

Mitigating Circumstances Policy

Taught Students

This Policy must be read in conjunction with the *Taught Degree Regulations*.

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Mitigating Circumstances Policy – taught modules

1. Introduction

1.1 This policy provides guidance for students and staff on what to do when students experience unexpected non-academic events that have a significant impact on their ability to complete assessment at the scheduled time. This policy applies to summative assessments that contribute to module marks. The policy does not apply to assessments administered in-class e.g., oral presentations or attendance requirements, which must be dealt with directly with the department. The School operates this policy to ensure that all claims are dealt with fairly and transparently.

1.2 This policy applies to all students taking taught undergraduate or postgraduate modules, including taught modules taken by PhD/MPhil students, Intercollegiate, Study Abroad and Associate students. It also applies to students undertaking programmes through the Foundation College.

1.3 The following SOAS policies, plans and procedures are related to this policy:

- a) Taught Degree Regulations
- b) Appeals Procedure
- c) Maternity and Paternity Policy
- d) Study Inclusion Plans
- e) Permitted Extended Deadlines Policy
- f) Support to Study Policy
- g) Fitness to Study Policy

2. What are mitigating circumstances?

2.1 Mitigating circumstances are exceptional, short-term, unforeseen and unpreventable events which have a negative impact on a student's ability to take or submit assessments or prepare for assessments. They are over and above the course of everyday life and significantly disrupt a student's ability to study for or to complete assessments.

2.2 Mitigating circumstances relate to non-academic problems only. Any difficulties with the organisation or operation of programmes of study should be dealt with via the Student Complaints Procedure.

2.3 Mitigating circumstances must be contemporaneous, i.e., occur at the time of the assessment or in the period immediately leading up to the assessment. If a student experiences circumstances earlier in the term that they feel may impact their ability to submit their assessments at a later date, then the mitigating circumstances process is not the appropriate route. In such cases, the student should engage with other forms of support (e.g., a discussion with their Academic Adviser, the support to study process, or the Student Advice & Wellbeing team) in order to ensure they have the support they need, to consider how they will meet their deadlines and/or if a study support plan should be set up.

2.4 A student may submit a claim under this policy for:

- a) **Extension**, where they are unable to submit coursework by the due date as a result of mitigating circumstances;
- b) **Deferral**, where they are unable to complete an examination or where they cannot submit coursework, even with an extension, as a result of mitigating circumstances;
- c) **Unfit to sit**, where they took an assessment believing they were fit to do so, but were adversely affected by mitigating circumstances.

2.5 Further information on acceptable mitigating circumstances and the evidence that is required can be found in Appendix A. Acceptable mitigating circumstances include:

- a) Illness or Injury
- b) Bereavement
- c) Personal problems/traumatic events/family crisis
- d) Affected by a new or emerging international conflict or humanitarian crisis
- e) Compelled to be elsewhere, e.g. court, detained in custody, service in armed forces reserve
- f) Victim of crime
- g) Exceptional financial or accommodation problems
- h) School IT problems
- i) Exceptional work commitment (part-time students only)
- j) Death of a pet
- k) Other serious circumstances deemed acceptable

2.6 Unacceptable mitigating circumstances include:

- a) Minor ailments (e.g. coughs, colds etc.), except in specific circumstances e.g. if the student is immunocompromised.
- b) Circumstances which do not relate to the assessment period in question
- c) Minor computer problems including failure to save documents appropriately
- d) Poor time management
- e) Misreading the examination timetable or submitting the wrong assignment in error
- f) Assessments or examinations scheduled close together
- g) Transport difficulties such as strikes, delayed trains or traffic jams
- h) Holidays/domestic events (e.g. moving to a new house, attending a wedding)
- i) Routine work commitments
- j) Sports activities, other than recognised international competition, which would instead be considered via support to study
- k) Other circumstances deemed unacceptable

2.7 The submission of a claim for mitigating circumstances does not mean that the claim will be automatically accepted. The assessors will consider the following factors:

- The circumstances meet the criteria for acceptable mitigating circumstances
- The proximity of the events covered by the claim to the timing of the relevant assessment(s)
- The suitability and validity of the evidence submitted

3 Long-term conditions, pregnancy, parents and carers and Study Inclusion Plans

3.1 The mitigating circumstances process is for short-term, unexpected circumstances. It is therefore not usually the correct route for students with long-term health conditions, pregnant students, disabled students, or parents and carers (see 3.2).

3.2 However, students with long-term health conditions, pregnant students and disabled students are eligible to submit a mitigating circumstances claim if they experience serious unforeseen or worsening effects of their condition, or if they are affected by factors unconnected to their condition, for example those outlined in 2.5 above.

3.3 Parents and carers are eligible to submit a mitigating circumstances claim if their children/dependents experience serious unforeseen, new or worsening effects of a serious illness or condition, as outlined in 2.5(i) above.

3.4 Students with long-term health conditions, pregnant students, disabled students, parents and carers should engage with other forms of support, available via SOAS, in order to ensure they have the support they need to successfully complete their programme. This may include discussions with their Academic Adviser, Student Inclusion Plans (SIPs), the support to study process, and/or support from the Student Advice & Wellbeing team for example. With the student's involvement, a study support plan may be set up to ensure the student's needs and circumstances are considered, any support needed is put in place, and the student and the department have a clear idea of the student's path to completion.

3.5 Students with a Study Inclusion Plan (SIP) have an automatic entitlement to an additional allowance of 7 calendar days for the submission of coursework under the Permitted Extended Deadlines Policy. Such students may submit mitigating circumstances claims in line with this policy, if they are affected by further circumstances beyond those already considered in their SIP. Students with a SIP who intend to apply for Mitigating Circumstances should do so based on their Permitted Extended deadline and clearly state this in their application. It is the students' responsibility to ensure they apply by the correct deadline.

4. Extensions (including self-certifications)

4.1 Where a student has been affected by mitigating circumstances and cannot submit an assessment by the due date, they should submit a request via SID for an extension. Any request for an extension must be submitted **no later than 23:59 on the day on which the coursework was due to be submitted.**

4.2 Independent supporting evidence must be provided, unless the student is using one of their two self-certification opportunities (see 4.6). Acceptable evidence is set out in Appendix A. If the student is unable to provide evidence at the time of the application (e.g. due to delays in receiving it from a third party), they must provide it within 7 calendar days of the original due date of the assessment, or their application will be declined.

4.3 Where an extension is granted, the student will normally be permitted an additional 7 days to submit the work without penalty. In exceptional circumstances, an extension of 14 days may be granted by the Mitigating Circumstances Panel.

4.4 Should a student experience new mitigating circumstances after receiving an extension via this policy, they may apply for an additional extension or deferral, stating the new circumstances and providing supporting evidence. The student must apply by the deadline provided to them in their original mitigating circumstances approval. The circumstances must meet the criteria outlined in this policy and cannot be the same circumstances which have already been assessed in their original application. Should a third circumstance occur, the student should self-refer to the Support to Study process for support, rather than the Mitigating Circumstances process, and may be referred by staff reviewing their application.

4.5 Where an extension application is declined, if the student is in possession of additional supporting evidence which they feel may have altered the decision, they can provide this within 7 calendar days of the date they received their decision. If the request is again declined and the student wishes to challenge the decision, they must do so via the Student Academic Appeals Procedure.

4.6 Where an extension application is declined and the student is not in possession of additional supporting evidence at the time which later comes to light, they can provide this within 21 calendar days of the decision. This clause is intended to be used where for example a student is undergoing tests which later identify a previously undiagnosed medical condition which can be shown to have been affecting them at the time of the original application. If the request is again declined and the student wishes to challenge the decision, they must do so via the Student Academic Appeals Procedure.

4.7 Students have two self-certification opportunities per academic year which can provide an extension of up to 7 calendar days. They cannot be used to extend the same assignment due date twice in a row. Should a student have multiple deadlines falling within a 7-day period, their extension will extend all assignments for 7 days from each individual deadline.

4.8 A student can self-certify and then apply for a subsequent extension or deferral for the same assessment, provided they can provide evidence for the extension or deferral. A student who has had an extension (with evidence) approved can subsequently self-certify, provided they still have a self-certification opportunity remaining.

4.9 Retrospective claims for extension or self-certification after the due date will not be considered, and late penalties will apply, as set out in the Academic Regulations for taught programmes.

4.10 Outcomes of applications are not guaranteed in advance, but will be assessed based on applications and corresponding evidence in line with the policy. Any extension given will be from the original deadline, not from the date of decision. Students are therefore encouraged to submit evidence as early as possible once it is in their possession.

5. Deferral of Assessment

5.1 Where a student is unable to take an examination, or where they would be unable to submit coursework even if an extension were granted, they may apply to defer the assessment until the next opportunity. Any request for deferral should be submitted ahead of the assessment date, if possible, but must be submitted **no later than 7 calendar days after the original due date of the assessment**. Only in extreme cases, such as emergency hospitalisation, will claims be accepted later. In no circumstances will deferral be considered after the Exam Board has met.

5.2 Independent supporting evidence must be submitted to support a claim for deferral of assessment. If students are unable to obtain evidence at the time of making the claim, they must submit it within 21 calendar days of the original due date of the assessment. Acceptable supporting evidence is set out in Appendix A.

5.3 Where deferral is granted, the student will be permitted to complete the assessment at the next available opportunity. When a student applies to defer the main attempt at an assessment, the next opportunity will be in the late summer assessment period.

5.4 Assessment due in the late summer reassessment period cannot be deferred, and a final outcome of Pass, Fail or Not Completed will be given for the module, as appropriate. However, a student may submit an application in order to demonstrate that they were affected by mitigating circumstances and unable to take the late summer assessment. Where mitigating circumstances are accepted, a module that has not been passed may be reassessed or repeated in the following academic year, provided the student is eligible to do so under the progression regulations.

5.5 The grade attained in a deferred assessment, or a module reassessed or repeated as described in 5.4 above, will not be capped if attained at the first attempt. However, if the student has a previous fail grade or non-submission without an approved deferral, the module grade will be capped at the minimum passing grade.

5.6 Where a postgraduate student is prevented by mitigating circumstances from submitting the dissertation, they may apply to defer submission to 31 October of the same year. Where there are exceptional circumstances such that this is insufficient, a period of leave of absence should be requested via the Mitigating Circumstances process, and if approved, a future submission date will be agreed by the Mitigating Circumstances Panel.

5.7 It is important to note that, if assessment is deferred, this may affect a student's eligibility to progress to the next stage of their programme or may delay completion. We encourage students to seek advice about the implications of deferral from their academic department.

6. Unfit to sit

6.1 Where a student has completed an assessment, but believes their performance was affected by serious mitigating circumstances, or where a student is taken ill during an examination, the student should apply under the 'unfit to sit' process **within 7 days of the assessment date**.

6.2 Independent supporting evidence should be provided to support the claim, as outlined in Appendix A, and where a student is taken ill during an examination, the invigilator's report will be considered. This evidence must specifically state that the student was unfit to sit on the day on the assessment. Evidence should be provided as soon as possible, and no later than 21 calendar days of the original due date of the assessment.

6.3 Where 'unfit to sit' is approved, the student's work will not be marked, the attempt will be set aside and the assessment will be treated as a deferral, as outlined in section 5 above.

7. Leave of absence

7.1 In cases where a student experiences longer-term or more serious problems, a leave of absence may be more appropriate than deferral of assessment. For example, where a student is ill for several weeks, or where their circumstances will not have improved by the late summer assessment opportunity, leave of absence until the following year may be recommended. Students wishing to consider leave of absence should arrange to meet their Academic Adviser in the first instance, followed by the Student Advice & Wellbeing team, but should note that a leave of absence cannot be granted for an academic year after the end of term 2 of that year.

8. Process

8.1 Discussing circumstances with a member of staff does not constitute a mitigating circumstances claim. Individual members of staff cannot take such decisions, and this process must be followed to submit a claim.

8.2 Claims must be submitted via SID. If they are unable to submit a claim personally, a student may authorise another person to submit the claim on their behalf.

8.3 Claims received by the appropriate deadline will be considered by an Assessor. All cases where the claim may be refused, or where the case is complex, will be considered by two Assessors.

8.4 Claims received after the deadline will not be considered, except in cases where a student is applying to defer and has evidence that they could not have engaged with the process sooner. Cases will not be considered after the Assessment Board has met.

9. Evidence

9.1 All mitigating circumstances claims (with the exception of up to two self-certifications per academic year) must be accompanied by original, contemporaneous, independent third-party documentary evidence which must confirm the existence of the mitigating circumstances and state how the circumstances have impacted upon the student. Further guidance on sources and types of documentary evidence is given in Appendix A.

9.2 If possible, evidence should be in English. Assessors will seek to translate any evidence not in English, using online translation tools, however in cases where this is not possible, students may be asked to provide a translation.

9.3 If further evidence is required, or if online translation is not possible, Assessors will advise the student what is required and give a deadline by which it should be submitted.

9.4 Any costs incurred in providing evidence will be borne by the student.

9.5 Where a student feels their submission or evidence contains sensitive or highly confidential personal information, they may provide their documentary evidence by bringing it to the Student Hub, where it will be reviewed and either returned to the student once a decision has been made or

disposed of via confidential waste, according to the student's preference. Students may bring copies of evidence rather than originals, provided it can be authenticated (e.g., containing a signature, date, letter head etc.).

10. Decisions and appeals

10.1 Mitigating circumstances decisions will be reported to the Assessment Board responsible for each module.

10.2 The decisions of Assessors and of the Mitigating Circumstances Panel are binding. If a student believes their circumstances have not been properly considered in line with this policy, they may submit a Mitigating Circumstances Appeal within 15 working days of receiving the outcome of their claim. Information on how to do this is contained within the Student Academic Appeals Procedure.

Appendix A – Acceptable Mitigating Circumstances and Documentary Evidence

A1 Illness or Injury

(a) The illness or injury should relate to the student or to a close relative/dependent. The School defines a close relative as a: parent or someone with parental responsibility; child or someone for whom you act as guardian; spouse or partner; next of kin or nominated next of kin; sibling.

(b) Medical conditions must be supported by written evidence from a medical practitioner, consultant, or relevant member of hospital staff. Evidence from psychological therapists will only be considered where the School is satisfied that the therapist is a member of a recognised professional body.

(c) Evidence must be contemporaneous and provide a clear medical opinion. The date of the evidence must demonstrate that the student visited the medical practitioner at the time the mitigating circumstances occurred. Statements that a student reported that they were ill, or which do not include a clear medical opinion, will not be accepted.

(d) Students may not be able to obtain a doctor's appointment at short notice. For extensions **only**, students may Self Certify using the self-certification form for up to 7 days. Students may self-certify on a maximum of two occasions in an academic year, and cannot use both opportunities to extend the same assignment for 14 days.

A2 Bereavement

(a) Where the mitigating circumstances relate to the death of someone related to or known to the student, a death certificate or an officially certified copy of a death certificate should be provided. We acknowledge that in some circumstances it may be difficult or inappropriate to obtain a death certificate. In this case, the student may present other evidence, for example an obituary, a letter from a therapist or a religious leader.

(b) Where a student has been affected by the death of someone other than a relative, they should explain their relationship to the deceased and the impact upon their studies. This will then be taken into consideration in reaching a decision.

(c) Bereavement will normally be considered to cover assessments within the term when the death occurred, and shortly afterwards. Students who feel that they have been affected by a death beyond this time will need to provide additional evidence to indicate how the death has affected them personally e.g., a doctor's certificate, report from a counsellor.

A3 Personal problem/traumatic events/family problem

(a) This can include a range of issues such as separation from a partner, family conflict, or caring for a dependent. Evidence from a counsellor or a member of the Student Advice & Wellbeing team can be considered.

(b) Examination stress is not considered to be a mitigating circumstance as this is common to all students. However, this could be accepted if this exists in an acute form documented by a registered

medical practitioner. Students who suffer from examination stress should seek support available within the School.

A4 Students affected by new or emerging armed conflict or humanitarian crises

(a) Mitigating circumstances process is for short term, unexpected circumstances. It is therefore not usually the correct route for students affected by longer-term, ongoing armed conflicts or humanitarian crises. These students should engage with other forms of support, available via SOAS, in order to ensure they have the support they need to successfully complete their programme. This may include discussions with their Academic Adviser, the support to study process, and/or support from the Student Advice & Wellbeing team for example. With the student's involvement, a study support plan may be set up to ensure the student's needs and circumstances are considered, any support needed is put in place, and the student and the department have a clear idea of the student's path to completion.

(b) Where students are affected by a new or emerging armed conflict or humanitarian crisis due to:

- Being a citizen or resident of any of the countries engaged in armed conflict or affected by the crisis.
- Being in one of the countries involved at the time the conflict or crisis occurs.
- Having an immediate family member (see definition in A1(a)) who is resident in any of the countries involved at the time of the conflict or crisis, which is affecting the student's mental health.

These students will be eligible for an extension, upon application for mitigating circumstances, of up to 28 days after the original submission deadline.

(c) Should the student fail to submit within that time, then the "no result good cause" rule will be automatically applied, i.e., they will be put into the next resubmission period with their mark uncapped.

(d) If the student themselves is a citizen or resident of one of the affected countries, no evidence shall be required provided this is evident on their student record. If this is not evident on their student record, evidence will be required to verify their citizenship/residency.

(e) If the student is not a resident or citizen but is in the country, evidence shall be required to show that they are in the country (e.g., travel or accommodation details).

(f) If the student has an immediate family member in the country, evidence will be required to demonstrate the family member's nationality/citizenship/presence in the country e.g., a picture of their passport.

(g) Should the student wish to seek a leave of absence but they are unable to apply prior to the deadline, this can be retrospectively actioned on production of evidence listed above.

A5 Compelled to be elsewhere

(a) This can include detention in custody, jury service, and the requirement to attend a court or tribunal as a witness, defendant or plaintiff. It can also include a requirement to serve as a reserve member of the armed forces.

(b) If the student cannot be excused attendance, documentary evidence should be submitted from the relevant Court official, place of detention or superior officer.

A6 Victim of crime

(a) Students who consider that they have been adversely affected by being a victim of crime must provide relevant details, such as a police reference number or a report from an expert, confirming the impact of the crime upon them. Examples may include theft of a laptop, being assaulted, or being burgled.

(b) Where the crime committed is of a very personal nature, i.e., sexual assault, it may be difficult to obtain a police report. Likewise, some students may not wish to report the crime to the police. In such circumstances appropriate documentary evidence can be provided from a medical professional, counsellor or other professional body (i.e., sexual violence support service or the School's Student Advice and Wellbeing team).

A7 Exceptional financial or accommodation problems

(a) Many students may experience financial and accommodation problems as part of daily life. These circumstances will be considered on a case-by-case basis where they are significant and significantly disrupt a student's academic performance.

(b) Typical evidence may include a letter from a bank or other financial agency, or letters from landlords, halls of residence or housing support agencies.

A8 School IT problems

(a) Failures of equipment, including IT systems and computer viruses, will only be accepted when they occur SOAS-wide, nationally or internationally, and are verified by the IT helpdesk.

(b) Evidence required will be provided by the School's IT department.

(c) Routine computer issues such as viruses, corrupt files and printer problems are not acceptable as mitigating circumstances. We encourage students to take adequate precautions to reduce the potential impact of these problems such as backing up files.

A9 Exceptional work commitment (part-time students only)

(a) SOAS appreciates that some students work to finance their studies. It is a student's responsibility to evaluate whether they can comply with the requirements of their chosen course before enrolling at SOAS.

(b) Full-time students will not normally be eligible to claim for mitigating circumstances in relation to employment.

(c) Part-time students may submit a claim for mitigating circumstances if the work requirement is unexpected and/or non-negotiable and this prevents them from attending examinations or completing coursework by the published deadline. The student must provide documentary evidence from their employer confirming the work requirement and its duration.

A10 Death of a pet or assistance animal

(a) If a student's pet or emotional support animal dies at a time which causes undue stress affecting exam or assessment performance, then the student may apply for mitigating circumstances.

Significant supporting evidence of undue stress from a professional source is required.

(b) If a student's assistance animal dies at a time which causes undue stress affecting exam or assessment performance, the student can apply for mitigating circumstances. Evidence of the animal's status as an assistance animal from a recognised source must be provided. As evidence of undue stress, significant supporting evidence from a professional source is required.

A11 Other serious circumstances deemed acceptable

The list of mitigating circumstances is not exhaustive, and the School appreciates that other circumstances may arise which meet the criteria outlined in this policy. If in doubt, students should contact the Student Hub or the Students' Union for advice.

Valid From	Author	Changes	Published
2013/2014	Nick Page, Head of Registry	Mitigating Circumstances Code of Practice established for implementation in 2013/14	July 2013
2014/2015	Academic Registrar	annual update	September 2014
2015/2016	John Peck, Head of Registry and Quality	MC Policy updated and simplified. Approved by LTQC on 3 May 2015.	May 2015
2015/2016	Eva Peters, Curriculum & Regulations Officer	Update of section 4: Specific Learning Differences. Approved by LTQC on 27 April 2016.	April 2016
2018/2019	Eva Peters, Curriculum & Regulations Officer	Terminology updates in line with restructuring. Updated to reflect streamlined process. Approved by LTQC 03.05.2018.	July 2018
2020/2021	Harriet Chapman Deputy Curriculum, Assessment and Quality Assurance Manager	MC Policy updated to confirm the current working processes and add self-certification. Approved by TeLSOC 26.05.20	July 2020
2022/2023	Kirsten Johnson, Head of Student Experience, Engagement & Retention	MC Policy updated in line with new taught degree regulations and confirming current working processes. Approved by TeLSOC 20/07/22	October 2022
2023/2024	<i>Kirsten Johnson, Head of Student Experience, Engagement & Retention</i>	<i>Updated to reference new Support to Study and Fitness to Study policies, expand rules around self-certification and evidence and clarify common process questions.</i>	<i>September 2023</i>