance with their ILP, to make use of the recommendations and provisions of their ILP, to act in partnership with the support services available and to contact them if their needs change (see Section 5 below).
- 1.3. Extenuating circumstances are circumstances that have had a negative impact that has caused the student to perform less well in their assessed work than they may otherwise have been expected to do, impacted their ability to attend examinations/practical assessments, and submit work to deadlines. They would normally be beyond the student's control.
- 1.4. Boards of Examiners (via the KMMS Mitigation Committee/s) will consider applications from students for mitigation relating to any extenuating circumstances.
- 1.5. It is recognised by the Universities that students who are applying for mitigation due to extenuating circumstances, may be at their lowest point. They may be anxious, distressed or unwell. Students can expect to be treated compassionately and in a way that is fair and consistent across the student body.

2. Extenuating Circumstances

- 2.1 If a student believes that their academic performance has been negatively impacted by their extenuating circumstances, they should apply for mitigation as soon as possible and within the deadlines given in section 4. Supporting evidence should be included where required (see section 5 for more information on acceptable evidence). The following are some examples of extenuating circumstances:

- a. Serious personal illness

- b. Serious personal accident or injury or hospitalisation
- c. Significant adverse personal or family circumstance
- d. Worsening or acute episode of an existing medical condition (see 7.2 – 7.3 for guidance on the nature of the evidence required in such cases).

2.2 Students are required to submit applications to the KMMS Student Office. The procedure is explained in Section 4.

2.3 KMMS will not normally consider applications for mitigation in cases where the student was directly responsible for the circumstances or where a student could reasonably have avoided the situation or acted to limit the impact of the circumstances.

2.4 The following are examples of circumstances which would not normally be considered appropriate for mitigation (the list is not exhaustive):

- a. Completing coursework too late and missing deadlines because of computer or transport difficulties
- b. Losing work not backed up digitally
- c. Failure to make alternative travel plans in the face of known disruptions
- d. Normal employment commitments
- e. Normal financial/budgetary commitments
- f. Failing to read an examination timetable correctly
- g. Having a known concern or issue prior to the sitting of the assessment which prevents the student from performing as they would wish in the assessment, except where students are able to demonstrate a good reason as to why the issue was not disclosed to the KMMS Assessment Team beforehand.

2.5 It is accepted that, on occasion, it would be fair to consider an unexpected crisis involving the examples listed in 2.4. This might be appropriate, for example, if it was clear that the crisis had significantly impacted upon the student's performance or ability to submit coursework.

3. Consideration of Applications for Mitigation

3.1 Applications for mitigation are considered by the KMMS Mitigation Committee on behalf of the Board of Examiners. The Committee makes recommendations to the Board of Examiners. In some circumstances, the Chair of the Board of Examiners

(or nominee) is expected to take Chair's Action in order to provide students with a speedy outcome.

3.2 All information and evidence submitted as part of a claim for mitigation must be treated as sensitive personal data under GDPR legislation ('special category data') and processed as such. Materials must be kept secure, with access restricted to those staff in KMMS who have a legitimate reason for accessing it.

3.3 When assessing claims for extenuating circumstances, the Mitigation Committee will consider:

- a. whether the circumstances underlying the claim are suitable for mitigation in line with the definition set out at 1.3 above;
- b. the severity of the impact of the mitigating circumstances on the student's academic performance;
- c. the documentary evidence;
- d. the time period affected;
- e. whether making a recommended adjustment would compromise the achievement of learning outcomes for the module and the maintenance of academic standards.

3.4 Based on the submission provided by the student, the Mitigation Committee will accept or reject the claim for mitigation.

3.5 Claims for mitigation should be resolved and an outcome determined during the academic year in which they were submitted. If examiners wish to revisit decisions made in earlier academic years, they should only do so where new evidence suggests there is good reason to do so or where the circumstances subsequently indicate that the mitigation undertaken in the previous year was inadequate to resolve the impact on the student's performance.

3.6 KMMS must acknowledge in writing to students that their application for mitigation has been considered by the Mitigation Committee (or Chair on behalf of the Committee) and the outcome. An explanation must be given to the student so that they can fully understand the reasons for the decisions made by the Committee.

4. Mitigation Application Process

4.1 Students who wish to apply for mitigation of extenuating circumstances should use the Mitigation Application Form (available at **[attach link when available]**) and attach supporting documentary evidence (where applicable).

4.2 The form must be submitted to the KMMS Student Office.

4.3 Students can apply for mitigation for the following:

- a. failure to submit coursework
- b. request an extension to a coursework deadline
- c. request to submit coursework late (where an extension has not been granted by the Chair of the Mitigation Committee (or nominee) in advance).
- d. failure to sit an examination, in-class test or practical assessment
- e. impaired performance in either coursework or examination

4.4 Applications for extensions to coursework deadlines on grounds of extenuating circumstances will be considered under the procedures set out in Appendix 1 of this Procedure.

4.5 Applications must be made as soon as the extenuating circumstances are known to the student. The exception to this is failure to attend a scheduled assessment, such as an AKT, OSCE, in-class test or lab assignment. These applications should be submitted within **five working days** of the assessment except for the reasons given in 4.7 and 4.8.

4.6 Final deadlines for submission will be set by KMMS. The final deadline is set so that applications can be considered by the Mitigation Committee prior to the Board of Examiners' meeting.

4.7 It is understood that the nature of some circumstances may delay the submission of an application or that the negative impact of some extenuating circumstances may only become apparent later in the academic year. However, in such cases, the application should still be submitted as soon as possible and before the final deadline.

4.8 In certain circumstances, where there is good reason, forms may be accepted beyond the deadline. There may also be times when it is not possible for a student to submit the form, but their extenuating circumstances will still be considered, for example, via a letter or supporting evidence alone. Students should be aware that it might be difficult for the Mitigation Committee to fully consider their application without the full information contained on the form. Therefore, submitting the form is preferable.

4.9 To ensure that students are informed of the outcome of their request for mitigation as quickly as possible, decisions about applications received during the academic year, must be taken by the Chair of the Board of Examiners (or nominee) straight

away. Decisions should not wait until the end of year meeting of the Board of Examiners. Records should be retained and reported to the Mitigation Committee and students should be informed in writing, with an explanation, of the outcome of their application.

5. Supporting Evidence

5.1 The purpose of supporting evidence is to authenticate extenuating circumstances and explain their impact upon the student. The following types of documentation are acceptable as evidence:

5.2 Letters and Statements from Medical Professionals and Professional Third Parties

Letters and statements must be from medical professionals and third parties who know the student in a professional capacity and can verify the circumstances from a position of authority (for example, Lecturer, Personal Academic Tutor, Students' Union representative, GP, University Counsellor or University Student Support and Wellbeing Adviser).

The letter or statement should fulfil the following requirements:

- a. be written on headed notepaper giving the name and contact details of the provider
- b. include a signature (where an electronic copy is sent to the student from the provider, the student should include the original email and attachment as this can be accepted as an electronic signature)
- c. relate specifically to the dates and duration of the illness or incident
- d. contain a clear medical diagnosis or opinion provided by an appropriately qualified practitioner (where applicable)
- e. give details of the impact of the illness or incident on the student and, where known, on their academic performance
- f. provide documentary evidence confirming any other relevant extenuating circumstances, as appropriate

5.3 Letters and Statements from Family Members, Friends and Fellow Students

In some circumstances, it can be difficult or inappropriate to obtain a letter or statement as laid out in 5.2. For example, where a student has suffered a bereavement or has been affected by the illness or personal circumstances of a relative or close friend. In these types of situations, supporting letters or statements from family members, friends or fellow students are acceptable in the first instance. However, where the effects of the circumstances have longer-term

impacts on the student's academic performance, it will be necessary to provide evidence as described in 5.1.

5.4 Self-Certification

5.4.1 Students may self-certify for periods of up to seven-days at a time. They must inform the KMMS School Office of their absence as soon as possible and no later than 5 working days from the date of the absence. Where the period of self-certification coincides with non-submission of assessments, leads to late submission of assessments, absence from AKTs/OSCE/ICTs/practical assessment and absence from examinations, it can be used as supporting evidence.

5.4.2 There is no limit on the number of times a student can self-certify, however, self-certification used to cover periods that coincide with non-submission of assessment, late submission and absence from summative assessments, is limited to **two** periods in an academic year. This restriction aims to ensure that, should a pattern of self-certification around assessments become evident, the student in question is signposted to Student Support and Wellbeing for guidance and support, as such a pattern may be indicative of an underlying issue for which the student requires assistance (see section 5.9, below).

5.4.3 Students can also self-certify absence from taught sessions, for example, lectures and seminars. Although there is no limit on the number of times that a student can self-certify, students whose overall level of non-attendance becomes a cause for concern will be offered support in the first instance to help them get back on track with their studies. Following this initial intervention, if attendance continues to fall below warning levels, the [KMMS Attendance and Engagement Policy](#) or [Low Level Concerns, Fitness to Study and Fitness to Practise procedures](#) may be triggered.

5.4.4 If a student returns to their studies on a date which falls just prior to one or more assessment deadlines, the Chair of the Board of Examiners (or nominee) may permit an extension for these assessments if it is reasonable to assume that the period of self-certificated absence has impacted negatively on the student's ability to prepare for and complete the assessments by the original deadline. No further evidence of illness other than the self-certificate will be required. The Chair of the Board of Examiners (or nominee) will consider the number of certified absences to date. Where

an extension is granted under these circumstances, it will count towards the maximum number of **two** occasions in any academic year that a student might self-certify for periods of absence that coincide with coursework assessment deadlines.

5.5 Death Certificates

Students may wish to provide a death certificate as supporting evidence to confirm the death of a family member or close friend, however, this is not essential. As per section 5.3, a statement from a family member, friend or fellow students is acceptable evidence in the first instance.

5.6 Other forms of Evidence

Students may wish to provide other forms of supporting evidence, for example, screen shots from social media applications, video/audio recordings and photographs. In all cases, the evidence must clearly relate specifically to the extenuating circumstances and their impact upon the student.

5.7 Medical certificates and other supporting documentation should be provided in English. If the original documentation is not in English, the student is required to also submit a translation into English that has been provided either by an accredited organisation or verified in writing by a member of University staff fluent in the original language.

5.8 If submitting evidence that contains personal information about a third party, a student must obtain the consent of the third party.

5.9 Where a student discloses a disability or ongoing personal/health circumstances the student must be signposted to Student Support and Wellbeing to ensure that ongoing support is implemented, including the creation of an Inclusive Learning Plan, if appropriate.

6. Mitigation Committee Actions and Outcomes

The following actions and outcomes are available to Mitigation Committees when considering applications for extenuating circumstances.

6.1 External Commitments

6.1.2 The University accepts that a student may, exceptionally, have a legitimate reason beyond their control for missing a coursework deadline or a scheduled assessment (including formal examinations) which would not

normally fall under the scope of the mitigation process. For example, participation in a high level sporting event, a medical appointment that cannot easily be rearranged, a job or placement interview, or the refusal of an employer to release a part-time student from work commitments at the relevant time (the list is not exhaustive). Students should refer to the KMMS Attendance and Engagement Policy in these circumstances.

6.1.3 As these types of external commitments should be known to the student in advance, they may request either that an extension be granted or that the assessment be rescheduled. Documentary evidence of the external commitment must be provided. Chair's Action will be taken by the Chair of the Board of Examiners so that students are informed of the outcome as soon as possible.

6.1.4 If a request to miss a coursework deadline or a scheduled assessment due to external commitments is accepted, the appropriate actions include:

6.1.4.1 Allow an extension to the coursework deadline or reschedule the assessment without penalty.

6.1.4.2 Where rescheduling would not be appropriate, consider disregarding the coursework or the scheduled assessment, provided that the relevant learning outcomes are tested elsewhere in the module in question.

6.1.4.3 Where a formal examination would be missed, the student may sit the examination at the earliest available opportunity and as if for the first time. Students should note that this might delay their progression to the next stage of their course or prevent them from graduating with their cohort.

6.2 Extensions in advance to coursework assessment deadlines

6.2.1 Applications for extensions to coursework assessment deadlines must be made prior to the deadline. If a request to extend a coursework deadline or a scheduled assessment is accepted, the appropriate actions include:

6.2.1.1 Maximum two-week extension depending upon the severity of the impact of the circumstances.

6.2.1.2 Equal in duration to the period of self-certification.

6.3 Late coursework submissions

6.3.1 Applications for late submission of coursework assessments must be made as soon as possible after the deadline and before the final deadline set by KMMS. If a request for a late submission is accepted, the appropriate actions include:

6.3.1.1 Permitting immediate submission of assessment, if available;

6.3.1.2 Providing a maximum two-week extension from date of application, depending upon the severity of the impact of the circumstances

6.4 Non-attendance at Formal Summative assessments

6.4.1 If a student has failed to attend a formal summative assessment they can submit an application to be considered by the Mitigation Committee within **five working days** of the missed assessment. If a request for failure to attend is accepted, the appropriate actions include:

6.4.1.1 Where appropriate, reschedule the assessment without penalty.

6.4.1.2 Where rescheduling would not be appropriate, consider disregarding the coursework or the scheduled assessment, provided that the relevant learning outcomes are tested elsewhere in the module in question.

6.5 Non-submission of coursework

6.5.1 If a student has failed to submit a piece of coursework and has not already applied for an extension, they may apply to be considered by the Mitigation Committee. This will be by the final deadline set by the KMMS.

6.5.2 If the request is accepted, the Mitigation Committee will recommend appropriate action/s to the Board of Examiners. These are laid out in the [KMMS Regulations](#).

6.6 Impaired performance

6.6.1 Where a student's performance has been impacted by extenuating circumstances during the academic year, they may submit an application to the Mitigation Committee by the final deadline set by KMMS.

6.6.2 If the request is accepted, the Mitigation Committee will recommend appropriate action/s to the Board of Examiners. These are laid out in the [KMMS Regulations](#).

6.7 Extensions granted due to periods of absence coinciding with self-certification

6.7.1 Where a student's period of self-certificated absence coincides with coursework deadlines, or their return date is just prior to a deadline, they may apply for an extension to those pieces of coursework. If a request for an extension is accepted, the appropriate actions include:

6.7.1.1 Extension of equal duration to the period of absence;

6.7.1.2 If a student has already self-certified twice for periods of absence that coincide with coursework deadlines during the academic year, any further applications relating to assessment must be accompanied by evidence as per section 5).

7. Inclusive Learning Plans

7.1. Students with Inclusive Learning Plans (ILP) are expected to manage their studies in accordance with their ILP, to make use of the recommendations and provisions of their ILP, to act in partnership with the support services available and to contact them if their needs change. Similarly, KMMS should help students with ILPs to manage their studies by proactively implementing the adjustments required, noting that many adjustments of this kind may in fact lead to improvements for **all** students. An ILP should be recognised as evidence of a condition or circumstance for which an adjustment is necessary.

7.2. While ILPs are intended to ensure that students managing long-term conditions are assessed on a level playing field with their peers and, therefore, should not need to submit an application for mitigation, the University recognises that such submissions may be required under the following circumstances:

7.2.1. They experience an acute episode or worsening of their condition which means that the reasonable adjustments specified in the ILP are no longer sufficient; and/or:

7.2.2. There was a shortcoming or failure in the support arrangements which means that the reasonable adjustments were not implemented in time or as specified in the ILP.

7.3. Where students holding an ILP with respect to a fluctuating condition wish to apply for mitigation with respect to an acute episode or worsening of their condition, they are **not required to submit fresh medical or other evidence** related to the condition.

7.4. While KMMS should not require the resubmission of evidence already provided for an existing ILP, students may be required to submit evidence relating to conditions or extenuating circumstances that are not covered by that established arrangement.

8. Falsified Evidence

Where documentary evidence submitted in support of extenuating circumstances has been falsified, the Chair of the Board of Examiners will disregard the evidence and the application will be considered based on the remaining evidence. The submission of falsified evidence will be referred for consideration under the *Regulations on Student Discipline in Relation to Non-Academic Matters*.

9. Academic Appeals

If you are not happy with the response to your request for mitigation, the next step is to consider an appeal. Please refer to the KMMS Appeals Procedures for more information.