

SECTION O.2: PROCEDURES FOR DEALING WITH CLAIMS OF EXCEPTIONAL MITIGATING CIRCUMSTANCES

1. Preamble

- 1.1 In determining these procedures Academic Board has sought to ensure that students with valid claims of exceptional mitigating circumstances are treated fairly and have their cases considered as quickly as possible while also protecting the standards of the University of Worcester's awards by deterring frivolous or vexatious claims.
- 1.2 These procedures define the circumstances in which claims may be made and explain how Mitigations Committees will deal with claims.
- 1.3 There are separate procedures which establish the circumstances under which students may submit coursework beyond the published deadline.

2. Responsible Body

- 2.1 Academic Board has authorised Mitigations Committees to consider claims of mitigating circumstances on its behalf. No other person or body may consider claims of mitigating circumstances.

3. The Role of Examination Boards

- 3.1 Examination Boards should not take account of exceptional mitigating circumstances when considering an individual student's assessment results.
- 3.2 When a Mitigations Committee has upheld a student's claim, the Examination Board will be advised at its next meeting of this decision.

4. Grounds for Claims of Exceptional Mitigating Circumstances

The following represent grounds for the submission of claims:

- Illness
- Serious illness of partner, relative or friend
- Bereavement
- Excessive employment demands which were substantial and temporary (it is not expected that full time students will claim on this basis)

- Any other factor having a substantial effect on performance

Claims will not normally be accepted where they relate to:

- A disability or chronic illness unless there was a sudden deterioration or a period where the illness or disability was particularly acute (Note: students with a disability or chronic illness may be granted special arrangements for their assessment – for example, extra time in formal examinations. The Disability Co-ordinator, located in Student Services, will advise);
- The usual financial constraints experienced by most students;
- Employment demands unless there is evidence that they are substantial and temporary.

5. Timing of Claims

- 5.1 Claims submitted late will not be considered unless the Registrar and Secretary is satisfied that the student has provided an acceptable reason for late submission.
- 5.2 In those parts of courses which relate to a professional or similar requirement (for example, school experience and clinical attachments) students will be required to notify any problems which occur during the placement. Details of these requirements will be set out in the relevant course handbook.

6. Evidence

- 6.1 All claims must be supported by evidence which is authentic and timely.
- 6.2 It is the student's responsibility to obtain evidence to support the claim; the University will not normally obtain evidence on the student's behalf. Incomplete claims, or claims which are not supported by evidence, will be returned to the student.
- 6.3 Examples of evidence include:
- Medical Certificate (obtained at the time of illness)
 - Letter from medical practitioner confirming the illness of the student or another person
 - Letter from student counsellor
 - Death certificate

- Birth certificate
- Letter of support from a member of staff (but see 7 below).

6.4 The submission of evidence which is subsequently found to be forged or untrue will result in disciplinary action against the student.

7. The Role of Staff

7.1 Where a student asks a member of staff with personal knowledge of his or her exceptional mitigating circumstances to provide relevant information in support of his or her claim, the member of staff may do so if he or she deems it appropriate and in the interests of the student.

7.2 This shall include the provision of information about the likely effect of the student's exceptional mitigating circumstances on a particular assignment where this might not be immediately apparent to the Mitigations Committee (e.g. in the case of a dramatic or similar performance).

8. Eligibility for Claims

A student may submit a claim that exceptional mitigating circumstances have adversely affected his or her performance in the following circumstances:-

- 8.1 In relation to any item of coursework or examination which has been failed and which counts towards the assessment of a module.
- 8.2 In respect of any assignment which has been submitted more than 24 hours after the published deadline (see Procedures for Late Submission of Coursework Assignments).
- 8.3 With the exception of assessments marked on a pass/fail basis or which do not count towards the classification/differentiation of the award, any assessment that the student has passed where he or she believes that his or her performance was adversely affected.
- 8.4 In the case of a MPhil or PhD student, where the student believes that his or her performance in the viva voce examination was adversely affected; a claim can be made in respect of the viva voce examination.

9. Decision and Remedy Offered

- 9.1 The only decision available to the Mitigations Committee in respect of claims which are upheld is to offer the student the opportunity to re-take the assessment as if for the first time or, in the case of a re-assessment, a further attempt.
- 9.2 This is the case for assessments which have been passed as well as those which have been failed.

10. Notice to Students

- 10.1 Notices shall be placed on student notice boards at key assessment times notifying students of the final date for the submission of claims of exceptional mitigating circumstances.
- 10.2 The notice should: remind students of the guidance notes on submitting claims; explain that claims have to be submitted to Registry Services by the due date; and ask students who want to submit a claim to do so on the relevant claim form.
- 10.3 It is the responsibility of a student wishing to make a claim to ensure s/he is aware of the final date for submission of that claim.

11. Mitigations Committees

- 11.1 The programme of meetings of Mitigations Committees will be determined by the Registrar and Secretary.
- 11.2 Membership of the Mitigations Committee shall comprise three members from a pool which shall include:
- i) Head of Registry Services (who shall normally act as Chair)
 - ii) Scheme Directors
 - iii) A nominee from each Academic Department

Members will be appointed in a way which ensures that where necessary, the Committee has access to specialist knowledge of the course concerned (eg: where the claim relates to a course of professional training)

- 11.3 A member of Registry Service's staff shall act as Secretary to the Committee.

12. Conduct of the Meeting

- 12.1 The student will not be permitted to attend the meeting at which his or her claim is considered.
- 12.2 The Committee's decision on the validity of the claim will be based entirely upon consideration of the student's claim and supporting evidence.
- 12.3 The Committee should establish whether there is acceptable evidence of mitigating circumstances in order to determine:

either

That a valid claim has been made and that the claim should be upheld

or

That there are none or insufficient grounds and that the claim should be rejected.
- 12.4 Where a student's claim is upheld the original result will be set aside.

13. Communication of Decisions

- 13.1 The Secretary to the Mitigations Committee will notify the student of the Committee's decision in writing and will also notify the Secretary of the Examination Board concerned of the decision for report to the next meeting of the Examination Board.
- 13.2 The Department concerned will be required to make arrangements for the student to take the assessment again at the next available opportunity. Where the student's circumstances are such that it would not be possible for the student to take the assessment at the next opportunity, the Examination Board will be advised accordingly.

14. Procedures for Review of the Decision

- 14.1 A student may appeal against the decision of the Mitigations Committee only if s/he believes the procedures have not been properly followed.
- 14.2 Appeals should be made to the Pro Vice Chancellor and Deputy Chief Executive and should be made within 10 working days of the written decision of the Committee.

Academic Regulations and Procedures: Procedures for dealing with claims of exceptional mitigating circumstances

- 14.3. The Pro Vice Chancellor and Deputy Chief Executive shall decide whether the student has shown proper grounds for review.
- 14.4 Where the Pro Vice Chancellor and Deputy Chief Executive is satisfied those grounds for a review have been established, the case will be referred back to the Mitigations Committee. In all other cases, the original decisions will stand.