

 <p>S P Jain London School of Management LONDON</p>	Mitigating Circumstances Policy
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1. Purpose

To describe how students at SP Jain London School of Management (SPJUK) who are affected by Mitigating Circumstances may claim for an extension to the deadline for completing an assessment task, or a deferral of an assessment task.

This document:

- Explains what Mitigating Circumstances are
- Explains how students may submit a claim for Mitigating Circumstances
- Describes how the School will consider these claims and notify students of the outcome
- Describes how students may appeal against the rejection of a claim for Mitigating Circumstances.

2. Scope

- a. This policy applies to all students enrolled on a taught programme at SPJUK. The term assessment in this policy relates to all forms of coursework, examinations, presentations, or other activity which results in a mark and/or grade.
- b. This policy should not be used to provide reasonable adjustments for a student with a disability. Students with a disability should apply for an Individual Learning Support Plan under the Student Disability Policy.

3. Principles

- a. This document has been developed by reference to the Good Practice Framework for handling requests for additional consideration published by the Office for the Independent Adjudicator for Higher Education. It is meant to reflect the core principles of that framework, which are:

accessibility; clarity; proportionality; timeliness; fairness; independence; confidentiality; and improving the student experience. As such, in the implementation of this policy, the School commits itself to:

- treating all students equally and fairly;
- reaching outcomes on claims for Mitigating Circumstances in the best interests of the student;
- ensuring staff will be able to access information about Mitigating Circumstances claims as required to perform their duties and to support the students;
- asking students to provide evidence of Mitigating Circumstances, but not disadvantaging them in cases where the provision of evidence is not feasible;
- notifying students of the outcome of claims within 14 days of receiving them;
- allowing students to appeal against the rejection of a claim.

4. Definitions

- a. A mitigating circumstance is a recognisably serious or significant short-term and unexpected event, affecting a student's health or personal life which is beyond the student's control and which results in the student being unable to attend (in person or virtually), complete, or submit an assessment properly and/or on time.
- b. A mitigating circumstance could include illness or injury, the death of a loved one, or a personal problem that happens around the time of the assessment.
- c. Examples of circumstances likely to be accepted by the School as Mitigating Circumstances, and those which are likely not to be accepted, are at Appendix A.
- d. This policy is not meant to deal with Mitigating Circumstances affecting whole groups of students, such as an absence by a lecturer for a significant period where adequate cover has not been provided. Mitigating Circumstances affecting whole groups will be dealt with by the School under the Academic Regulations.

5. Submission of a claim

- a. We encourage students who have experienced, or are experiencing, Mitigating Circumstances to discuss the situation with a member of academic staff or student support staff as soon as possible. This will help to ensure the student is aware of their options and can make an informed decision.
- b. Claims for Mitigating Circumstances must be submitted in writing using the Mitigating Circumstances Claim Form. Discussing Mitigating Circumstances with a member of staff does not constitute the submission of a claim.
- c. The claim for Mitigating Circumstances should be made as soon as possible after the circumstance has occurred and as far in advance of the assessment deadline or examination date as possible.

- d. Applications submitted up to 14 days after the deadline or examination date will only be accepted where the student can demonstrate (and evidence) that they were unable to claim before the deadline or examination date.
- e. Claims made after the formal publication of results from the assessment or examination will not be accepted.
- f. A student who submits, or has attended, an assessment in the specified time cannot claim Mitigating Circumstances unless they submit evidence that their judgement was affected in reaching the decision on whether to attend or submit.
- g. If a student is unable to submit their Mitigating Circumstances claim in person due to illness or other circumstances, then the student can authorise someone to submit the claim on their behalf.
- h. The submission of a claim for Mitigating Circumstances indicates the student considers they cannot complete the assessment within the deadline. If the claim is approved, an alternative deadline will be set.
- i. If the assessment is done after the mitigating circumstance claim is approved and the student was informed, then the mitigating circumstance claim will no longer be valid and the assessment outcome will be final.
- j. In case the assessment was completed before a decision has been taken then the mitigating circumstance request will take precedence and the student will be given a time in which to take the assessment again.

6. Supporting Evidence Requirements

- a. Claims for Mitigating Circumstances must be supported by independent documentary evidence, unless the student can demonstrate that it was not possible to obtain evidence.
- b. Evidence should be obtained when the Mitigating Circumstances are present. Post-dated evidence will not be accepted unless it can be demonstrated that the evidence could not have been obtained at the time.
- c. Independent evidence would normally be on headed paper, written and signed by an appropriate third party, giving details of the circumstance, its dates and/or duration and, where possible, its impact. An appropriate third party would be one who knows the student in a professional capacity or one who can verify the circumstance from a position of authority, for example a police officer, solicitor, doctor; and who is able to provide objective and impartial evidence. The School reserves the right to check on the validity of the evidence submitted by contacting the third party directly.

- d. All evidence should be provided in English. If the documentary evidence is not in English, it is the student's responsibility to ensure that it is accompanied by a translation which has been certified as correct by a Public Notary, or translated by an accredited translator.
- e. A student must submit medical evidence in support of a Mitigating Circumstances claim related to illness. Any medical certificates/notes should:
 - relate specifically to the dates and duration of the illness;
 - contain a clear medical diagnosis or opinion and not merely report the claim that the student felt unwell; nor report any claim that there was reason to believe that the student was ill.

The School will not obtain medical certificates on behalf of students.

7. Assessment of Claims

- a. Claims for Mitigating Circumstances will be considered by a trained member of staff, who will be given access to all relevant information and systems to make an informed decision.
- b. The member of staff will consider each claim individually on its own merits; all claims will be treated fairly and equitably.
- c. The member of staff will consider the following when considering the claim:
 - i. Has the student provided a clear statement detailing the nature, severity and impact of the circumstances?
 - ii. Is there independent third-party evidence to support the claim?
 - iii. Does the period affected by the claim correspond with the date of the assessment?
 - iv. Were the circumstances beyond the control of the student?
- d. If the member of staff does not consider that there is sufficient evidence to support the claim, they may ask the student to provide additional evidence, which the student should provide within 7 days of the request.
- e. In more complicated cases, the member of staff assessing the claim may share the claim and supporting evidence with another member of staff in order to obtain a second opinion.

8. Outcomes

- a. Where the member of staff considering the claim determines that the answers to each of the questions set out in section 6 is 'yes' (including where the student has provided additional evidence), they will approve the claim and notify the student of the outcome in writing.
- b. Where a claim is approved, the written notification will include details of next steps, which may include:

- i. extension to the submission date for assessment(s)
 - ii. deferral of an assessment
 - iii. alternative form of assessment.
- c. Where the member of staff determines that the claim and evidence do not demonstrate Mitigating Circumstances, the claim will be rejected, and the student notified in writing of the reasons for the rejection.
- d. In all cases, students shall receive written confirmation of the outcome of a claim for mitigating circumstances within 14 days of submitting the claim.
- e. The School shall keep records of all Mitigating Circumstances claims and the decisions made about them. An annual report on the operation of this policy shall be submitted to Academic Board.

9. Appeals against rejected claims

- a. A student may appeal in writing within 14 days of receiving confirmation that the School has rejected a claim for Mitigating Circumstances. The appeal should be made to the Registrar and include details of the grounds on which the appeal is being made.
- b. Appeals against Mitigating Circumstances decisions will be undertaken under the Appeals Policy.

10. Prolonged and repeated Mitigating Circumstances

- a. If the Mitigating Circumstances continue for longer than the student anticipates and affect subsequent assessments, the student should make a new application according to the procedure above.
- b. A student who makes multiple applications for Mitigating Circumstances because of ill health may be referred to the Fitness to Study Policy and Procedure.

11. Related documents

Appeals Policy
Fitness to Study Policy
Student Disability Policy

Appendix A

Examples of circumstances likely to be accepted as Mitigating Circumstances, and those which are likely to be excluded.

These examples are taken from the Good Practice Framework for handling requests for additional consideration published by the Office for the Independent Adjudicator for Higher Education.

Examples of circumstances likely to be accepted	Examples of circumstances likely to be excluded
<ul style="list-style-type: none">• Serious short-term illness or injury• Worsening of an ongoing illness or disability, including mental health conditions• Symptoms of an infectious disease that could be harmful if passed on to others• Death or significant illness of a close family member or friend• Unexpected caring responsibilities for a family member or dependant• Significant personal or family crises leading to acute stress• Witnessing or experiencing a traumatic incident• A crime which has had a substantial impact on the student• Accommodation crisis such as eviction or the home becoming uninhabitable• An emergency or crisis that prevents the student from attending an exam or accessing an online assessment• A technical problem that prevents the student from accessing online teaching or assessment• Safeguarding concerns	<ul style="list-style-type: none">• Holidays, house moves or other events that were planned or could reasonably have been expected• Minor illness such as common colds or hay fever, unless the symptoms are particularly severe• Assessments that are scheduled close together• Misreading the exam timetable• Poor time management• Minor transport disruption• Computer or printer failure where the student should have backed-up their work• Normal exam stress• Minor life events, unless the circumstances have had a disproportionate impact