



Hull York Medical School

Policy on Mitigating Circumstances

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To obtain this Code of Practice in an alternative format:

Contact the HYMS Governance Coordinator.

Student queries

Please see the HYMS Student Support webpage for more information:
<http://www.hyms.ac.uk/undergraduate/for-current-students/student-support>

If you have any queries regarding this Policy, please contact Student Support Office (student.support@hyms.ac.uk) or Postgraduate Office (postgraduate@hyms.ac.uk).

Definitions

The following terms will apply throughout this Policy:

Mitigating circumstances:	are defined as problems that students have encountered which go beyond the normal difficulties experienced in life and that have affected their academic performance adversely during the assessment period for which they are claiming.
Assessment:	refers specifically to summative assessment which is a requirement for academic progression at programme level. There is a wide range of assessment types such as written essays, examinations, presentations, and practicals.
Affected assessment:	is defined as one where the outcome is likely to have been affected by relevant mitigating circumstances for which acceptable evidence has been provided. The assessment may have been missed or failed or passed.
Day:	means a calendar day.
Students:	mean all students studying a HYMS programme.

Abbreviations

HYMS	Hull York Medical School
MB BS	Bachelor of Medicine, Bachelor of Surgery
Mitigating Circumstances Sub-Committee	MCC
QAA	Quality Assurance Agency

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I. Introduction

- 1.1. HYMS Mitigating Circumstances Policy is largely adopted from the University of York Mitigating Circumstances Procedure. HYMS aligns its key policies with one of our parent Universities to avoid duplication and to ensure that we consistently meet the standard set out in the QAA Quality Code for Higher Education. Adjustments to the University of York Mitigating Circumstances Procedure are made to ensure that this Policy meets the specific requirements of academic programmes and governance processes in HYMS.
- 1.2. HYMS promotes valid submission of mitigating circumstances as a proactive student support process enabling students to successfully complete their programmes. The School strives to provide sufficient guidance and support to students in submitting mitigating circumstances and evidence. However, as future doctors and educated citizens, students should take responsibility for their own submission of mitigating circumstances and for proactively seeking academic and pastoral support at the earliest opportunity when they have encountered problems during their studies.

2. Principles underlying the Mitigating Circumstances Policy

2.1. Where assessments are affected by mitigating circumstances, the normal timescale for completion of the programme should be adhered to as far as possible.

- 2.1.1. This principle applies to situations where assessments have been affected by mitigating circumstances rather than to situations where attendance/receipt of teaching has been affected.

- 2.1.2. Where a student has not received teaching or met attendance requirements as a result of mitigating circumstances, leave of absence/repeat study, which will extend the normal length of the programme, might be needed.
- 2.2. Mitigating circumstances should normally be considered and any action decided and applied before the end of the stage of the programme during which they occur.**
- 2.2.1. Consideration of mitigating circumstances should take place throughout the academic year to ensure that students receive the outcomes of their submission in a timely fashion.
- 2.2.2. As far as possible, approval of arrangements to alter the deadline for completion of summative assessment (whether coursework submission or formal examination) must be made in advance of the deadline.
- 2.3. Approval of recommendations from Mitigating Circumstances Sub-Committee (MCC) should be at Board-of-Examiners level.**
- 2.4. The external examiner must not be involved in the mitigating circumstances procedure.**
- 2.5. The usual means of compensating for mitigating circumstances affecting an assessment should be the opportunity to take the assessment ‘as if for the first time/attempt’, and for re-assessment, ‘as if for the second time/attempt’.**
- 2.6. The opportunity of taking the assessment ‘as if for the first time’ should apply at all stages including the final year.**
- 2.7. Where a student is taking an assessment ‘as if for the first time’, the new mark will stand.**
- 2.7.1. Students are permitted to decline the opportunity for a sit ‘as if for the first time’, and in such cases the original mark will stand.
- 2.7.2. Students should not be deterred from submitting valid mitigating circumstances because they fear that doing so may require them to take the assessment again, particularly if they passed the original assessment in spite of their circumstances.
- 2.7.3. Students should be made aware of their original mark, if available, at the time being offered a ‘sit as if for the first time’ as an outcome of submission of mitigating circumstances.
- 2.7.4. Students will not be able to choose between marks gained at the first and second attempt. The original mark will become void when the second attempt takes place.
- 2.7.5. HYMS will set a date by which students must inform HYMS of their decision to accept or decline the sit(s) ‘as if for the first time’.
- 2.8. Consideration of mitigating circumstances with a view to promote to a higher class of degree (e.g. MB BS with Honours or distinction in a taught MSc) will not**

be accepted. Mitigating circumstances will have received consideration throughout the programme so should not be re-visited at the end.

- 2.8.1. In exceptional cases a recommendation for a higher class of degree can be made to the Board of Studies. Such a recommendation might be appropriate where it has not been possible for mitigating circumstances to be submitted and considered before the end of the stage of the programme during which they occurred.
- 2.8.2. It is not expected, however, that the award of a higher class of degree would be recommended without full and formal consideration of the individual circumstances of any such case.

Example: A student is diagnosed with a disability which is of an ongoing nature, e.g. dyslexia, in the final year. Adjustments are made for that academic year and an improvement in academic performance is noted. Assessments in previous years when no adjustments were made are likely to have been affected by the disability but will not be considered to promote a higher class of degree.

2.9. Mitigating circumstances should not be considered by the MCC without completion of HYMS standard form and provision of satisfactory evidence.

2.10. Consideration of mitigating circumstances must always take place prior to consideration of the assessment result by the Board of Examiners.

- 2.10.1. If the MCC has been notified of mitigating circumstances at the appropriate time but evidence has not been supplied, it may make a decision as 'pending' if the following conditions are met:
- a. The student has stated the nature of the evidence;
 - b. The student has stated why it is not currently available and the MCC accepts the reason(s);
 - c. The student has stated when the evidence will be available;
 - d. The evidence is subsequently submitted as stated.

Example: A student has an accident close to the time of assessment and medical evidence has been requested but not supplied by the doctor in time for MCC consideration.

- 2.10.2. In such cases the MCC will need to reconvene when the evidence is available in order to review their decision. If the evidence does not support the student's claim, the sit 'as if for the first time' will become a re-sit. If the claim applies to a re-sit, no further attempts will be permitted. If the student has passed the assessment, the pass mark stands.
- 2.10.3. Where there is evidence that was not brought to the attention of the MCC, at the time of their decision, that would have led them to a different decision on the student's mitigating circumstances, and there is good reason why the evidence was not presented at the appropriate time, the student must follow the procedure set out in HYMS Code of Practice on Academic and Fitness to Practise Appeals.

2.11. HYMS Policy on Mitigating Circumstances and Code of Practice on Academic Integrity and Conduct

- 2.11.1. Circumstances which might be acceptable as mitigating under this policy will not normally be acceptable as mitigating circumstances against the award of penalties in relation to academic misconduct. For the definition of mitigating circumstances with respect to academic misconduct, please refer to HYMS Code of Practice on Academic Integrity and Conduct.

Example: The death of a close relative is a mitigating circumstance against the award of a particular mark for a summative assessment, since the death adversely affected the student's performance on the assessment for which that mark was awarded, but this death is not a mitigating circumstance against the award of penalties for having committed academic misconduct on an assessment.

2.12. HYMS Mitigating Circumstances Policy should be applied in accordance with HYMS Equal Opportunities Policy for HYMS Students.

3. Students with disabilities, long-term medical condition, or specific learning difficulties

- 3.1. Where a student has a disability, long-term medical condition, or specific learning difficulties, they are responsible for seeking support from HYMS Student Support Office and University Disability Services to ensure that any reasonable adjustments may be made to assessment arrangement. If reasonable adjustments are in place, that disability, long-term medical condition, and specific learning difficulties are not regarded as mitigating circumstances.
- 3.2. Consideration of disability, long-term medical condition, or specific learning difficulties as mitigating circumstances **may** be appropriate for periods of programme during which reasonable adjustments were not in place either because of late diagnosis or delays in receiving support, or where such arrangements have broken down. The MCC shall consider issues of timing and responsibility in such cases. Students who present mitigating circumstances on the basis of such delays would be expected to produce evidence of the reasons for the delay.
- 3.3. Consideration of disability, long-term medical condition, or specific learning difficulties as mitigating circumstances **may** be appropriate where evidence is provided that an abnormal or unforeseeable temporary change or increase in severity has occurred in the disability, long-term medical condition, and specific learning difficulties. The MCC shall consider whether the student had the experience or time to manage the situation.

Example: A student has been coping with a long-term medical condition for more than one year (e.g. irritable bowel syndrome) and making satisfactory academic progress in second year of study. However, near the period of the Year 3 end-of-year examination, the condition worsens and affects the student's ability to prepare the exam. The student should be encouraged to submit a claim for mitigating circumstances providing medical evidence.

4. Procedure

- 4.1. Mitigating circumstances must be considered by the HYMS Mitigating Circumstances Sub-Committee (MCC) which is a sub-committee of and accountable to the MB BS Board of Examiners, Intercollegiate Board of Examiners, and Postgraduate Board of Examiners. All Boards of Examiners are ultimately accountable to the Board of Studies.
- 4.2. The Terms of Reference and Membership of the MCC require approval by the Board of Studies. The MCC must consist of five members selected by the Chair of the Board of Studies in consultation with the Dean of HYMS. The quorum for meetings of the MCC is three, and an MCC meeting must not take place unless it is quorate. The term of office for members of the MCC should normally be three years. In exceptional circumstances, the Chair of the Board of Studies in consultation with the Dean of HYMS can extend the period of office for a member to four years.
- 4.3. The MCC must operate in accordance with its Terms of Reference.
- 4.4. The MCC meetings should be serviced by the Secretary of MCC, and all decisions must be recorded.
- 4.5. In cases where a formal complaint has been lodged against a member of the MCC by a student making a claim of mitigating circumstances, or there is an evidenced conflict of interests for a member of the MCC, that member should exclude themselves from the consideration of the relevant case(s). If, as a result of such exclusions, the MCC has insufficient members to conduct its business, then the Chair of MCC may propose to the Board of Studies that alternative members should be co-opted.
- 4.6. Consideration of mitigating circumstances cannot be *anonymous* but should, however, remain *confidential*. They should not normally be disclosed outside the MCC and the recording of decisions. It should be noted, however, that in cases where a student makes an appeal or complaint against a decision of the MCC, the documentation will need to be seen by the Chair of Board of Studies and relevant senior staff in HYMS, and sent to those in Universities who are dealing with the appeal or complaint.
- 4.7. Students are not permitted to attend the MCC meetings.
- 4.8. The MCC should not interview any individual when considering mitigating circumstances.
- 4.9. The MCC must meet at the conclusion of each defined assessment period, and more frequently when required. The meeting must be held in sufficient time to allow its recommendations to be input into the student record system, that is, at least three working days prior to any relevant Board of Examiners meeting in order that these recommendations may appear on the relevant reports.
- 4.10. It is the responsibility of Board of Examiners to set and publish the deadlines for the submission of mitigating circumstances in relation to particular assessments, taking into account the time needed to assemble paperwork for the MCC meetings. The deadline should be widely publicised in good time using different channels of communications. It should be set to ensure that the application is received and any extension approved before the normal deadline for completion of the assessment.

- 4.11. The MCC will make recommendations to the relevant Board of Examiners which has the responsibility to decide the appropriate assessment arrangements for students in the light of the MCC recommendations.
- 4.12. The relevant Board of Examiners is responsible for ratifying any recommendations by the MCC and for reviewing the trend data annually provided by the MCC. The relevant Board of Examiners should report the ratifications of mitigating circumstances in its routine report to the Board of Studies.
- 4.13. Where the recommendation of the MCC has been changed by the relevant Board of Examiners, this change must be reported formally to the Board of Studies in writing.
- 4.14. Students are encouraged to submit mitigating circumstances before the assessment deadline. If students wish to submit mitigating circumstances after the assessment deadline, they must submit their claim within seven days after the deadline. Claims for mitigating circumstances must not be considered by the MCC without the completion of the HYMS Mitigating Circumstances Claim Form and submission of supporting evidence. Third-party applications for the consideration of mitigating circumstances should not be accepted, unless the submitter has power of attorney for the student concerned.
- 4.15. Where the student is offered an attempt 'as if for the first time', the options which will be available if that attempt is failed must be explained to the student before the attempt takes place. Where the student fails an assessment taken 'as if for the first time' at a particular period of the academic year, a leave of absence may be needed to accommodate any further (re-)assessment.
- 4.16. Any requests for consideration of mitigating circumstances which fall outside this procedure will require the approval of Board of Studies.
- 4.17. When the procedure has been completed, the Mitigating Circumstances Claim Form and supporting evidence should be stored in strictest confidence. Any paper documentation should be retained on the student's file in a sealed envelope which states that the envelope should be opened only by a member of the MCC or Chair/Secretary of Board of Studies. Any electronic documentation should be stored securely in a protected folder with limited access.
- 4.18. Where a decision of mitigating circumstances is taken outside a meeting of the MCC, a report of such decisions should be made to the next meeting of the MCC, whether that is the scheduled meeting or an interim meeting called by the Chair of the MCC, and thereby recommended to the relevant Board of Examiners. The student record system should be updated with the decision as soon as possible and, in any case, within a week of each formal meeting.
- 4.19. Claims for Mitigating circumstances from intercalating students undertaking a HYMS intercalating degree at a host department at the University of Hull or the University of York are processed by the relevant host department in accordance to their University's policy and procedure. Decisions made by the host department should be reported to the HYMS Intercalated Board of Examiners for record.

5. Circumstances normally accepted and types of acceptable evidence

- 5.1. All supporting medical evidence must be original, written in English, or as an official translation obtained by the student. The MCC may take reasonable steps to satisfy themselves of the authenticity of any documentation and the relationship of the author to the student.
- 5.2. The following table is for general guidance and does not represent an exhaustive list of all possible acceptable mitigating circumstances.
- 5.3. The timing and nature of the following circumstances should have adversely affected the assessment. Where the timing and nature has affected longer periods, leave of absence should be considered.

Circumstances normally accepted	Examples of evidence that would support a claim based on this circumstance (original documents required)
<p>Compassionate grounds (e.g. exceptional personal/emotional circumstances)</p>	<p>A letter from the Open Door Team at the University of York, Student Wellbeing Service at the University of Hull, a counsellor or a relevant independent third-party explaining that, <i>in their professional opinion</i>, the circumstances have had a serious impact on your ability to engage with academic work effectively during the assessment period in question.</p>
<p>Medical grounds (e.g. serious or incapacitating illness, injury or medical condition, sudden and significant deterioration of on-going/longer-term medical condition, or emergency operation on or shortly before the day of an examination or assessment deadline, or during the revision period)</p>	<p>The 'HYMS Confirmation of Illness Affecting Assessment Form' completed jointly by the student and the doctor/nurse.</p> <p>OR</p> <p>An original medical certificate or letter (on headed paper) from a suitably qualified medical practitioner (normally a GP or hospital specialist, who is registered with the General Medical Council in the UK or the equivalent in your home country), psychiatrist or educational psychologist as appropriate, who has seen you during the period of condition for diagnosis or treatment and is therefore able to attest to your condition at the time and the impact of your circumstances on your academic performance.</p> <p>Retrospective certification of a condition will not normally be accepted (that is, a note from the doctor/practitioner indicating that you reported your illness/condition to them after the event but did not see them at the time of the illness or you experienced the condition).</p> <p>In the case of hospitalisation, you should provide documentation showing the date of the admission and discharge from hospital and details of the condition that resulted in your admission. The documentation should also detail any health issues that may follow on from this hospitalisation.</p>

<p>Sudden serious illness of dependent or close family member</p>	<p>Medical certification or letter from an independent medical professional confirming the nature and severity of the illness of the dependent or close family member. This should be supplemented with a letter from a health professional corroborating the illness of the dependent or close family member. You should indicate clearly in your written explanation the distress you are experiencing and the impact this has had on your ability to study and/or complete an assessment/examination, e.g. visiting relative in a distant hospice, having to shoulder extra responsibilities, etc.</p>
<p>Close bereavement</p>	<p>Death certificate or other documentation such as order of service or letter confirming the death of an independent person (not a family member) with their contact details and an indication of the closeness of the relationship.</p> <p>The following relatives are accepted as ‘close’ without further evidence: spouse, civil partner, child, parent, sibling, grandparent, and grandchild. For other bereavements, evidence of closeness in the form of a statement from a third-party should also be provided.</p> <p>Additional evidence should be provided where mitigating circumstances are claimed for an extended period where the bereavement is not close, for example, for more than a fortnight following the death of the relevant person.</p>
<p>Victim of a serious crime, involvement in accident, or any other incident involving the police, ambulance or fire services</p>	<p>Written statement of events, supported by written evidence from the police (e.g. police report) and crime reference number.</p>
<p>Disabilities for which reasonable adjustments are not yet in place and where the delay is not due to the student</p>	<p>A letter from the University Disability Services.</p>
<p>Serious and unforeseeable transport difficulties</p>	<p>A letter from the relevant transport company or evidence of a major road accident (e.g. a copy of online or newspaper reports on the accident/delay). For longer distance travel, you should provide original travel tickets/documents which indicate your intention to travel to arrive at least one hour before the examination or deadline for submission of work. Documents for revised travel arrangements should also be provided.</p>

<p>Jury Service (UK citizens only)</p>	<p>The Courts will permit Jury Service to be deferred for students in higher education on one occasion. Jury Service will therefore only be considered as an acceptable mitigating circumstance if a deferral has been refused in which case you should provide a letter from the Court with proof that your request for a deferral was rejected or with proof that a previous request was accepted.</p>
<p>Legal proceedings requiring attendance (e.g. being charged with criminal offence, divorce proceedings)</p>	<p>Official correspondence from a solicitor or the Court confirming the date and time of your required attendance.</p>
<p>Divorce (parental or self)</p>	<p>If you are involved in divorce proceedings and miss an assessment, you need to provide official correspondence from the Court confirming the date and time of your required attendance. If your parents are involved in divorce proceedings and this has impacted significantly on your ability to study, you will need to provide medical evidence of this.</p>
<p>Interviews for placements or for employment</p>	<p>Evidence showing that the interview date cannot be rearranged.</p>
<p>Paid work commitments or constraints arising from paid employment (for part-time students only)</p>	<p>If you are studying part-time while in full- or part-time employment, it is expected that you will have informed your employer of this and of the need for you to be present for assessments at certain times of the year.</p> <p>There may, however, be extraordinary circumstances at work which will mean that it is impossible for you to be present. In such cases, you will need to provide evidence of employment explaining that the circumstances have had a serious impact on your ability to engage with academic work effectively during the assessment period in question.</p>

6. Reasons for non-acceptance of mitigating circumstances

The following examples are indicative but not exhaustive.

- 6.1. The full information required by the Mitigating Circumstances Claim Form is incomplete.
- 6.2. No independent documentary evidence has been supplied to support the request. Letters from family, fellow students or academic supervisors/tutors/mentors are not normally sufficient on their own (see below for acceptable evidence). Except in cases where there is delay in providing evidence (see Section 2.10) when MCC's decision can be pending.
- 6.3. The timing of the circumstances cited would not have adversely affected the specified assessment(s).

- 6.4. The nature of the circumstances cited is not over and above the normal difficulties experienced in life.
- 6.5. The evidence submitted does not support the student's claim that the nature of the circumstances was over and above the normal difficulties experienced in life.
- 6.6. The Mitigating Circumstances Claim Form was not submitted by the HYMS deadline as stated and the mitigating circumstances would not have prevented the student making a claim by the HYMS deadline.
- 6.7. Sufficient mitigation has already been made for the same circumstances.
- 6.8. The mitigating circumstances are a disability, long-term medical condition, or specific learning difficulties for which reasonable adjustments have been made.

7. Circumstances not normally accepted and explanations

- 7.1. Similarly, the following list gives examples of the kind of circumstances which would not be normally deemed to be acceptable:

Mitigating circumstances not normally deemed to be acceptable	Explanation
A claim without appropriate, independent supporting evidence	It is your responsibility to provide appropriate, independent supporting evidence.
A claim which fails to make clear to the MCC which assessments have been affected or the way in which they have been significantly affected	It is your responsibility to make clear to the MCC how your circumstances have adversely affected your academic performance.
A claim submitted after the deadline for submission	Deadlines are clearly communicated to students by HYMS.
Reluctance to disclose circumstances as they are personal, sensitive or confidential	The MCC can only consider circumstances if they are disclosed in line with this Policy. Your circumstances are considered by a small sub-committee in HYMS which considers cases in strictest confidence. As future doctors and educated citizens, you are responsible for your own wellbeing and should proactively seek academic and pastoral support from HYMS Student Support Office at the earliest opportunity when you have encountered problems during your studies.

<p>Minor illnesses (e.g. coughs, cold, hay-fever, or those for which only self-certification under the University scheme is available)</p>	<p>You are expected to manage these and they do not normally have a significant impact on academic performance.</p>
<p>Pregnancy</p>	<p>Pregnancy is not a mitigating circumstance. However, if your pregnancy results in a medical condition in which case appropriate evidence detailed above should be submitted.</p> <p>If your pregnancy results in a medical condition that affects your assessment or examination, you are encouraged to approach the Disability Services who will discuss your case in relation to possible reasonable adjustments.</p>
<p>Self-diagnosed examination nerves, stress, insomnia either from student or a letter from counselling indicating that the student reported feeling such stress, insomnia, etc.</p>	<p>Most students experience these and similar symptoms ahead of and during assessment period. These are not therefore normally considered as acceptable mitigating circumstances unless a medical diagnosis of illness has been made, in which case a letter from a medical practitioner should be provided.</p>
<p>Disabilities for which reasonable adjustments have been made or where the student has experience or time to manage the situation</p>	<p>Reasonable adjustments made by HYMS should have addressed the needs of disabled students.</p>
<p>Long-term illness or disability where earlier disclosure would have enabled Disability Services to have put reasonable adjustments in place</p>	<p>Unless the disability was diagnosed part way through your studies and consideration needs to be given to the period when reasonable adjustments were not in place, long-term illness and/or disabilities are not normally considered as acceptable mitigating circumstances as consideration has already been given to them. It is your responsibility to proactively disclose and seek help for your long-term illness and/or disabilities.</p>
<p>Refusals to take up support offered by the Disability Services</p>	<p>If students do not take up support offered, they cannot later expect the MCC to take into account difficulties they may be experienced and which impacted on their studies.</p>
<p>Personal/domestic events that could have been anticipated and/or arrangements made (e.g. moving house, marrying, routine childcare)</p>	<p>These are not normally accepted as mitigating circumstances as such events can be anticipated and alternative arrangements made.</p>

Oversleeping	It is your responsibility to ensure that you submit work by the published submission deadline and/or arrive at scheduled examination venues before the scheduled start time.
Misreading the timetable	It is your responsibility to ensure that you are aware of the location of your examination as well as the start time and duration.
Examinations/deadlines which are scheduled close together or on the same day	These are unlikely to constitute acceptable mitigating circumstances as students are aware if such scheduling in advance and are expected to manage their time accordingly.
Academic workload	You are expected to manage your workload.
Paid employment/voluntary work or constraints arising from paid employment/voluntary work for full-time students	Full-time students are only permitted to work part-time, i.e. for a maximum of 20 hours per week to support their studies and should arrange such work or voluntary work so that it does not conflict with their responsibilities as a student.
IT and/or computer problems, including computer crash, loss of work not backed-up or printing problems close to the deadline	Loss or corruption of files is not an acceptable mitigating circumstance as you are expected to keep a back-up copy of work which is electronically generated and stored.
Electronic submission: submitted wrong file type, corrupted file, uploading file after the deadline has passed, claim of technical issues on behalf of the University with no proof of an error message / system failure on the VLE or university network	You are expected to submit work electronically with care to avoid mistakes. You should submit work electronically before deadline, allowing yourself sufficient time to troubleshoot and resolve any problems you may encounter before the deadline.
Problems in group work where other members of the group do not cooperate	This should have been raised with HYMS and resolved at the time.
Minor, local transport problems (e.g. being stuck in normal rush hour traffic, not allowing enough time in travel plans for minor unanticipated delays, missed public transport)	You are expected to plan your travel to campus / placement / assessment site in such a way that there is some contingency for unanticipated delays due to road works, a minor accident, etc.

Visa problems which prevent you from returning to the UK for examinations	It is your responsibility to take steps to apply for your visa well ahead of your return and to anticipate that there may be some minor delays. If, however, your application was submitted in a timely fashion and the delay occurred at UK Visa and Immigration (UKVI) or other relevant agencies, you will need to provide evidence of the date of your request for a visa and any other documentation from the UKVI relating to the processing of your visa.
Choices in your personal life (e.g. family holidays, family celebrations, weddings, attending or taking part in sporting, social events, or extra-curricular sports activities)	You are not permitted to take holidays in published term times. If these coincide with submission deadlines it is your responsibility to submit work ahead of such events. In the case of missed examinations, the Board of Examiners may permit you to resit but this would count as a second attempt and the results will be capped.
Cultural celebrations	If these coincide with submission deadlines, it is your responsibility to submit work ahead of such events. In the case of missed examinations, the Board of Examiners may permit you to resit but this would count as a second attempt and the results will be capped.
Driving test	If your driving test interferes with your studies (i.e. prevents you from attending classes, taking an examination or submitting work on time), this is both foreseeable and preventable and you are expected to reschedule.
Planned health appointments	They are foreseeable and preventable and you are expected to reschedule.
English being a second language	It is your responsibility to ensure that you have sufficient command of the English language to undertake the assessments.
Financial difficulties	These are not mitigating circumstances and you should inform HYMS of the difficulties at the earliest opportunity so that a leave of absence can be arranged.
Unavailability of course books/resources	It is your responsibility to ensure that you have access to learning materials made available by HYMS.
Breakdown of personal relationships	Unless these lead to compassionate circumstances in which case appropriate evidence detailed above should be provided.

8. Options available to students in response to mitigating circumstances accepted

Note: These options are available in response to affected assessments. The assessment may or may not have been taken/failed outright.

- 8.1. The opportunity to take/submit 'as if for the first time' the assessment during the specified re-sit period.
- 8.2. The opportunity to attempt 'as if for the first time' at the next scheduled opportunity.
- 8.3. An extension to the deadline for an attempt 'as if for the first time' of the assessment. In the case of final year students, permission to complete the assessment after the end of the programme will result in postponement of graduation. If a long extension is necessary, a leave of absence may be appropriate.
- 8.4. The opportunity to take 'as if for the first time' a different form of assessment to that with which the student is familiar. This will usually for practical reasons, e.g. so that the assessment can take place in time for the next stage of the programme.
- 8.5. Additional work to complete the original learning outcomes of the programme, e.g. where practical work has been only partially completed.
- 8.6. Repeat of some or all elements of previous study.
- 8.7. For intercalating and postgraduate taught programmes: if a single module mark is created from a number of marks from assessments testing the same learning outcomes, the following rule may apply. The relevant Board of Examiners can, in order to produce a module mark, recommend to the Board of Studies waiving no more than 20% of the overall module mark. This is providing the learning outcomes for the module have been met by the remaining assessments for that module. Where the various elements of a module are intended to test different learning outcomes, such waiving of marks is not permissible. This procedure may be followed for up to a maximum of 40 credits per stage, provided that the learning outcomes for the module(s) have been achieved.
- 8.8. If a module has been approved by HYMS Joint Senate Committee to be non-re-assessable, a revised submission (referral) of work already submitted may be permitted. Nevertheless, the following are never permitted:
 - 8.8.1. Substitution of marks;
 - 8.8.2. Changing of marks.

The following is only permitted with the approval of the Board of Studies:

- 8.8.3. Waiving or pro-rating of marks beyond that permitted above.

9. Conditions on granting extensions

- 9.1. The Board of Examiners, on the recommendation by the MCC on accepted claims of mitigating circumstances, can extend the deadline for the submission of an assessment subject to the following conditions.
- 9.2. The Mitigating Circumstances Claim Form should normally be submitted prior to the original submission deadline. However, depending on the mitigating circumstances, if accepted, the Board of Examiners may wish to accept late submission without penalty or allow for an attempt 'as if for the first time' in the re-sit period.

- 9.3. The intention in granting an extension is to compensate for the time lost through mitigating circumstances.
- 9.4. The student's overall workload should be taken into consideration when granting a new deadline.
- 9.5. Extensions are granted for whole calendar days.
- 9.6. Where an extension goes beyond the Board of Examiners' scheduled meetings, students must be advised of the consequences of reassessment should they fail.
- 9.7. Students must be advised that the granting of an extension cannot subsequently be regarded as a mitigation circumstance for failure in that or other assessments.
- 9.8. Approval or refusal should be given and communicated to students in writing, either conditionally, if all the evidence is not immediately available, or unconditionally, if all the evidence is immediately available. Third-party applications for consideration of mitigating circumstances should not be considered, except in instances where the third-party has relevant power of attorney.

Appendix A: Terms of Reference and Membership of HYMS Mitigating Circumstances Sub-Committee

(A sub-committee of MB BS Board of Examiners, Intercalated Board of Examiners, and Postgraduate Board of Examiners)

Accountability and purpose

The Mitigating Circumstances Sub-Committee is responsible for the consideration of student claims for mitigating circumstances. It is a sub-committee of and accountable to the MB BS Board of Examiners, Intercalated Board of Examiners, and Postgraduate Board of Examiners. All Boards of Examiners are accountable to the Board of Studies.

The Mitigating Circumstances Sub-Committee has responsibility for making recommendations in accordance with the HYMS Mitigating Circumstances Policy to the MB BS Board of Examiners, Intercalated Board of Examiners, or Postgraduate Board of Examiners. The relevant Board of Examiners has responsibility for making assessment and examination arrangements for the student in the light of the Mitigating Circumstances Sub-Committee's decision.

Membership

Chair, an experienced academic member of staff who is not the Chair of any Boards of Examiners or the Board of Studies

Two academic members of staff from the MB BS Board of Examiners

One academic member of staff from the Intercalated Board of Examiners

One academic member of staff from the Postgraduate Board of Examiners

One member with expertise in disability support

In attendance: Secretary of Mitigating Circumstances Sub-Committee

The meeting convened either in whole or in part by electronic means is permissible.

The term of service of the Chair and all members should normally be three years and may be extended to four years in exceptional circumstances approved by the Board of Studies.

Quorum: 3

Frequency of meeting

The Mitigating Circumstances Sub-Committee shall meet in advance of Boards of Examiners' meetings. It shall also meet to review and evaluate mitigating circumstances claims as they present themselves throughout the academic year to ensure that students receive the outcomes of their claims in a timely fashion.

Terms of Reference

1. To establish and review appropriate policies and procedures for mitigating circumstances of students undertaking a HYMS degree.
2. To review mitigating circumstances claims submitted by the student in order to reach a decision in accordance with HYMS Mitigating Circumstances Policy on whether those circumstances have affected the student's academic performance adversely during the assessment period for which they are claiming.

3. To operate under delegated powers from the Boards of Examiners and to ensure that decisions are made on a fair, impartial and consistent basis. Any conflict of interest shall be declared at each meeting.
4. To ensure that decisions regarding the acceptance or rejection of mitigating circumstances are entirely evidence-based. The Mitigating Circumstances Sub-Committee shall not endorse mitigating circumstances where no evidence is submitted. Decisions on an outcome can be pending where exceptional events cause delay in obtaining evidence.
5. In reaching its decision, the Mitigating Circumstances Sub-Committee shall take account of the severity of the problem, its duration, and its coincidence with a critical point in the assessment period. The Mitigating Circumstances Sub-Committee shall treat each claim on its merits.
6. To make formal recommendations to the relevant Board of Examiners in regard to the decisions of mitigating circumstances:
 - a. Request accepted (circumstances considered valid, based on sufficient evidence).
 - b. Request rejected (circumstances not considered valid, based on the evidence provided).
 - c. Decision pending – more details required (circumstances may be valid but sufficient evidence has not yet been provided or queries have been raised).
7. To determine if the student should be referred to the HYMS Student Support Office for pastoral support in the light of the decision made by the Mitigating Circumstances Sub-Committee.
8. To monitor and review mitigating circumstances trend data and provide an annual report to the Boards of Examiners.

Appendix B: Mitigating Circumstances Claim Form

(This form is available electronically in WORD format from the Student Support Office for you to complete)

IMPORTANT: Please read the HYMS Mitigating Circumstances Policy carefully before completing this form. If you need help with completing this form, you should seek guidance from the HYMS Student Support Office (student.support@hyms.ac.uk). If you are requesting an extension, the completed form should be submitted to HYMS before the published deadline for the submission of the assessment(s). All other claims must be submitted by the HYMS' published deadline. If you submit this form by email, you *must* use your HYMS email address.

You are encouraged to submit mitigating circumstances before the assessment deadline. If you wish to submit mitigating circumstances after the assessment deadline, you must submit your claim within seven days after the deadline.

All boxes will expand as you type.

Section 1: Student Details	
Full name	
Degree registered	
Registration start date	/ /
Current year of study	
Mode of Study	Full time / Part time (delete as appropriate)
Have you read the HYMS Mitigating Circumstances Policy and sought guidance from Student Support Office?	Yes / No (delete as appropriate)

Section 2: Extension to submission deadline of summative assessment	
Only complete this section if you are requesting an extension to the submission deadline.	
How many days have your mitigating circumstances prevented you from working on your assessments?	
How many days are you requesting the deadline to be extended?	

Section 3: Details of your mitigating circumstances

You may continue on a separate sheet if necessary.

Section 4: List of supporting evidence submitted

Claims without satisfactory evidence will not normally be considered. A certified translation of any documents should be provided where appropriate. If you are unable to supply evidence with this form, please state the reason for this and the evidence you will be providing and the date at which it will be available.

<u>List of evidence</u>	<u>Source (e.g. GP, hospital consultant)</u>
1.	1.
2.	2.
3.	3.

Section 5: Details of assessments affected

Module/Course/Exam	Mode of assessment (e.g. exam/essay)	Date of exam / normal deadline for submission	Did you sit the exam / submit the assessment?
		/ /	
		/ /	
		/ /	
		/ /	

Section 6: Student declaration

I declare that the information that I give on this form and include in attachments is true and all the evidence submitted is genuine. I understand that providing false information is considered a disciplinary offence by HYMS. I have read the HYMS Policy on Mitigating Circumstances available at: <http://www.hyms.ac.uk/about-us/regulations-policies-and-codes-of-practice/policies>

I am aware that in order to consider and administer/process any case, the information which I have provided will be made available to the appropriate administrative and academic staff including members of the Mitigating Circumstances Sub-Committee. I accept that my claim whilst confidential cannot be anonymous.

Signature (please type your full name in the signature box for electronic submission)		Date	
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Please return completed forms with your supporting documentation in one of the following ways:

- electronically via mitigating.circumstances@hyms.ac.uk
- by post: **FAO Secretary of Mitigating Circumstances Sub-Committee, HYMS, Hertford Building, University of Hull HU6 7RX**
- to one of the **HYMS reception desks “FAO Secretary of Mitigating Circumstances Sub-Committee”**

OFFICE USE ONLY

Section 7: HYMS Receipt by Secretary of Mitigating Circumstances Sub-Committee

Date of receipt	
Is the form completed accurately and appropriate level of supporting documentation provided?	Yes / No (if no, specify advice provided to the student):
Date of submission to the MCC	/ /

Section 8: Mitigating Circumstances Sub-Committee’s Decision (complete this section as record of electronic meeting)

Claim Approved / Rejected / Pending (delete as appropriate)

Please state reasons below:

Please specify if the student should be referred to the HYMS Student Support Office for pastoral support:

As the Chair (or deputy) of the HYMS Mitigating Circumstances Sub-Committee (MCC), I confirm that the decision made by the MCC follows the HYMS Mitigating Circumstances Policy and Terms of the Reference of the MCC.

Signature (please type your full name in the signature box for electronic submission)		Name		Date	
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Section 9: Ratification by the relevant HYMS Board of Examiners (complete this section as record of Chair’s Action/electronic meeting)

Board of Examiners	MB BS / Intercalation / Postgraduate
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Assessment / examination arrangement in light of the decision of MCC	
Please comment if the student requires Leave of Absence as a result of the decision of MCC and above arrangement	
As the Chair (or deputy) of the above Board of Examiners, I ratify the decision made by the MCC and provided the above assessment / examination arrangement in light of the decision by the MCC.	
Signature (please type your full name in the signature box for electronic submission)	Name
	Date

OFFICE USE ONLY	
From processed by (staff name)	
Date of MCC decision made	
Date of Board of Examiners' ratification	
Date of informing the Board of Studies	
Date of informing the student	
Date of informing the Universities' Registry Services	
Date of HAPI record updated	

Appendix C: Confirmation of Illness Affecting Assessment Form

Section 1: Student Details (completed by the student)	
Full name	
Date of birth	/ /
Degree registered	
Registration start date	/ /
Current year of study	

TO THE DOCTOR/NURSE: This completed form will be used as evidence in the claim for mitigating circumstances because the student believes their ability to study/prepare/participate in their assessment(s) / exam(s) has been impaired. Please give details of your diagnosis of this student's condition and how it has prevented them from studying effectively. This diagnosis should be the result of a face-to-face consultation.

Section 2: Consultation Details (completed by the Doctor/Nurse)	
Date of consultation (DD/MM/YYYY)	/ /
Consultation with	Doctor / Nurse (delete as appropriate)
What is this student suffering from?	
Does this condition prevent the student from engaging in any study activity?	Yes / No (delete as appropriate)
If some limited activities are possible (e.g. reading, studying for short periods, email), please specify:	
Dates affected (DD/MM/YYYY)	From: / / To: / /
Practitioner address and telephone number	
Signature	Name
Official Stamp of the GP Practice	Date

Section 3: Student Agreement

I agree that a copy of this form may be forwarded to Student Support Office and Mitigating Circumstances Sub-Committee

Yes / No (delete as appropriate)

Signature

Name

Date

HYMS POLICY ON MITIGATING CIRCUMSTANCES
Appendix D: Flowchart for Processing Mitigating Circumstances Claims

Stage 1 (completed by Student Support Office): Guidance provided by Student Support Office
 Student requests for mitigating circumstances are referred to the Student Support Office via different routes.

Stage 2 (completed by the student): Student submits completed Mitigating Circumstances Claim Form along with appropriate supporting evidence
 Student Support Office provides guidance to students on HYMS requirements of appropriate supporting evidence based on the grounds of the claim.

Stage 3 (completed by the Secretary of MCC): Checking and Submission to the MCC
 MCC Secretary will check if the Claim Form that has been completed by the student for accuracy and appropriate level of supporting documentation.

Stage 4 (completed by MCC): Decision on the claim by MCC
 MCC Secretary coordinates the MCC to enable the consideration of the student's claim to take place via a face-to-face or electronic meeting.

Stage 5 (completed by relevant Board of Examiners): Ratification of the MCC's decision and assessment / examination arrangement
 The relevant Board of Examiners ratifies the MCC's decision and provides assessment / examination arrangement in light of the MCC's decision

Stage 6 (completed by Secretary of Board of Examiners): Notification of outcomes

Stage 7 (completed by Secretary of Board of Examiners): Dissemination of outcomes and student record maintenance

