

**Code of Practice**

**On**

**Mitigating Circumstances**

**(Updated September 2011)**

## INTRODUCTION AND CONTEXT

1.1 Bournemouth University aims to ensure that support is offered to all students with mitigating circumstances, in line with the University’s Dignity, Diversity and Equality Policy.

1.2 Mitigating circumstances may be defined as the taking into account of any circumstances which:

* were not within the foresight and control of the student
* are not already registered with the University’s Additional Learning Needs Service

***and*** which the University believes might adversely affect the academic performance of a student.

1.3 There should be fairness to the student body as a whole as well as fairness to a particular individual.

1.4 This Code of Practice is part of Bournemouth University’s Rules and Regulations and should be read in conjunction with other relevant documents including:

* University Rules
* University Handbook
* Student Support and Guidance Policy
* Student Well-Being Framework
* Student Assessment Handbook
* Academic Appeals Policy and Procedure Taught Awards
* Dignity, Diversity and Equality Policy

These documents can be found at:

 [http://portal.bournemouth.ac.uk/StudentRegulations/](http://portal.bournemouth.ac.uk/StudentRegulations/default.aspx)

<http://www.bournemouth.ac.uk/facilitiesandresources/diversity/diversity.html>

**2. PROCEDURE**

* 1. There are two ways in which the University can take mitigating circumstances into consideration:

2.1.1 **Assignment Extension and/or Exam Postponement**

As soon as a student believes that they may have mitigating circumstances they must complete **Section 1 of the Mitigating Circumstances Form** (available at [www.bournemouth.ac.uk/student/mitigating](http://www.bournemouth.ac.uk/student/mitigating%20)) and submit it to the Programme/Framework Administrator together with all supporting evidence. As well as detailing what the circumstances are, an explanation as to why they will prevent the student from meeting the deadline or sitting the exam should be provided. The form should normally be submitted before the date on which the submission is due.

The Programme Coordinator/Framework Leader will consider assignment extension requests and decide whether the circumstances are valid. If agreed, an extension will be granted.

The Programme Coordinator/Framework Leader will consider exam postponement requests and decide whether the circumstances are valid. Postponed exams will normally be sat in the next available ‘resit’ exam period.

 Any decisions will then be notified to the student, normally within 7 days of receipt of the form and recorded on the Mitigating Circumstances form. Circumstances in which a student may be granted an extension to coursework, or allowed to postpone sitting an exam(s) include the following:

* Emotional/personal difficulties e.g. bereavement of a close relative/close friend
* Ill health – physical or mental
* Unforeseen carer problems (of a serious but short-term nature)
* Other serious circumstances or events which could not be foreseen by the student

If the mitigating circumstance arises on the day of the exam, making it impossible for the student to attend, the student must contact the Programme/Framework Administrator (or as advised by the school/partner institution)immediately, followed up by a completed Mitigating Circumstances Form and full supporting evidence within seven days of the date of the exam. If a student does not turn up for an exam and does not let us know that they have a valid reason for not doing so, they will be given a mark of 0% and although the element will reflect any resit mark this will be considered as a second attempt resulting in the unit being capped to no greater than a pass mark.

The following circumstances will **not** normally be considered for a deadline extension or exam postponement:

* Computer/IT failure of students own equipment
* Transport problems\*
* Misreading of assessment dates and times.
* Moving house
* Holidays or expeditions
* Inadequate planning, organisation or time management
* Timetabling of coursework/examinations
* Demands of paid employment\*\*

\*Unpredictable and exceptional transport delays on the day of the exam may, in some circumstances be considered a valid circumstance for non-attendance; however, routine delays to trains or buses will not.

\*\*Exceptionally, this may be considered for some students in professional practice or on part-time programmes.

2.1.2 **Board Consideration**

If a student has an existing condition for which they receive support from the University’s Additional Learning Needs Service or College’s Learning Support Services, then they do not need to submit mitigation*.* A student will only need to submit mitigation if they believe that any circumstances affected them over and above the special arrangements already made during assessments, or they feel that the arrangements did not fully compensate for their condition.

If a student has been given an extension to coursework or allowed to postpone sitting exam(s), allowances have already been made for the circumstances and the student does not normally need to take any further action at this stage.

In order to inform the Board of any circumstances not already taken into account, the student should complete **Section 2 of the Mitigating Circumstances Form** (available at [www.bournemouth.ac.uk/student/mitigating](http://www.bournemouth.ac.uk/student/mitigating%20) ) and provide all supporting evidence. As well as explaining what the circumstances are, the student needs to explain how they affected the assessment. The student should provide information about which piece(s) of coursework or exam(s) were affected, including the date of the circumstances and the date of the assessment(s).

This information needs to be submitted to the Programme/Framework Administrator (or as advised by the school/partner institution) **at** **least 5 working days** before the relevant Board meets. This date should be clearly published for students well in advance of the Board meeting. The Board will decide whether the circumstances should be taken into consideration and, for example, may permit a student to resubmit assessment or resit exam ‘as a first attempt’.

If a student wishes, they may present personal information in a sealed envelope with instructions that it should only be opened by the Board if a mark or classification is borderline.

The Board will only take into consideration mitigating circumstances that have been raised during that academic year so a student cannot ask for things to be taken into account that may have affected performance in previous years. However, exceptionally, serious Level I circumstances may be carried forward for consideration by the Level H Board.

Mitigating circumstances received by the required deadline will be considered by the Board in accordance with Bournemouth University’s Standard Assessment Regulations. (See section 3.2)

The Board will not normally raise marks even if they agree that the circumstances are valid. Students still need to complete and pass all appropriate units before progressing to the next stage/level of the programme.

2.2 If mitigating circumstances are of a longer term nature, and affect the student over and above any extensions/postponements that are requested, both Sections 1 and 2 of the Mitigating Circumstances Form should be completed.

**3. DEADLINE FOR SUBMITTING MITIGATING CIRCUMSTANCES**

3.1 If a student fails to submit any mitigating circumstances at the appropriate time, the Board will not be able to take these into account when making a decision on academic results.

3.2 The deadline for submitting the mitigating circumstances form is normally up to 5 working days before the relevant Board for the course of study. The Board will consider the mitigating circumstances in conjunction with the student’s academic profile and decide on the appropriate recommendation. Any such matters that could have been raised before the meeting of the Board but, without valid reason, were not raised will not be considered in the event of an appeal.

3.3 Mitigation which is submitted late will exceptionally be considered if the student provides a valid reason for not submitting the mitigation form and supporting evidence by the required deadline **and** provides appropriate supporting evidence explaining why they were unable to submit on time.

3.4 Any costs incurred in supplying evidence are the student’s responsibility.

**4. CONFIDENTIALITY**

4.1 Discussion of mitigating circumstances is confidential will include the Chair of the Board, Programme Coordinator/Framework Leader and other staff as appropriate and will take place before the main Board of Examiners meet in order to allow a decision to be made in consideration of all the facts.

4.2 If a student wishes, they may present personal information in a sealed envelope with instructions that it should only be opened if a mark or classification is borderline. Minutes of the Board meeting will only reflect the general personal circumstances that were considered and will not note those confidential circumstances in detail.

4.3 As required by the Data Protection Act, 1998 the University will not normally disclose personal information to a third party other than with the data subject’s explicit permission; except where there is a legal obligation to do so. Likewise it is not possible for the University to obtain information about a student from a third party (such as a doctor) without the student’s prior explicit consent.

# 5. APPEALS

If a student wishes to lodge an appeal against the decision of the Board of Examiners, they may do so in accordance with Bournemouth University’s Academic Appeals Policy and Procedure for Taught Awards (available at <http://www.bournemouth.ac.uk/student/appeals>).

All appeals must be submitted within 10 working days of the date of publication of results.

**6. ADVICE AND SUPPORT**

Further guidance, advice and information can be obtained from askBU (telephone 01202 969696 email askBUstudents@bournemouth.ac.uk) or the Students’ Union Advice Centre (email studentadvice@bournemouth.ac.uk telephone (01202) 965779)