University of Birmingham

Mitigations Guidance for Students

These guidelines are for Undergraduate and Postgraduate Taught students. They also apply to the taught elements of research degree programmes. However, these guidelines do not apply to the research elements of such programmes. Research degree students should keep their supervisors informed of any mitigating circumstances they have experienced and should use the Progress Review mechanism outlined in the Code of Practice for Supervision and Monitoring Progress of Research Students (www.ppd.bham.ac.uk/policy/cop/code12.htm) to formally raise matters of concern. Circumstances affecting the oral examination of theses should be raised with the School or Department and Academic and Student Administration and will be dealt with on a case-by-case basis.

These guidelines are intended to provide an overview of the University's approach to handling claims for mitigations. The process is managed at School level so procedures may vary to a certain extent from that outlined below. Students are therefore advised to consult their School or Department in the first instance to confirm the exact procedure they should follow.

1. What are Mitigations?

a) During your period of study, you may become ill or encounter some other circumstances that may affect you to a greater or lesser extent, particularly your academic performance. The process for dealing with this is called mitigations.

b) Mitigations are submissions by students to their School or Department, drawing attention to the illness or other serious adverse circumstances. These could be the illness of a close friend or family member, severe financial difficulties, personal family problems or any other factor that may affect their performance. Ideally mitigations should be submitted as soon as they occur. At the latest they should be submitted prior to the meeting of the relevant Board of Examiners. Your School or Department will brief you about these dates.

c) Mitigations could apply to all forms of assessment whenever they occur not just at the end of year, they could also be applied to all forms of ongoing assessment through the year, not just examinations.

d) Schools may consider mitigations when substituting one form of assessment for another, when determining a student's progress, or in determining an award or degree classification. Schools will not adjust individual marks because of mitigations, and only very serious mitigations are likely to affect the degree classification.

2. Responsibilities of Students

a) The University expects you to inform your School or Department Office and your Mitigations Officer of any factors (e.g. illness, other exceptional circumstances) which you think need to be taken into account when Boards of Examiners meet to consider your progress.

b) If you do not declare mitigations to the Board of Examiners you will not be able to present them at a later date. Students not reporting mitigations in time for Mitigation Panels to consider them will normally be deemed either to have decided that the circumstances were not relevant or to have failed to fulfil their duty to report the circumstances. The University's Appeals Panels are not able to consider mitigation unless a good reason can be established for why it was not presented to the Board of Examiners before the deadline. Not knowing about mitigation procedures will not be accepted as a valid reason, as your School will brief you at the start of the year, and

full information is available in your student handbook.

c) The University, and your School go to great lengths to guarantee that your mitigations will be dealt with sensitively, and that they will be treated confidentially. Consequently if you choose not to notify your School of your mitigating circumstances for whatever the reason then you must accept the consequences of this decision, which is that you will not be allowed to raise them at a later date.

3. How to submit Mitigations

a) To ensure that full information is provided, a Notification of Mitigations form has been introduced for this purpose. Copies are available from your School/ Department office, Mitigations Officer, Student Support and Counselling Service, the International Student Advisor, and Academic and Student Administration division of Academic Services or at http://www.studserv.bham.ac.uk/sca/mitigations/

b) Mitigation must be submitted on this form. If you report mitigations verbally to your Personal Tutor, or to the Mitigations Officer they will advise you to submit a mitigation form. They will be unable to raise mitigations on your behalf without this form, this is the responsibility solely of the student. Unless there are exceptional circumstances the mitigation form must be completed by the student and submitted by the due date.

c) You must provide third party, independent supporting or corroborative documentation of the events before the relevant meeting of the Mitigation Panel and Board of Examiners.

i) Where illness or other medical conditions are involved, medical certificates/ doctors letters (showing the dates where the illness occurred) must be provided to your Mitigations Officer.

ii) Where illness or other medical conditions are not involved you must provide to your Mitigations Officer supporting or corroborative documents (including dates when the circumstances occurred), such as statements from counsellors, bank statements, corroboration of bereavement, a mitigation support form from the university's Student Support and Counselling service or letter from the International Student Advisor, or if appropriate your employer.

iii) Medical Certificates or other forms of evidence should normally accompany your submission. However, if you cannot obtain medical certificates or other forms of evidence in time you can and must submit your mitigation form without it. Your School/ Department will be able to make a recommendation *pending* future receipt of evidence. You must comply with any deadline your School/ Department sets.

iv) The University **cannot** request further information about your mitigating circumstances from your doctor etc. It is your responsibility to provide all of the relevant information.

v) If evidence relates to a third party, it is your responsibility to obtain the necessary consent for the disclosure of relevant information.

d) Where evidence provided is in a foreign language it is the student's responsibility to have it independently translated.

e) You must include in your submission precise details of the module(s), examinations or other examined work which you believe have been affected.

f) This form **must** be received by your Mitigations Officer **before** the meeting of the Board of Examiners. Your School will advertise deadlines in student handbooks, induction events at the start of the year, and on posters in your School/ Department. It is your responsibility to make yourself aware of all relevant deadlines.

4. What happens to your Mitigations?

a) When they receive your Mitigation Form, the Mitigations Officer prepares all the cases and discusses them with a small group of other academics from your School in a select group. This group is called the Mitigation Panel and is normally made up of around 5 members of staff. The Mitigation Panel is formed to discuss cases of mitigation and assess the likely impact on your academic performance, and if any allowances, such as re-sits are appropriate. This is so that all students can be treated equitably in assessing the impact of mitigations on your academic performance. The relevant External Examiner is able to attend the Mitigation Panel and scrutinise its documentation.

b) Your mitigations will be treated confidentially and will not be disclosed to other students or anyone outside of the University (with the exception of the External Examiner) including your family, without your prior written permission. Any submission of mitigation will be held in a file by the School's Mitigations Officer. They will not be held in your central student file, and they will not be made available to, or discussed with anyone outside of the Mitigation Panel.

c) Mitigation Panels cannot raise marks because of mitigating circumstances.

d) All of your marks and progress decisions are confirmed by the Board of Examiners but the full Board will **not** see details of your mitigating circumstances. Mitigation Panels may not always consider cases anonymously, as it is important to consider your marks to assess the likely impact of any mitigating circumstances. The Mitigation Panel reports to the Board of Examiners the seriousness and impact of your mitigation, but will not disclose details of your mitigation, and will only refer to you by your ID number. Confidentiality is maintained throughout the process so you need not be worried about submitting personal details.

e) The Mitigation Panel may make a decision based on your mitigations which is pending receipt of further documentation, if for instance you have been unable to obtain a medical certificate/doctor's letter by the prescribed deadline. The Mitigations Officer will give you a reasonable deadline to provide this information. You must supply the evidence by the prescribed date or their decision will be reversed.

f) After the Board of Examiners have met you are entitled to feedback if you request it. This will **not** be a chance to further discuss your case, or present fresh evidence. It is an opportunity for you to be sure that your case was discussed appropriately at the Mitigation Panel meeting. The Mitigations Officer will only be able to confirm whether or not your case was discussed, and that procedures were followed. There is no right to appeal against the decision of the Mitigation Panel as they are exercising their academic judgement.

g) You should note that once mitigating circumstances have been taken into account, they may not be used more than once for the same assessment. However if you have long term mitigating circumstances such as a prolonged illness the Mitigation Panel may take this into account in future years if it is felt to be relevant to your degree classification.

h) You should note that Appeals Panels will not consider evidence of mitigating circumstances, (no matter how severe they may be) unless they were unknown to you at the time of the Mitigation Panel meeting. Good reasons must also be established for the non-disclosure. "Good reasons" will not include:
a) where you waited to see if you achieved the grades that you were expecting before realising that mitigation affected your performance;
b) where you could not obtain third part evidence;
c) where you claim that you were not aware of the mitigations procedures (unless you can prove that the School did not provide any briefing).

The appropriate time to disclose mitigating circumstances is prior to the Board of Examiners meeting. Since any circumstances raised will be dealt with in strict confidence (as outlined above) if you choose not to submit mitigations to the School you will not be able to submit them at a later stage. There are no exceptions to this even if the mitigating circumstances relate to highly personal and/or family problems.

Approved by the Academic Policy and Regulations Committee in May 2007 to take effect from the 2007/08 session.