
Mitigating Circumstances Policy

Status: Approved

Approval date: 14 September 2020

Review date: August 2025

Audience: Public

Responsible person: Head of Engineering Programme

Approved by: Academic Board

Contents

1.0 Introduction	3
1.1 Vision and mission.....	3
1.2 Objectives.....	3
2.0 Definitions	4
2.1 Assessment.....	4
2.2 Extension.....	4
2.3 Mitigating Circumstances.....	4
2.4 Type 1 Mitigating Circumstances.....	4
2.5 Type 2 Mitigating Circumstances.....	5
2.6 Student.....	5
3.0 Fit to sit	6
4.0 Type 1 Mitigating Circumstances: issues resolvable by a short deadline extension	7
4.1 Type 1 Mitigating Circumstances.....	7
4.2 Scope of Extensions to deadlines.....	7
4.3 Grounds for Extensions.....	7
4.4 Process for claiming an Extension.....	7
4.5 Late submission.....	8
4.6 Students in receipt of reasonable adjustments.....	8
5.0 Type 2 Mitigating Circumstances: issues not resolvable by a short deadline extension	9
5.1 Type 2 Mitigating Circumstances.....	9
5.2 Scope of Type 2 Mitigating Circumstances requests.....	9
5.3 Submitting a claim for Mitigating Circumstances.....	9
5.4 Deadline for submitting a claim for Mitigating Circumstances.....	10
5.5 Consideration of Mitigating Circumstances claims.....	11
5.6 Approved Mitigating Circumstances.....	11
5.7 Unapproved Mitigating Circumstances.....	12
5.8 Duration of accepted Mitigating Circumstances claims.....	12
6.0 Mitigating Circumstances for group work	13
7.0 Appealing a Mitigating Circumstances decision	14
8.0 Students already in receipt of from Reasonable Adjustments	15
9.0 Appendix	16
9.1 Type 2 Mitigating Circumstances claim form.....	16

1.0 Introduction

During the course of their studies, Students may from time to time be subject to events which are unforeseen, exceptional and beyond their reasonable control including suffering from serious illness or personal misfortune. Such events may adversely affect their ability to attend an examination or complete course work required to be submitted for formal assessment as part of their course, or the results they obtain for an examination or course work which is subject to formal assessment. In such circumstances, it may be appropriate to consider applications for Mitigating Circumstances where the Student can provide evidence of Mitigating Circumstances.

This Mitigating Circumstances Policy is only intended to cover unforeseen, exceptional, short term and unpreventable issues affecting academic performance which are beyond a Student's reasonable control. There are additional procedures for requesting extensions to course work assessment deadlines which are set out at Section 3.0 of This Mitigating Circumstances Policy.

This Mitigating Circumstances Policy outlines The Dyson Institute's approach to Mitigating Circumstances and Extensions. It applies to all Students enrolled at The Dyson Institute.

For long term or recurrent issues, please refer to the Reasonable Adjustments for Teaching, Learning and Assessment Policy.

1.1 Vision and mission

This policy has been developed with a view to supporting and furthering The Dyson Institute's vision and mission.

The Dyson Institute's vision is to be the best engineering university in the world, which develops the engineering leaders of the future.

Its mission is to build challenging and enriching educational experiences which are free, student-centric and aligned with the needs of industry.

1.2 Objectives

The aims of this policy are:

- to define Mitigating Circumstances;
- to set out the procedure for claiming Mitigating Circumstances;
- to explain the possible outcomes of a Mitigating Circumstances claim;
- to set out the procedure for agreeing extensions.

2.0 Definitions

Reference to any post holder at The Dyson Institute in this Policy shall also include any other person (including parties external to the Dyson Institute) to whom the responsibilities of that post holder have been delegated.

2.1 Assessment

In this Policy, Assessment includes both examinations and course work.

2.2 Extension

In this Policy, reference to Extensions includes brief adjustments to the deadline for the submission of a piece of coursework for formal assessment applied for by Students under Section 3.0 of this Policy and agreed by the Chair of the Mitigating Circumstances Panel.

2.3 Mitigating Circumstances

In this policy, Mitigating Circumstances mean unforeseen, exceptional and serious circumstances which are beyond a Student's reasonable control and which have adversely affected their academic performance in relation to an examination or course work submitted for formal assessment which contributes to the Student's qualification. These include, but are not limited to, the following:

- Serious personal accident or injury
- Hospitalisation
- Serious illness or death of close family member or friend
- Sudden deterioration of long-term condition
- Serious personal disruption (e.g. relationship breakdown, separation or divorce, victim of crime, pregnancy, parenthood, illness of a dependent)
- Major household problem (break-in, fire)
- Major incidents (i.e. public transportation breakdown)
- Absence for public service (e.g. Jury Service)
- Recent diagnosis of disability/long-term condition, such that reasonable adjustments have not yet been put in place.

Students must take responsibility for their own personal organisation, including managing their learning, assignments and revision, in a way which anticipates that events will not always run smoothly. As such, students are expected to cope with normal and minor life events without requiring Extensions assessment deadlines. Some examples of these events are colds and minor illness, 'bunching' of assessment deadlines, concurrent workplace and assessment deadlines, loss of own work due to own IT error, family events or normal examination pressure.

2.4 Type 1 Mitigating Circumstances

The Dyson Institute refers to Mitigating Circumstances (as defined at Section 2.3) that can be resolved by a short deadline extension of up to seven days as Type 1 Mitigating Circumstances.

2.5 Type 2 Mitigating Circumstances

The Dyson Institute refers to Mitigating Circumstances (as defined at Section 2.3) that cannot be resolved by a short deadline extension of up to seven days as Type 2 Mitigating Circumstances.

2.6 Student

In this Policy a reference to Student means a Registered Student at The Dyson Institute as defined in its Academic Regulations.

3.0 Fit to sit

The Dyson Institute operates a 'fit to sit' approach to assessments. This means that by sitting an exam, or submitting an assessment, the Student is declaring themselves fit to do so and they will not usually then be able to submit a claim for Mitigating Circumstances.

The Dyson Institute recognises that there are a limited number of circumstances in which a student may have been unable to recognise the need for Mitigating Circumstances prior to undertaking an assessment. For example, where a Student became ill during an exam or where a Student was so unwell that they were unable to recognise or determine their own ill health prior to undertaking the assessment. In such circumstances, a Student may make a Mitigating Circumstances claim. If approved, the Student's previous sitting will be declared null and void and the Student will be offered an opportunity to resit at the first attempt. If the exam has already been marked, the script will be destroyed confidentially, and the mark will be disclosed neither to the Board of Examiners nor to the student.

4.0 Type 1 Mitigating Circumstances: issues resolvable by a short deadline extension

4.1 Type 1 Mitigating Circumstances

In some circumstances, a Student may experience an issue such as short-term ill health, short-term personal difficulties or similar which could not have been planned for but are in evidence before a deadline. In such circumstances, a relatively short period of additional time (up to seven days) may be sufficient to address the problem.

The Dyson Institute refers to issues that can be resolved by a short deadline extension of up to 7 days as Type 1 Mitigating Circumstances.

4.2 Scope of Extensions to deadlines

If a relatively short period of additional time (up to seven days) may be sufficient to address an issue, then a deadline Extension may therefore be granted.

Deadline Extensions are reserved for coursework and cannot usually be granted for other types of Assessment.

Where a short Extension will not be sufficient, the standard procedure for requesting Type 2 Mitigating Circumstances, outlined at 4.0, should be followed. If it becomes clear that an issue previously thought to be resolvable within an agreed deadline extension will not be resolved within that timeframe, the Student should apply for Type 2 Mitigating Circumstances under section 4.0 of this policy.

It is expected that only one Extension will be agreed per module subject to the application of the Reasonable Adjustments for Teaching, Learning and Assessment Policy.

4.3 Grounds for Extensions

Requests for Extensions must be supported by relevant evidence.

Requests which are supported by relevant evidence, and which relate to a medical condition or illness; exceptional personal or travel circumstances beyond the student's control will normally be supported.

Requests relating to IT issues will only be considered if the issue has occurred on Dyson equipment or the Dyson system, and a ticket has been raised with IT.

Extension requests submitted without supporting evidence; arising from poor time management or personal organisation; referring to circumstances within the student's control or to minor ailments will not normally be supported.

4.4 Process for claiming an Extension

Students experiencing a short-term problem may request an Extension by making the request in writing to the Module Lead. They must do this before the original deadline and no later than 2 working days after the deadline date for submission.

A Student can request a Deadline Extension by emailing the relevant Module Lead. The email should:

- be titled 'Deadline Extension Request', followed by the relevant module code;
- explain the issue, and why they Student believes a deadline extension will resolve it;
- include evidence proving the existence of the issue; and
- suggest the number of days of extension required.

While all Extension requests must be supported by relevant documentary evidence, Students should not delay submitting their Extension request if they are waiting for evidence from a third party as this carries significant risk for the Student in the event that the Extension is not granted. They should instead submit the evidence as soon as possible after submission.

The Module Lead will provide the extension request and supporting evidence to the Chair of the Mitigating Circumstances Panel, who will decide whether an extension should be granted as well as the duration of any agreed extension.

The Module Lead is then responsible for communicating the outcome of the Deadline Extension Request to the Student. They must do this in writing, via email, with the Chair of the Mitigating Circumstances Panel on copy.

The Module Lead is responsible for recording any Extensions agreed and the reasons for that agreement. A Student must disclose any previously agreed Extensions when making an application under this Section and any non-disclosure may be referred for disciplinary action.

The Module Lead may request further evidence to inform their decision on any request for an Extension.

The Module Lead must respond to the Student's deadline Extension request within two working days. Deadline Extension requests submitted on a Friday may not, therefore, be considered until the following Monday.

4.5 Late submission

Any coursework not submitted by the submission date (plus any agreed Extension) will be penalised at a rate of 10% of the final mark per day.

4.6 Students in receipt of reasonable adjustments

Students who have a Reasonable Adjustment Support Plan that states that regular extensions may be needed to support their condition do not need to make a Deadline Extension Request as outlined above. Module Leads will assume that the Student is using the maximum extended deadline permissible on all eligible assessments, unless the student informs them otherwise.

Please refer to the Reasonable Adjustments on Teaching, Learning and Assessment Policy for more information.

5.0 Type 2 Mitigating Circumstances: issues not resolvable by a short deadline extension

5.1 Type 2 Mitigating Circumstances

In some circumstances, a Student may experience an issue such as short-term ill health, short-term personal difficulties or similar which could not have been planned for but are in evidence before a deadline. If these issues are not resolvable by a short deadline extension of up to seven days, The Dyson Institute refers to them as Type 2 Mitigating Circumstances.

Students who have made a Mitigating Circumstances claim will not have assessment marks passed to the Board of Examiners for ratification until the Mitigating Circumstances Process has been completed. This may mean that the Student does not receive a mark until the Board of Examiners meeting following the subsequent assessment period.

5.2 Scope of Type 2 Mitigating Circumstances requests.

A request for Mitigating Circumstances can be submitted in relation to any form of Assessment.

In the case of individual coursework submitted for Assessment, Students should first consider and discuss with the module lead whether a short deadline Extension would be sufficient to remedy the circumstances. The process for requesting a deadline Extension is outlined in Section 3.0.

5.3 Submitting a claim for Mitigating Circumstances

Students should claim Type 2 Mitigating Circumstances by submitting a completed Mitigating Circumstances claim form (see Appendix) to the relevant Module Lead.

The Mitigating Circumstances claim form must be supported by evidence which corroborates the Mitigating Circumstances being claimed. A non-exhaustive list of examples of the types of evidence which are usually accepted in support of commonly claimed Mitigating Circumstances are outlined in Table 1 below. If a Student is not comfortable submitting information about their Mitigating Circumstance to their module lead, they should contact their Student Support Advisor, Senior Academic Administrator or Quality, Standards and Student Engagement Officer in order to initiate the consideration of their claim.

The Dyson Institute operates a 'fit to sit' approach to assessments. This means that by sitting an exam, or submitting an assessment, the Student is declaring themselves fit to do so and they will not usually then be able to submit a claim for Mitigating Circumstances. As such, Students who do not believe themselves fit to sit or submit an assessment should not do so and should instead submit a Mitigating Circumstances request supported by appropriate corroborating evidence.

Table 1: Evidence of Mitigating Circumstances

Mitigating Circumstance	Examples of appropriate evidence
Bereavement	<ul style="list-style-type: none">– Death certificate– A letter from funeral director or minister conducting the service.– An Order of Service showing date, or other relevant documentation.

	<ul style="list-style-type: none">– A statement from a doctor or other qualified professional, or member of University staff (e.g. personal tutor) confirming the student had disclosed a bereavement.– A corroborating statement from a family member. <p>If the bereavement occurred significantly before the assessment, evidence of its continued impact may be required (i.e. a letter from a GP or counsellor)</p>
Serious illness affecting a close family member or close friend	<p>Formal proof of the illness (i.e. a GP letter)</p> <p>Proof of your relationship with the individual in question (e.g. birth or marriage certificates, documentation indicating that the person is a member of your household, or other items proving your close relationship with the individual)</p>
Short term or significant illness	<p>Certificate of Illness or letter signed by an appropriately qualified medical professional, confirming the nature and extent of a student's illness and the dates on which they were affected. This should usually be obtained during the period of illness.</p> <p>Where a student is taken ill during an examination, a copy of the Invigilator's Report will be sufficient – the student may ask The Dyson Institute to obtain this evidence</p> <p>Medical notes which demonstrate that medical advice and treatment was sought at the time of, or soon after, a bout of illness, will carry more weight than a retrospective disclosure of illness weeks or months after the fact.</p>
Victim of a crime	<p>Police report or letter confirming the date, time and nature of the incident</p> <p>A crime reference number</p> <p>Where a student is the victim of crime but has not felt able to report the incident to the police, a letter from an appropriately qualified medical professional, counsellor or other professional familiar with the incident may be provided</p>

5.4 Deadline for submitting a claim for Mitigating Circumstances

Mitigating Circumstances claim forms should be submitted to the Student's Module Lead no more than two weeks before, or five days after, the Assessment deadline for which a Student wishes to claim Mitigating Circumstances.

In the case of supporting evidence, Students will have seven working days from the Assessment deadline to gather and submit this evidence.

An Extension may be granted in respect of the submission of both the claim and the evidence of Mitigating Circumstances where a Student can provide compelling reasons why they were unable to do so within required timeframe of five days after the Assessment deadline.

5.5 Consideration of Mitigating Circumstances claims

The Module Lead will pass the request for Type 2 Mitigating Circumstances on to the Stream Lead, who will ensure that the Mitigating Circumstances Panel is convened.

The Mitigating Circumstances Panel is convened as required, at the end of every module, to consider requests for Mitigating Circumstances.

The Mitigating Circumstances Panel will consist of:

- a senior lecturer (Chair);
- a lecturer (Deputy Chair)
- a Student Support Advisor,
- the Senior Academic Administrator; and
- the Quality, Standards and Student Engagement Officer. .

The Mitigating Circumstances Panel will consider carefully the content of the Mitigating Circumstances claim. It will consider:

- Whether the Mitigating Circumstances are considered to be circumstances genuinely beyond the Student's control or ability to foresee and whether they may seriously impair the student's Assessment attempt;
- The impact of the event or circumstance on the Student and their studies;
- The length of time the circumstances lasted;
- The proximity of the event or circumstance to the assessment(s);
- Whether all/other assessment(s) might equally be affected; and
- Whether there is verifiable and current third-party evidence to support the request for deferral or under-performance.

The Mitigating Circumstances Panel may seek further information or corroboration as it deems necessary.

Based on the above, the Mitigating Circumstances Panel will decide whether or not to approve the Mitigating Circumstances Claim.

Students will be informed as to whether their Mitigating Circumstances claim has been accepted, and next steps where appropriate, usually within 20 working days of the final Assessment of the module for which Mitigating Circumstances have been requested.

5.6 Approved Mitigating Circumstances

In the case of a missed written examination, if a Student's claim is approved their Assessment will be deferred to the next assessment point when they will be able to sit an equivalent examination. The deferred Assessment will be counted as a first attempt and the full range of marks will be available.

In the case of a Student who has failed an assessed piece of work, if the Mitigating Circumstances claim is approved the Mitigating Circumstances Panel may recommend that the student is offered the opportunity to resit at the first attempt.

In the case of a Student who has undertaken an Assessment but who has subsequently made a related Mitigating Circumstances claim, if approved, the Student's previous sitting will be declared null and void and the Student will

be offered an opportunity to resit at the first attempt. If the exam has already been marked, the script will be destroyed confidentially, and the mark will be disclosed neither to the Board of Examiners nor to the student.

In the case of coursework which has not been submitted, the Student will be given the opportunity to submit by a new deadline, as long as this deadline is within 20 working days of the original deadline. If the decision of the Mitigating Circumstances Panel is that the extension should be longer than 20 working days, then the Student will need to submit a new piece of coursework, to a new assessment brief, in a different examination period.

5.7 Unapproved Mitigating Circumstances

If a Mitigating Circumstances claim is not accepted the Student will receive the original mark for the assessed work. If they have not submitted the assessed work, this will result in a mark of zero.

If, as a result of claim for Mitigating Circumstances not being accepted the Student fails the module, they will be offered the opportunity to resit. However, their mark will be capped at the threshold pass mark for the module (usually 40%).

5.8 Duration of accepted Mitigating Circumstances claims

Type 2 Mitigating Circumstances claims are not accepted indefinitely. If a Student continues to be affected by Mitigating Circumstances at the point of completing a deferred Assessment, they are advised to submit another Mitigating Circumstances claim to request an additional opportunity to resit. Only two opportunities to resit at the first attempt will be granted, per module. Students affected by long term mitigating circumstances should also consider applying for Reasonable Adjustments.

If a resit will need to be taken in the next academic year, the Student will be required to suspend their studies until this resit has been taken and re-join The Dyson Institute at the appropriate point in order to continue their studies.

6.0 Mitigating Circumstances for group work

Both Type 1 and Type 2 Mitigating Circumstances claims can be considered for group coursework, although the bar for approval will be higher. This is because members of the group are expected to work together to produce the group output.

Group applications for Mitigating Circumstances are not accepted. Any individual Student can apply for Mitigating Circumstances, and the decision will be communicated to the group.

Depending on whether a short deadline will be sufficient to resolve the issue, the applicant for Mitigating Circumstances should follow the process for either Type 1 or Type 2 Mitigating Circumstances, as outlined in this policy.

7.0 Appealing a Mitigating Circumstances decision

Any Student wishing to appeal a decision made on the basis of this Policy should follow the process outlined in the Academic Appeals Policy.

Students have the right to appeal decisions in relation to a claim for Mitigating Circumstances on the grounds of:

- procedural error or irregularity or administrative error in the Mitigating Circumstances Process;
- bias or perception of bias;
- evidence where, for good reason, the Mitigating Circumstances Panel could not have been made aware of that significant factor relating to the Student when it made its original decision; or
- the decision was unreasonable (i.e. there was a failure to properly consider the case and all supporting evidence).

8.0 Students already in receipt of from Reasonable Adjustments

Students with a long-term illness or disability should familiarise themselves with the Reasonable Adjustments for Teaching, Learning and Assessment Policy. This policy requires them to discuss their condition with the Student Support Advisor who will support them in ensuring Reasonable Adjustments for specific learning requirements and assessments are put in place.

However, the timing of the diagnosis, or a marked deterioration of an existing condition may be considered a basis for Mitigating Circumstances if this has caused notable distress or has meant that pre-existing reasonable adjustments were no longer sufficient. In this case, the student should follow the process for claiming Mitigating Circumstances outlined in section 4.0 of this Policy.

9.0 Appendix

9.1 Type 2 Mitigating Circumstances claim form

In order to claim Mitigating Circumstances, you should complete this form no more than two weeks before, or 5 days after, the Assessment deadline for which you wish to claim Mitigating Circumstances.

In the case of supporting evidence, you have one week from the Assessment deadline to gather and submit this evidence.

Remember, Mitigating Circumstances are unforeseen, exceptional and serious circumstances which are beyond a Student's reasonable control and which have adversely affect their academic performance in relation to an examination or course work submitted for formal assessment which contributes to the Student's qualification. These include, but are not limited to, the following:

- Serious personal accident or injury
- Hospitalisation
- Serious illness or death of close family member or friend
- Sudden deterioration of long-term condition
- Serious personal disruption (e.g. relationship breakdown, separation or divorce, victim of crime, pregnancy, parenthood, illness of a dependent)
- Major household problem (break-in, fire)
- Absence for public service (e.g. Jury Service)
- Recent diagnosis of disability/long-term condition, such that reasonable adjustments have not yet been put in place

Normal and minor life events, or events for which you cannot supply evidence, will not be accepted as Mitigating Circumstances.

Personal details	
Name	
Student number	

Details of assessed work for which mitigating circumstances are being requested

Please indicate below the module and Assessment your claim relates to.

When completing this table, please select a category of Mitigating Circumstances claim from the list below.

- Category 1: could not attend examination
- Category 2: examination performance affected by Mitigating Circumstances
- Category 3: coursework not submitted due to Mitigating Circumstances
- Category 4: coursework submitted late due to Mitigating Circumstances
- Category 5: coursework submitted on time, but performance affected by Mitigating Circumstances
- Category 6: coursework submitted late, and performance affected by Mitigating Circumstances

Module title	Type of assessment	Date of assessment	Category of claim

Description of the Mitigating Circumstances

Please provide the full details of your Mitigating Circumstances, including key dates. Explain how these Mitigating Circumstances would impact or have impacted on your academic performance.

If you need more space, continue on a separate sheet of paper, which should be securely attached to this form, and clearly marked with your name and student number.

Large empty rectangular box for writing the description of mitigating circumstances.

Supporting evidence

Please list below each piece of documentary evidence you have submitted with this form. If you do not have your evidence, you should submit this form regardless; you will have one week from the date of your first affected Assessment in which to submit your evidence.

Retrospective submission

If you have attempted your assessment(s), please state why you did not follow the Mitigating Circumstances procedure before presenting yourself for your Assessment(s). Please list any supporting evidence.

Declaration

I confirm that the above information represents an accurate and true reflection of my mitigating circumstances

I understand that providing false information or making a deliberate omission will invalidate my Mitigating Circumstances claim and any decision made by members of the Mitigating Circumstances Panel and may result in a penalty being imposed by the Mitigating Circumstances Panel.

I authorise the Mitigating Circumstances Panel to consider this mitigating circumstances claim, and any other relevant information held by The Dyson Institute to the extent necessary for the consideration of my submission.

I give permission for the Mitigating Circumstances Panel and its representatives to seek verification of the authenticity of any statements or evidence provided with this claim.

I confirm that, where I have submitted personal information relating to any individual other than myself, I have the permission of the individual in question to provide this information.

Name (print)

Signature

Date