

H MITIGATING CIRCUMSTANCES

INTRODUCTION

H.1 The university has a duty to all students to ensure that assessments are conducted fairly, and that students have the opportunity to demonstrate their true level of academic performance.

Special circumstances

H.2 For the avoidance of doubt, the arrangements for dealing with claims of mitigating circumstances do not normally apply where students have a long-term support need, eg arising from a disability. Where a student considers that they have a support need which may affect their study and / or assessment, it is the responsibility of the student to seek advice as early as possible and use the Personal Academic Tutor and other support services available through the Home Academic Partner, to ensure that they can undertake their chosen programme and its associated assessments in a way which meets their special needs but still allows them to demonstrate their true academic ability (see Section 17b.44).

VALID CIRCUMSTANCES

H.3 Students may suffer illness, other problems outwith their control, or temporary exacerbation of a long-term condition which may prevent them from demonstrating their true level of ability. The system of mitigating circumstances allows students who feel that their work has been affected by such problems to put forward a claim for consideration.

H.4 It is important that any circumstances which may have affected the student's performance are reported regardless of whether the student thinks they have passed or failed.

H.5 Mitigating circumstances are unexpected, disruptive to assessment and outwith the student's control. Problems arising from a student's own negligence or lack of time management will not be considered as valid mitigating circumstances. Mitigating circumstances will normally fall into one of the categories below:

- illness or serious accident at the time of an assessment or in the period leading up to formal assessment
- serious illness or death of a family member
- severe unforeseen personal or psychological problems
- unanticipated difficulties in child or adult care arrangements during a semester (where the student is the named carer for an adult)

In addition, for part-time students:

- unforeseen and essential work commitments.

H.6 Examples of circumstances which will not be considered valid:

- any ongoing situation known to the student
- inadequate time management
- moving house or holidays
- misreading the assessment or exam timetable
- computer / IT problems of the student's own equipment
- normal work commitments on behalf of an employer.

PROCESS AND TIMING FOR MITIGATING CIRCUMSTANCES CLAIMS

- H.7 Students are required to submit mitigating circumstances claims using the secure online claim process via [UHI Records](#). It should include:
- a detailed statement of the circumstances, and the impact that these have had on the student
 - indication of which modules and assessments are affected
 - the time period affected
 - Where a student has a disclosed disability, health or medical condition, the claim should make reference to the provisions of the student's approved Personal Learning Support Plan (PLSP) as appropriate.
- H.8 Claims are routed to the student's Personal Academic Tutor, who is required to endorse the claim before it progresses to the next stage. Students are notified by email at each stage as their claim is considered.
- H.9 Mitigating circumstances claims should be submitted as soon as the student becomes aware of a situation which may affect their ability to complete assessments, or within seven days of the assessment deadline, whichever is earlier. If the claim cannot be submitted in advance it should be submitted as soon as possible after the assessment deadline, explaining why this is the case.
- H.10 In the event of circumstances affecting attendance at a timetabled exam, the mitigating circumstances claim should be submitted, where possible, before the exam takes place. If a student has reason to believe that mitigating circumstances caused them to do less well in an exam than they could have, then they need to submit a claim to that effect.
- H.11 Any decision relating to a claim for mitigating circumstances only applies to the assessment identified as part of that claim and will not be automatically applied to subsequent assessment(s). For example, a claim that has been approved in semester one will not be carried forward to the resit opportunity, or subsequent semester. A new claim must be submitted on each occasion.

SUPPORTING EVIDENCE

- H.12 Claims must be accompanied by relevant supporting evidence from an independent source, such as:
- medical certificates for the relevant time period
 - letters from medical specialists
 - letters from professional counsellors
 - legal documents.
- H.13 Evidence which will not be accepted:
- personal statements from the claimant which are unsupported by documentary evidence
 - uncorroborated evidence from friends or family.
- H.14 It is recognised that obtaining evidence can sometimes be difficult and the university will exercise discretion in accepting evidence, particularly in sensitive personal situations. In circumstances where it may be difficult for a student to provide independent evidence, then a Personal Academic Tutor or student counsellor may provide a supporting statement.

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H.15 If there is a delay in obtaining relevant supporting evidence, the claim should be submitted immediately, and the evidence provided as soon as it is available.

MITIGATING CIRCUMSTANCES PANEL

H.16 Claims and supporting evidence will be considered by a Faculty mitigating circumstances panel, chaired by an Exam Board chair and supported by a clerk. In order to maintain confidentiality, other staff will only be involved as necessary.

H.17 The mitigating circumstances panel will consider all claims and supporting evidence, and accept or decline each claim. Outcomes will be recorded on SITS, and made available to the relevant Tier 1 Board of Examiners, which is responsible for decisions on reassessment opportunities and/or other course of action.

H.18 All discussions will remain confidential and documentation and evidence will be securely stored and then destroyed in line with the university's document retention schedule.

RECORDING MITIGATING CIRCUMSTANCES

H.19 Staff are required to input 'actual' marks to SITS. For non-submission, this will be 0. For coursework that is submitted late, the mark should be entered with the late penalty applied. Where the mitigating circumstances panel accepts a claim, the associated module grade will be overtyped with 'MC'.

H.20 The Tier 1 Board of Examiners will determine the final 'agreed' mark, taking into account the recommendations of the mitigating circumstances panel.