# Open College of the ArtsMitigating Circumstances Policy

## Purpose, Principles and Scope

This policy provides a framework within which undergraduate and postgraduate students may submit a claim for mitigating circumstances in order to support requests for extensions to the maximum unit time, level timeframes or eligible assessment periods.

OCA defines mitigating circumstances as circumstances that are unforeseen and outside a student’s control and which prevent the student from completing their unit or level, or applying to and submitting for formal assessment, within the permitted timeframes.See: Academic Regulatory Framework, Section C, 2.4 Maximum period allowed for completion of levels and individual units.

We advise students to contact Learner Support at the time the circumstances occur, and submit the appropriate paperwork in advance of the relevant deadline. However, we appreciate that this is not always possible. In such circumstances we will accept retrospective applications, provided they are not outside of the course deadlines. Supporting evidence will be required as per the policy.

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| Under no circumstances may assessment marks or degree classifications awarded at undergraduate and postgraduate level be adjusted on the grounds of mitigating circumstances.Unless stated explicitly otherwise, extensions granted as a result of mitigating circumstances do not lead to any extension to the 12 year limit for completion of an undergraduate degree. Extensions in one component may therefore lead to reduced time to take others. |

## Grounds

In order for a mitigating circumstances claim to be accepted, the student must adequately demonstrate that the mitigating circumstances:

* were outside the student's control;
* were unforeseen and unforeseeable;
* were evidenced to be true;
* were relevant to the affected period/time-frame;
* either prevented the student from completing their assignments by the unit or level deadline, or applying for/submitting by the formal assessment deadline.

Examples of circumstances which may be accepted include, but are not limited to:

* personal illness/health
* illness of close relative or dependant
* bereavement
* sudden deterioration of a long-term condition
* loss of employment.

Examples of circumstances which will not normally be accepted include, but are not limited to:

* holiday/leisure travel
* house move / renovation
* employment commitments
* circumstances that occurred outside the period in question
* personal computer / printer problems
* poor study practice
* insufficient IT knowledge to engage with the course
* ignorance of due dates/ times for submission of assignments and/or work for assessment
* poor time management

Students with existing health conditions/disabilities are still expected to meet the above criteria. Reasonable adjustments and/or DSA (Disabled Students’ Allowance) support does not constitute grounds for mitigation.

Students who are planning to make an application under the Mitigating Circumstances policy are advised to speak informally - and if need be, confidentially - to the Learner Support team prior to completing the mitigating circumstances form. The form will require applicants not only to describe the mitigating circumstances which they believe should be taken into account but also to provide corroborative evidence.

**Evidence**

Evidence submitted in support of mitigating circumstances claims must be independent, third party evidence and include dates relevant to the affected period in question.

Evidence may include, but is not limited to:

* medical/health certificate confirming that the student is unable to study, and the period this relates to (ie from a GP, counsellor or other medical professional)
* death certificate/interim death certificate or other evidence
* an official document such as police report, including a police reference number, court summons or other legal document
* letter from a solicitor, social worker or other official agency

If evidence is in a foreign language, it is the student's responsibility to have it independently translated by an accredited translator, prior to submission.

## Submission and consideration of claims

Students should seek advice and guidance from the Learner Support team prior to submitting a claim.

Mitigating Circumstances claims must be submitted by completing the Mitigating Circumstances Form which can be requested from the Student Services team and should be returned, along with supporting evidence, to the Learner Support team.

The Learner Support team will review your application and supporting evidence to ensure it is complete. You will receive notification that we have received your completed claim. If the form is incomplete and/or we need further evidence, we will inform you in writing, giving you a deadline for providing the additional information.

If your extension request is for up to three months, this will be reviewed by the Learner Support Adviser, who will respond to your completed application within five working days. The Learner Support Adviser will consider your existing progress on the unit in making their decision and will determine what constitutes reasonable progress.

If your extension request is for more than three months, this will be reviewed by the Mitigating Circumstances panel. The Mitigating Circumstances panel will be the Director of Learning and Teaching (Chair), Programme Leader representative, Head of Quality & Academic Support and Head of Student Services. Quoracy will be three members of the panel including the panel chair.

The panel will meet once a month. Students will receive a response within 20 working days of their claim receipt.

If your mitigating circumstances are accepted, the panel will consider the time left available to you on your unit and your degree course, the assignments remaining, and the period claimed for.

Decisions of the Mitigating Circumstances Panel are final and may not be appealed.