

Guidance Notes :
Mitigating Circumstances Form

Session 2009 - 2010

It is essential that students read these Guidance Notes before completing and submitting a mitigating circumstances claim.

Copies of the Mitigating Circumstances Form can be found at www.uws.ac.uk/students.index.asp.

This document is available in alternative formats from Student Administration Services offices and Faculty / School Offices on each campus and can also be found at www.uws.ac.uk/students/index.asp.

The Mitigation Process

1. Introduction

- i. The University recognises that, as a result of very exceptional personal circumstances, students may be unable to complete assignments or to attend examinations, or be unable to do themselves justice in assessed assignments or exams. The Mitigation Process has been developed to ensure that as far as is reasonably possible, these students are not disadvantaged.
- ii. Mitigating circumstances are defined as adverse circumstances which have led to non-attendance at, non-submission of or impaired performance in one or more assessments.
- iii. Where you believe your performance on an assessment has been adversely affected by mitigating circumstances, such as an illness, then you can make a claim which will be considered by the Faculty's Mitigation Panel. These Guidance Notes explain the procedures associated with making a claim.
- iv. The University aims to ensure that any information that you provide as part of your claim will be treated sensitively and confidentially, and handled in accordance with the University's Data Protection Policy (www.uws.ac.uk/schooldepts/foi/access_to_information.asp).

2. The Mitigation Panel

1. What is the Mitigation Panel ?

- i. The Mitigation Panel is a Faculty-based committee comprised of Heads of School. A single committee within the Faculty considers claims from students across all the campuses and all programmes, to ensure that students are treated fairly and consistently irrespective of which programme of study they are taking or the campus at which they are studying.

2. When does it meet ?

- ii. It meets at the end of each Trimester to consider the mitigation claims associated with assessments undertaken in that trimester. As the dates of the meetings are set in the University calendar, it is essential that the deadline for the submission of claims is adhered to, as otherwise the claims will not be considered by the Mitigation Panel.

The dates for Session 2009 -10 are shown below.

	Deadline for submission of claim	Date of meeting of Mitigation Panel
Trimester 1	12 noon on Wednesday 27 th January 2010	Monday 1 st February 2010
Trimester 2	12 noon on Wednesday 26 th May 2010	Monday 31 st May 2010
Trimester 3 / Resit diet	12 noon on Tuesday 24 th August 2010	Monday 30 th August 2010

3. Mitigation Claims

1. Under what circumstance would I make a claim ?

- i. You may make a claim when you believe that there are mitigating circumstances which have adversely affected your attendance at an examination, or the submission of a coursework.
- ii. You should note that any false or fraudulent claims may lead to the University to invoke its Disciplinary Procedures.

2. What are reasonable grounds for claiming mitigation?

- i. It is not possible to give examples of every reasonable ground for mitigation, but these would include serious personal illness and other seriously adverse personal circumstances which have put you under stress; for example, the death of a close family member, or where you have been the victim of a serious crime.
- ii. The circumstances are only acceptable if it can be demonstrated that they occurred at the time of the assessment or in the period leading up to the assessment.

3. Under what circumstances do I not make a claim ?

- i. Please note the mitigation process does **NOT** affect the following:
 - Requests for extensions to assignment deadlines or for other resit opportunities that fall within the normal timeframe of the module (usually one whole trimester). These should continue to be submitted directly to the relevant module coordinator or other named person in your School.

- Information on personal and medical circumstances that entail absence from classes. These should also continue to be submitted to those nominated in your School or programme of study.

- ii. The form should not be completed if you are applying for an extension to a deadline for an in-course assignment where the sought extension would fall within the normal trimester period. In such circumstances the appropriate course of action is to discuss your request with the module co-ordinator.

- iii. The University's Attendance and Engagement Policy requires students to inform the University of any period of absence during the trimester. Notification of absence does not in itself constitute an application for mitigating circumstances and students are expected to use the absence notification procedure at the time of their absence. Faculty Mitigation Panels may take a School's absence notification records into consideration in arriving at its decisions.

Further details of the Student Attendance and Engagement Policy can be obtained from School or Faculty Offices.

- iv. Specifically you do not have valid grounds on which to make a case where you:
 - Consider the marks given to your work to be too low.
 - Did not understand or were unaware of the module or programme regulations.
 - Misread the published examination timetable or School instructions for the submission of coursework.
 - Lost work because of a technical or other failure.
 - Were late due to missed or late public or private transport.
 - Suffered from a minor ailment.
 - Have special needs or disabilities which have been appropriately provided for in the arrangements for delivery and/or assessment of the programme.
 - Refer to a problem for which full account was previously taken by the module co-ordinator or a tutor, for example by the extension of a deadline for a submission, unless the problem persists beyond the granting of the extension.

- v. Claims for Mitigation will not be deemed valid if :
 - The mitigation form is incomplete and as a result cannot be processed.

- The claim is submitted after the cut-off date
- The claim is not accompanied by supporting evidence

4. How do I make a claim ?

- To make such a claim you should complete and submit a Mitigating Circumstances Form. The forms are available from Student Administration Services offices and the Faculty / School offices on each campus, and from the University website at www.uws.ac.uk/students/index.asp.
- You also have to provide third-party evidence, such as a medical certificate, to support your claim. Guidance on the type of evidence is given below.
- It is the responsibility of the student making the claim to submit the Mitigating Circumstances Form together with appropriate third party evidence.

5. What do I attach as supporting documentation?

- All claims must be accompanied by appropriate, objective evidence, signed by an appropriate third party. Forms submitted without supporting evidence will not be considered by the Mitigation Panel.
- If your mitigation claim is based on a medical condition, or if personal circumstances have put you under stress, then we recommend that you consult a Doctor. You should then submit a letter or medical certificate from your Doctor to confirm the condition or the stress that the circumstances have caused you. Self certificates are not accepted. The period covered by the certificate is important and must refer directly to the dates of the assessment(s) for which you are claiming mitigation.
- It is not appropriate to submit uncorroborated statements from tutors or other people whose only knowledge of your condition or circumstance is through you informing them of it.
- If you have been attending the Counselling Service for support regarding your personal circumstances, you can ask your counsellor for supporting evidence. The Counselling Service is part of Student Services, and can be contacted as follows: Ayr - phone 01292 886 267; Dumfries - phone 01387 734 279; Hamilton on 01698 894 448; Paisley - 0141 848 3803.

- v. If the supporting evidence is not in English, it is your responsibility to provide an approved, signed translation.

6. When and where do I submit my claim ?

- i. You are strongly advised to submit the completed form (with supporting documentation as appropriate) as close as possible to the date at which the mitigating circumstances occurred, and not wait until the final cut-off date for submission.
- ii. The completed form with any supporting documentation should be submitted to Student Administration Services offices on any campus, or sent by post to The Student Records Office, Paisley campus, University of the West of Scotland, Paisley, PA1 2BE. Submitted mitigation forms are time and date stamped on receipt - this date constitutes the date of submission.
- iii. You must indicate on the form the modules codes and dates of the assessments for which you are claiming mitigation and the module title and code. Failure to do so will result in the Mitigation Panel being unable to consider your claim.

7. What happens if my claim is submitted after the cut-off date ?

- i. Mitigation claims which are submitted after the cut-off date will not be considered by the Mitigation Panel. Any documentation relating to a late claim will be returned to the student.
- ii. Exceptionally, the presentation of mitigating circumstances which have not previously been notified to the Faculty Mitigation Panel may form the basis of an Appeal (Regulation 13.5.2). This is only in exceptional circumstances. If you think that this applies to you, you are advised to consult the Appeals Procedures, copies of which can be obtained from the Student Administration Services offices on each campus, and from the University website at www.uws.ac.uk/students/index.asp.

8. What are the possible outcomes of the Mitigation Panel ?

There are only two outcomes from the Mitigation Panel.

Case Accepted

Where the Mitigation Panel concludes that there were mitigating circumstances which affected your performance, then it will inform the appropriate Subject Panel.

Although Subject Panels are not able to change your marks for assessments affected by mitigating circumstances, they are able to

make a decision on whether you successfully passed the modules you have undertaken, even if they were affected by mitigating circumstances.

Should the Subject Panel decide that your mitigation claim has been accepted, it will award you a further attempt at the affected assessment at the next available opportunity as if for the first time (or, if the assessment is a first or second re-assessment, as if for the second or third time, respectively).

Results will be issued in the usual way and no reference to mitigation will be made in the publication of module marks and grades.

Accepted claims will not result in a higher mark being awarded .

ii. Case Rejected

If your claim is unsuccessful, you will receive notification informing you of this fact. You will also receive brief feedback on why your claim was rejected (shown on page 3 of the Mitigating Circumstances form).

9. Guidance and Advice

- i. If you require assistance in confidence in deciding whether it is appropriate to complete the form, or on how to complete the form, please contact the Students' Association (www.sauws.org.uk) or a Student Advisor in Student Services. Student Services can be contacted as follows : Ayr on 01292 886267; Dumfries on 01387 734279 or e-mail studentservices-dumfries@uws.ac.uk ; Hamilton on 01698 894448 or e-mail studentservices@uws.ac.uk ; Paisley on 0141 848 3803 or e-mail funding.advicepaisley@uws.ac.uk .

10. When will I hear the outcome of the Mitigation Panel ?

- i. After the Mitigation Panel has met you will be informed of the result of your claim(s) by the Faculty Office usually within two weeks of the panel meeting.
- ii. A copy of your Mitigating Circumstances form will be returned to you with the decision(s) noted on the form.

11. Can I appeal against the decision of the Mitigation Panel ?

- i. No, you cannot appeal directly against the outcome of the Mitigation Panel. The outcome of the Mitigation Panel will be taken into account in the decision of the Subject Panel and students have the right of appeal against the decision of the Subject Panel.

- ii. In submitting an appeal, a student would usually require to have additional information which had not previously been submitted to the Mitigation Panel and have good cause as to why this information had not been made available to the Mitigation Panel.
- iii. Copies of the Appeals Regulations can be obtained from the Student Administration Services offices on each campus. The Regulations can also be accessed at : www.uws.ac.uk/students/index.asp.

3. Overview of Mitigation Process

A diagram showing the mitigation process is outlined overleaf.

Overview of Mitigation Process

