

**Application for consideration of Mitigating Circumstances**

**PRIVACY STATEMENT**

**What data will we ask you for?**

In order for us to consider your application for mitigating circumstances, we need to collect some personal data, including:

* Your name;
* Your student identification number (SID);
* Details of evidence to support your application;
* Details of the reason for your application which may require you to disclose information about health, details of family issues or other sensitive information.

**Disclosure of data**

Any information you disclose will be treated as confidential.

It is your decision what information you disclose, but please note that not having some information may affect our consideration of your application.

By disclosing data relating to a 3rd party in order to evidence your Mitigating Circumstances application you are confirming that you have the consent of the 3rd party to do so.

Your data may also be disclosed:

* Where permitted under General Data Protection Regulation (GDPR) and any relevant Data Protection legislation, including to University staff or third parties where there is a need to know to protect your vital interests, or those of another person.

**How will we process the data?**

Your application will be seen by a small number of staff from your parent school for administration purposes. It will also be seen and considered by your parent school’s Mitigating Circumstances Committee (made up of a small number of staff) who will decide on its outcome.

Decisions made by the Mitigating Circumstances Committee must be ratified by the parent school’s Board of Examiners, at which both school administrative and academic staff and External Examiners are present. Minimal personal data is shared with the Board of Examiners for ratification purposes and is not circulated outside the meeting.

Once the Board of Examiners has ratified the decisions, these will be shared with a small number of staff in order to enact the decisions and/or to support your studies.

We will also collect data anonymously relating to Mitigating Circumstances to inform the development of University policies.

**How will we store the data?**

Data will be stored securely and treated confidentially. Once your application for mitigating circumstances has been concluded, your data will be retained in accordance with the University’s Retention schedule <http://www.leeds.ac.uk/secretariat/documents/retention_policies.pdf>

**Legal bases for processing your personal data**

The right to submit mitigating circumstances for consideration forms part of your contract with the University. As outlined in the Student Privacy Notice (<http://www.leeds.ac.uk/secretariat/documents/student_privacy_notice.pdf>), in order for the University to fulfil its contractual obligation and to pursue it legitimate interests, we must be able to process your personal data in the ways described in this notice.

**Concerns and contact details**

If you have any concerns with regard to the way your personal data is being processed or have a query with regard to this Notice please contact XXX in the first instance, or the University's Data Protection Officer, David Wardle at d.wardle@adm.leeds.ac.uk .

Support for students who are experiencing difficulties, and assistance with completing your mitigating circumstances case, can be obtained from Student Education Service staff within your parent school, who you are advised to approach in the first instance or Leeds University Union <https://www.luu.org.uk/helpandadvice/browse/>.

This form should be used by all taught undergraduate and postgraduate students to submit mitigating circumstances claims for consideration by their parent school (including modules studied outside the parent school). The completed form and supporting evidence should be submitted to the Student Education Service in your Parent School**.**

**PLEASE REFER TO THE MITIGATING CIRCUMSTANCES GUIDANCE SUMMARY BELOW BEFORE COMPLETING THIS FORM.**



**Application for consideration of Mitigating Circumstances**

**The deadline for submission of mitigating circumstances applications can be obtained from the Student Education Service within your Parent School.**

**Section 1: Student details**

|  |  |  |  |
| --- | --- | --- | --- |
| Family name |  | Student number (SID) |  |
| First name |  | Year of study  |  |
| Degree programme |  | Parent School |  |
| University email address |  |
| If you are currently away from the University of Leeds on a Study Year Abroad or Placement Year (or Semester) please give details here: |

**Section 2: Modules affected**

Please list below details of all the assessments which have been affected by the circumstances you are reporting.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Module Code | Module Title | State which element of assessment was affected (e.g. in class test/group work/presentation/exam/practical/coursework) | Date of test/ presentation/exam/ practical/submission deadline date | Absent from exam or not submitted assessed work? (please state YES or NO) | Penalties incurred for late submission (please state YES or NO) | Request *(insertrelevantcode – see Section 3below)* |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

**Section 3: Request**

Please indicate for each module affected the nature of your request – select the relevant code from the list below. **You should be aware that the final decision as to how to treat your mitigating circumstances lies with the Board of Examiners and may be different to what you have requested.**

***NB*** The University does **NOT** change module marks because of mitigating circumstances - see the Mitigating Circumstances Guidance below for an explanation of possible outcomes.

|  |  |
| --- | --- |
| A | Further attempt (first attempt or resit attempt for capped mark)  |
| B | Coursework submission deadline extension (see Mitigating Circumstances Guidance for further information relating to extension requests for your School as there may be a separate process) |
| C | Removal of penalties |
| D | Other (please state) |

**Section 4: Details of your circumstances**

Please describe the nature of your circumstances, including the following information:

* A brief summary of your illness/circumstances
* How this has affected you
* How your academic performance has been impaired
* When the circumstances occurred, relating specifically to the assessments listed above
* If you are submitting your claim after the published deadline, you should provide an explanation as to why your case is late

|  |
| --- |
| (Continue on a separate sheet if necessary) |
| Please state the dates between which you have been affected by the circumstances set out above | From:To: | If your circumstances are ongoing please tick here and indicate a from date in the previous box |  |

**Section 5: Supporting evidence**

All submitted mitigating circumstances claims must normally be supported by independent documentary evidence. Please indicate below the type of evidence you are providing. If you are unable to provide evidence, please explain why. Information on acceptable forms of supporting evidence can be found in the detailed Mitigating Circumstances Guidance at <http://students.leeds.ac.uk/info/10111/examinations_and_assessment/860/mitigating_circumstances>

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Type of evidence** | **Further details** | **Tick all that apply** |
| 1. | Medical note/letter |  |  |
| 2. | Corroborating statement | Who this is from and what is their relationship to you? |  |
| 3. | Bereavement evidence | A death certificate is not a requirement but can be used as a form of evidence. Please see Mitigating Circumstances Guidance for details of suitable evidence.  |  |
| 4. | Official correspondence |  |  |
| 5. | Police report/crime number | A crime number can be used as an interim measure but you may be required to provide a copy of the police report as well. |  |
| 6. | Other | Please give details of what other evidence you are supplying and why it is relevant. |  |
| 7. | Unable to provide evidence | Please briefly explain why: |  |

If you are not submitting your evidence at the same time as your application form, please indicate above when you expect to be able to provide it. Please note that the outcome of your case cannot be confirmed until your evidence is submitted.

|  |  |
| --- | --- |
| All claims are treated in the strictest of confidence. However, if you wish your evidence to be seen **only** by the Chair of the School Special Cases Committee, please enclose it in a sealed envelope clearly marked with your name and SID number and tick this box. Please read the information in the Mitigating Circumstances Guidance concerning confidentiality. |  |
| **Study Abroad:** If your degree programme involves a period of residence/study abroad, it is extremely important that you give us any information that may affect this, and which may affect the support you require. Please tick this box if you agree to disclose this information to the Study Abroad team. |  |

**Section 6: Checklist**

Before you submit your application form, check that you have completed the following:

□ I have read and understood the ***Mitigating Circumstances Guidance: Summary*** below.

□ I have completed all personal details including my student ID number, name, programme and year of study.

□ I have listed all modules affected by my circumstances including module code and title and type of assessment.

□ I have set out details of the mitigating circumstances I wish to be considered and the relevant dates.

□ I have attached the supporting independent documentary evidence, or explained why this is not possible.

□ I have taken a copy of my form and evidence to keep for my records.

**Section 7: Declaration**

I confirm that the information provided on this form is honest and accurate to the best of my knowledge and that I have read and understood the Mitigating Circumstances Guidance provided. I understand that if I seek to gain advantage or benefit by providing false or misleading information I will be subject to disciplinary action under the General University Disciplinary Regulations which can be found on the Student Cases Team website: <http://www.leeds.ac.uk/secretariat/documents/gudr_current.pdf>

|  |  |
| --- | --- |
| Signed:Alternatively, you may type your name in this box and submit this form as an attachment from your University email account.  | Date: |

Completed forms should be submitted to The Student Education Service within your Parent School.

**For Office Use Only**

|  |  |
| --- | --- |
| Date form received: | Confirmation of receipt emailed to student: Yes/NoDate: |
| Evidence attached to the form? | Yes/No |
| Decision: | Student informed of outcome: Yes/No |

**Mitigating Circumstances Guidance: Summary
(Taught Undergraduate and Postgraduate Students)**

**Before you begin to complete your application form for Mitigating Circumstances you are strongly advised to read through the full Guidance document which gives greater detail and provides answers to Frequently Asked Questions (FAQs):** <http://students.leeds.ac.uk/info/10111/examinations_and_assessment/860/mitigating_circumstances>

General Information

The University recognises that, during the course of their studies, students may be affected by illness and/or difficult and distressing events that are outside their control, but may affect their studies. Whilst it is the case that students should expect such events may take place, and make every effort to manage their lives and studies in conjunction with such events, it is also understood that students may need support in order to do so. To this end, the University has in place a number of mechanisms and services dedicated to providing that help.

Should such circumstances begin to affect a student’s ability to participate in their studies, it is the student’s responsibility to let their parent School know as soon as possible. There is a great deal of support available across the University, and schools are best placed to provide advice regarding who to contact, and how. The University accepts that mitigating circumstances don’t just affect coursework or examinations, which is why it is important to let parent schools know of any issues, at any stage, and as early as possible.

The guidance focuses on mitigating circumstances claims, and clarifies the types of adverse events or circumstances that the University will consider as a mitigating circumstance, and to set out the process by which requests are to be submitted and considered.

Should students be unclear about any stage of the process, they can ask their parent School for help. Alternatively, guidance can also be sought from the Leeds University Union Student Advice Centre.

Who can I speak to about my mitigating circumstances?

Support for students who are experiencing difficulties, and assistance with completing your mitigating circumstances case, can be obtained from Student Education Service staff within your parent school, who you are advised to approach in the first instance or Leeds University Union <https://www.luu.org.uk/helpandadvice/browse/>.

What are mitigating circumstances?

Mitigating circumstances are normally exceptional, unforeseen and unpreventable events that have had a significantly disruptive effect on a student’s ability to study. These events are over and above the course of everyday life, and normally outside of the student’s control, and may affect a student’s ability to attend lectures, prepare for seminars, complete coursework, revise for and attend examinations, or any other aspect of their degree.

Mitigating Circumstances must be:

* Significant: The event or circumstances must have had a serious impact on a student’s studies.
* Unexpected: The student must normally have had no prior knowledge that a particular event or circumstance would occur.
* Unpreventable: There must have been no reasonable steps that the student could have taken to prevent the event or circumstance from occurring.
* Relevant: The student must be able to link the event or circumstance, and its impact, on the period for which the claim is being made.
* Corroborated: A request for mitigating circumstances must meet the normal requirements for independent documentary evidence (see Guidance on Evidence below).

Not all difficult or distressing events will constitute mitigating circumstances; there must be a demonstrable adverse effect on an individual’s academic performance, which may take a number of forms:

* The student has been unable to submit work by a deadline date or attend a presentation date, test or examination.
* The event or circumstance may have caused the student to underperform in an assessment, either in the preparation for the assessment, or on the day (i.e. the circumstance affected the student whilst completing a piece of coursework or undertaking revision and/or sitting an examination).
* The event or circumstances impacted on the student’s ability to prepare for and attend lectures, even if they were not absent, their ability to prepare for or attend seminars, participate in fieldwork, or any other aspect of their studies.

Examples of what would normally be accepted (with evidence):

* The death of someone you are close to.
* Serious personal illness or personal injury, or a significant change or deterioration in a long-term condition.
* Victim of crime.
* Involvement in a criminal case/witness.
* Failure in the provision of reasonable adjustments, or failure in, or inaccessibility of, school provided equipment.

Examples of circumstances that might be considered (with evidence):

* Personal problems/trauma/family crisis/domestic issues/unexpected issues with childcare provision.
* Illness of a close family member.
* Planned medical operation (if advance notice is provided).
* Planned hospital tests (if advance notice is provided).
* Unforeseen accommodation issues, outside of the student’s control (this would not include house moves caused due to the end of a lease).

This list is not exhaustive, and each case will be considered on its own merit.

What are *not* mitigating circumstances?

Not every event which a student believes has disrupted their ability to study will be considered as mitigating circumstances by the University. An unexpected event or illness does not automatically lead to poor academic performance. Students are expected to manage circumstances in their lives in conjunction with their studies, where feasible. If you are unsure as to whether you have a claim, please seek guidance from your parent school. Examples of situations which would *not* normally be considered mitigating circumstances include:

* Short-term minor ailments (coughs, colds etc.) even when supported by medical evidence (these should be covered by an application for an extension to a coursework deadline).
* Late submission of coursework without good reason (or where the student could reasonably have been expected to request an extension).
* Pressures of academic work (i.e. conflicting deadlines, poor time management, non-availability of books and other resources).
* Lost or not backed-up coursework, or other computer failure.
* Financial problems, even if this is a change of circumstances (other than cases of extreme hardship).
* Domestic events such as house moves, family celebrations, holidays, weddings or other such events where the student has control over the date or can choose not to attend,
* Normal academic work commitments.
* Appointments which could be rearranged (or advance notification given to the School).
* Long-standing health conditions, of which the student was aware prior to starting their programme. Students are encouraged to raise any long-term health issues which may affect their studies with the University in order that tailored support can be put in place for them (*see Long-term circumstances below*).
* Mistaking a deadline, misreading the examination timetable or submitting the wrong assignment in error.
* Transport difficulties (i.e. strikes, traffic jams, delayed trains).
* Illness for which no contemporaneous evidence is available (i.e. evidence which demonstrates you sought medical advice or intervention at the time of the illness);
* Pregnancy. You should determine whether you believe you will be fit to study and undertake assessment around your expected due date. If you wish to defer your studies, you should apply to suspend study temporarily. Claims for unexpected difficulties, impact of unplanned pregnancy, or health issues may be considered, if supported by appropriate evidence.
* Examination nerves, feeling generally anxious, suffering from low mood, stress or panic attacks where there is no medical evidence to support this.
* Ignorance of the regulations or examination or assessment arrangements.

**This list is not exhaustive, and each case will be considered on its own merit.**

Long-term circumstances

Disabilities or health conditions which were diagnosed prior to the start of your programme are not normally considered grounds for mitigating circumstances. It is recommended that disabled students and those with long-term and ongoing conditions seek support from Disability Services, who will be able to advise further on support and reasonable adjustments.

Disabled students and those with long-term conditions who experience mitigating circumstances unrelated to their disability or health condition should follow the usual mitigating circumstances procedure to bring these issues to the attention of the University.

It is acknowledged that, on occasion, disabled students and those with long-term health issues who are being supported by Disability Services will experience changes in their circumstances which affect their ability to study to an extent that adjustments put in place for them are not sufficient, or cannot fully mitigate the impact of disability. Where a student experiences such a change, they are strongly encouraged to contact Disability Services for advice and further support, but a request for mitigation should also be considered. Students will be required to provide evidence to support such claims, however.

Students who have requested reasonable adjustments and find that they have not been effective, or have not been put in place in time (particularly at the start of the year), can also submit a request for mitigating circumstances where such issues have affected their studies. It is accepted that, sometimes, it will take time to get the right support in place, for example in terms of examinations, and students should feel able to bring this to the attention of the School when it has affected their performance.

How do I apply for mitigating circumstances?

All mitigating circumstances claims should be submitted to your parent school, even if the module you are claiming for is taken in a different school. Your parent school is responsible for assessing the evidence and making a decision, even though that decision may relate to modules taken elsewhere.

Students must bear in mind that an application for mitigating circumstances, if successful, will usually result in the original assessment being permanently removed from their record, and a fresh attempt, for an uncapped mark, offered instead. Work cannot be marked (or re­marked) ‘taking into consideration mitigating circumstances’, and your existing mark will not be changed in the event of a successful application.

*Please do not wait until you receive your results to submit an application. Retrospective applications for mitigating circumstances from students who wait until they have received their marks will not normally be accepted. Applications for mitigation should be received prior to the Examination Board, and students wishing to bring matters to the attention of the School after their marks have been confirmed will need to do so via the Academic Appeals procedure.*

Where can I get a mitigating circumstances application form?

You can obtain an application form for consideration of mitigating circumstances from your parent school.

What types of request can I make?

There are four types of request that you can make:

1. **Further attempt**. This applies to a first attempt re-sit (uncapped mark) or a further re-sit

attempt (capped mark). For example, if you missed the original attempt at your assessment, you may be granted a first attempt re-sit. If you missed a second re-sit attempt at your assessment you may be granted a further resit attempt.

1. **Further coursework submission deadline extension**. You should only select this option as a mitigating circumstance if you are requesting an extension for a period of time which is longer than can be granted through the normal extension request process in your School.
2. **Remove penalties**. This should be selected if you are requesting that a late submission penalty be waived.
3. **Other** (please state). This should be selected if you are making a request not covered in the categories above. You need to explain what you are asking for and why.

Guidance on Evidence

Applications for mitigating circumstances will not normally be considered unless they are supported by independent documentary evidence. Applications will not be confirmed until this evidence has been received (applications can be submitted without this evidence, but relevant documents must be submitted within 5 working days of the form where possible).

What are the possible outcomes of my application?

Module marks must always reflect the actual academic performance in the assessments that you take. The School therefore does not change module marks because of mitigating circumstances, or take them into consideration when marking your work.

There are a number of possible decisions that the Special Cases Committee may make when considering your case, set out below. This list is not exhaustive, and recommendations are made on a case-by-case basis.

1. Further attempt - first attempt re-sit. If the assessment you failed or missed was the original attempt or had previously been granted as a first attempt re-sit, then the Committee may grant you a further ‘first attempt’ for an uncapped mark. In this circumstance your original mark would be permanently removed from your record and overwritten by the mark you receive for the fresh attempt whether it was higher or lower than the original attempt.
2. Further attempt - resit attempt. If the assessment you failed or missed was a resit, the Committee may grant you an exceptional ‘extra’ resit attempt for a capped mark.
3. Coursework submission deadline extension for a period of time which is longer than can be granted through the normal extension request process in your School/Faculty.
4. Remove penalties for late submission.
5. To set an alternative or replacement assessment component or combination of components (any alternative will be approved by the Pro Dean for Student Education or University Special Cases Committee in advance).
6. To give you the opportunity to re-take all or part of the year, with first attempts or resit attempts at assessments, including attending teaching.
7. Not to grant any concessions or take any action in relation to your application.

NB: Where you have been granted a first or further attempt following an application for mitigating circumstances, any attempts must be taken at the next available opportunity (or within the timeframe agreed with the School). It will not be open to you to decline the offer of a further attempt (whether a first attempt resit or otherwise) following a successful application for mitigating circumstances, and then ask for that attempt to be restored at a later date.

**How will I be told the outcome of my application?**Your School will contact you to inform you of the outcome of your application.