



# Mitigating Circumstances Policy and Procedure

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<b>Policy owner:</b>	Academic Registrar
<b>Implementation date:</b>	March 2026
<b>Review date:</b>	March 2029

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## Version History

*[The first entry should include details of the committee approving the policy and related dates. Subsequent reviews, approvals, or updates should be included in the proceeding rows with dates – delete from completed policy]*

Version	Approved by	Revisions made	Date
1		Alignment with OIA Good Practice Framework (2024); inclusion of HEPI 191 menstrual health recommendations.	March 2026



## 1. Purpose

- 1.1 The University of Buckingham is committed to providing a fair and equitable assessment process for all students. This Policy and Procedure ensure that unforeseen circumstances beyond a student's control that adversely affect academic performance are considered consistently and fairly, in line with the Office of the Independent Adjudicator (OIA) Good Practice Framework: Requests for Additional Consideration (2024) and the QAA Quality Code for Assessment.
- 1.2 The policy also integrates recommendations from HEPI Report 191 – *The Hidden Impact of Menstruation in Higher Education (2025)*, recognising that menstrual health may affect academic performance and should be accommodated within fair and inclusive academic processes.

## 2. Scope

- 2.1 This Policy applies to all registered students of the University of Buckingham—undergraduate, postgraduate taught, postgraduate research, apprentices, postgraduate top-up students and professional learners—regardless of mode or location of study.
- 2.2 It applies when a student's performance or participation in assessment or learning activity has been adversely affected by short-term, unexpected circumstances beyond their control
- 2.3 If the MC relates to an apprenticeship not assessed by The University of Buckingham, then the apprentice must follow the relevant Awarding Organisation / End Point Assessment organisation's policy, to find out who this is and the process to follow please contact the central apprenticeship team at [apprenticeships@Buckingham.ac.uk](mailto:apprenticeships@Buckingham.ac.uk)
- 2.4 This Policy does not apply to long-term conditions where ongoing support or Reasonable Adjustments are more appropriate, nor to routine workload, employment or scheduling pressures for non-apprenticeship learners.

## 3. Legislative context

- 3.1 This Policy operates in accordance with:
  - Equality Act 2010
  - Data Protection Act 2018 and UK GDPR
  - OIA Good Practice Framework 2024
  - QAA UK Quality Code for Higher Education: Assessment
  - HEPI Report 191 (2025) on menstrual equity in higher education
  - Department for Work and Pensions – rules applied are dictated by the apprentices start date
  - Skills England assessment specification detailed on individual standard assessment plans
  - IfATE , OFS and Ofqual Guidance on End-Point Assessment and Reasonable Adjustments
  - University of Buckingham General Academic Regulations



#### 4. Policy statement

##### 4.1 Definition

Mitigating circumstances (also referred to as *additional consideration*) are disruptive, unexpected events, beyond the student’s control, that have a material adverse impact on their ability to prepare for, complete, or perform in an assessment.

##### 4.2 Principles:

The University will apply the following principles:

- Treat students fairly, consistently, and with respect
- Maintain confidentiality and protect privacy in all disclosures.
- Apply clear, transparent, and proportionate processes.
- Distinguish between short-term mitigating circumstances and long-term support needs.
- Recognise that menstrual-related or reproductive health conditions as legitimate grounds for short-term consideration.
- Maintain academic standards and equity in all decisions
- Take collective remedial action where disruption affects multiple students (e.g. venue issues, IT failures) without requiring individual claims.

##### 4.3 Examples of Circumstances Likely to be Accepted

Type of Circumstance	Examples of Acceptable Evidence	Additional Guidance
Serious short-term illness or injury	<p>Self-certification (<i>for up to 7 calendar days</i>)</p> <p>Medical certificate, GP letter, hospital discharge summary, fit note, or NHS 111 confirmation</p> <p><i>Repeated or excessive use of self-certification may result in the University requesting independent evidence. This ensures that appropriate support can be offered where circumstances indicate a potential ongoing condition.</i></p>	<p>Medical or professional evidence will normally be required where:</p> <ul style="list-style-type: none"> <li>• the illness extends beyond 7 days</li> <li>• the student submits multiple self-certifications across a short period</li> <li>• there is an indication that the circumstances may form part of a longer-term condition</li> </ul> <p>Online or telephone medical confirmation is acceptable. Evidence should confirm the dates of incapacity and relevance to the assessment period.</p>
Significant mental health episode	Letter from GP, counsellor, other medical professional or University Wellbeing Hub	Where formal medical evidence is unavailable, a statement from Wellbeing Hub staff may suffice.



Bereavement of close * family member or dependent	Death certificate, funeral order of service, letter from family, clergy, or counsellor	Minimal evidence will normally be sufficient.
Serious family or caring crisis	Letter from GP, social worker, school, care organisation, other medical professional or University Wellbeing Hub	Should identify impact and timeframe, not necessarily disclose personal details.
Victim of crime or domestic incident	Police report, crime reference number, or letter from support agency	The University will accept confirmation from third-party professionals if police involvement is not appropriate.
Acute financial or accommodation emergency	Letter from housing provider, landlord, solicitor, or support service	Must demonstrate direct impact on ability to complete assessment.
Pregnancy- or maternity-related illness	Medical certificate, midwife or GP letter	May include early complications, emergency appointments, or pregnancy loss.
Menstrual or reproductive health condition	Self-certification form or medical note	Self-certification permitted for absences of up to 7 days for acute episodes (e.g. endometriosis, PMDD).
Disability-related flare-up or deterioration	Statement from medical professional, disability adviser, or Wellbeing Hub	Should indicate short-term exacerbation beyond normal adjustments.
Mandatory employment, military service, representing your county / country or apprenticeship requirement	Employer letter confirming mandatory training, shift change, or business travel	Applies to apprenticeship learners and employed students where employer-imposed events prevent assessment attendance.
Court attendance, jury service, or legal obligation	Official court or jury summons, solicitor's letter	Students should notify the University as soon as practicable.
Religious observance or cultural duty	Statement of faith authority or personal declaration	Applies where assessment dates conflict with recognised religious observances.
Significant external events affecting the student or their immediate family (e.g. war, civil unrest, or political crisis in the student's home region)	Contextual evidence, self-statement, or supporting statement from a relevant professional or University service.	Evidence requirements will be applied proportionately where obtaining documentation may be difficult due to external conditions.
Collective or institutional disruption	Confirmation from University (IT, Estates, or academic department)	Students do not need to submit individual claims for verified systemic disruptions.

*\*The University recognises diverse family structures. Students may include non-traditional or extended family relationships where there is close personal or caring dependency, with brief explanation provided.*



#### 4.4 **Circumstances Not Normally Accepted**

The following are not normally accepted unless accompanied by exceptional evidence:

- Minor illness or short cold without medical impact
- Poor time management
- Holiday, travel, or voluntary activities
- Misreading timetables or deadlines
- Normal pre-assessment stress or anxiety
- Computer failure - Students are expected to take reasonable steps to safeguard their work, including saving work regularly and are encouraged to use University-provided cloud storage systems (e.g. Office 365 / OneDrive).

#### 4.5 **Fit to Sit / Submit Principle**

Students who choose to sit an examination or submit an assessment are deemed fit to do so, and the attempt will stand. Students are therefore advised not to undertake an assessment if illness or other circumstances are likely to adversely affect their performance, and instead to seek advice and submit a mitigating circumstance claim where appropriate.

An exception may be considered only where a student subsequently provides promptly, with compelling independent evidence that, at the time of the assessment, they were not reasonably able to make an informed judgement about their fitness to sit or submit - for example due to sudden illness arising during the assessment or circumstances that materially impaired decision-making capacity. Such cases will be considered through the Mitigating Circumstances procedure.

#### 4.6 **Confidentiality and Dignity**

Disclosures of sensitive or personal information, including menstruation or reproductive health matters, will be handled with the highest level of privacy. Students will not be required to disclose detailed medical information beyond what is necessary. Support and signposting to the Wellbeing Hub will be offered at all stages.

### 5 **Responsibility**

<b>Role</b>	<b>Responsibility</b>
Students	Must submit a Mitigating Circumstances Form (MCF) promptly, provide relevant evidence, and engage with support services where appropriate.
Module Leaders / Personal Tutors	Provide guidance to students and contextual information to committees where required.



Wellbeing Hub	Provide guidance and verification for pastoral, accessibility, and menstrual or health-related support.
Mitigating Circumstances Committee	Evaluate claims and record decisions, apply consistent judgments, and report outcomes to Boards of Examiners.
Faculty Administration Team	Communicate Committee outcomes to students within set timescales.
Student Casework Team	Oversee policy implementation, manage reviews, and ensure institutional consistency.
Board of Examiners	Ensure maintenance of academic standards.

## 6. Relationship with other policies/procedures

### 6.1 This policy and procedure must be read alongside:

- Assessment Regulations
- Academic Appeals Policy and Procedure
- Equality, Diversity and Inclusion Policy
- Student Support and Wellbeing Procedures

Students with ongoing conditions must liaise with the Wellbeing Hub for Reasonable Adjustments or Exam Concessions.

## 7. Definitions

### 7.1

<i>Assessment</i>	Refers to all forms of work produced by students individually or in groups and submitted/ presented for formative or summative assessment as outlined in approved Module Specifications.
<i>Staff</i>	All paid university staff whether working on a permanent or temporary contract, apprentices, or engaged as “third party contract staff” working directly for the University.
<i>Student</i>	All students registered with the University (whether full or part-time) and includes those of undergraduate, postgraduate taught, post graduate research and professional programmes of study.



<i>Mitigating Circumstances/ Additional Consideration</i>	Short term, unforeseen events affecting performance.
<i>Reasonable Adjustments</i>	Pre-agreed modifications for long term or disability related needs.
<i>Exam Concessions</i>	Assessment-specific adjustments, such as extra time or separate rooms.
<i>'Fit to Sit or Submit' Principle</i>	Students who attempt assessments are deemed fit to do so unless they subsequently provide valid evidence of incapacity.
<i>Menstrual-Related Condition</i>	A short term but recurring medical or physiological circumstance (e.g. severe menstrual pain, endometriosis, PMDD) which may justify temporary consideration.

## 8. Procedure

### 8.1 Submitting a Claim

- Students must normally submit a Mitigating Circumstances Form (MCF) within seven (7) calendar days of the first affected assessment or examination. Claims submitted after seven calendar days will be considered where there is a good reason for the delay.
- Claims should be submitted via the Mitigating Circumstances form available in the Regulations Handbook.
- Where circumstances such as hospitalisation, serious accident, sudden mental-health crisis, bereavement, or lack of communication access prevent prompt submission, late claims will be considered at the University's discretion where there is good reason for delay. The University will exercise this discretion proportionately and reasonably, particularly where evidence confirms that the student could not reasonably have met the standard deadline.
- Evidence should be submitted as soon as possible after the Mitigating Circumstances Form (MCF) is submitted, and normally within fourteen (14) calendar days. Students should provide any available evidence at the time of submitting the claim wherever possible. Where it is not possible to obtain evidence within this timeframe, later evidence may be accepted where justified.



## 8.2 Evidence Requirements

Evidence must be:

- Independent, written, signed, dated, and on official headed paper;
- Relevant to the period affected;
- In English or accompanied by a verified translation.
- Students may self-certify for up to 7 calendar days for short-term circumstances without needing to provide medical evidence. The University reserves the right to request independent evidence where repeated or frequent self-certification occurs, to ensure the process is used appropriately and that any underlying ongoing needs are identified and supported.
- Evidence will normally be required where circumstances extend beyond 7 days or recur.
- Where a student is already known to and working with the Wellbeing Hub confirmation from the service - including email confirmation - may be accepted as supporting evidence. This may be appropriate where formal documentation is not available or suitable (for example, during hospitalisation or while abroad). The Wellbeing Hub will not provide confirmation where they have had no prior contact with the student.

## 8.3 Consideration of Claims

- Each Faculty's Mitigating Circumstances Committee, normally chaired by the Faculty Registrar, will consider eligible claims. Input from the relevant Academic(s) may be sought by the panel where clarification is required.
- The Mitigating Circumstances Committee will normally be made up of the following roles: Faculty Registrar, Faculty Administration Manager, Faculty Mentor and Deputy Head of the Wellbeing Hub. Where a student is an apprentice, the Committee must ensure that relevant information and requirements specific to apprenticeship provision are obtained from the Apprenticeships Team before the decision is communicated to the student.
- The Committee evaluates:
  - Severity and timing of the circumstance;
  - Sufficiency and credibility of evidence;
  - Impact on assessment performance.
- All decisions will be recorded with brief written reasons
- Collective disruptions affecting a cohort will be handled institutionally without requiring individual applications.
- Where late submission is accepted under discretionary grounds, this must be clearly recorded with rationale.



## 8.4 Possible Outcomes

Outcomes will be proportionate to the demonstrated impact and will preserve academic standards:

- Claim not eligible (out of time, insufficient evidence, or not significant).
- Claim eligible, with one or more actions applied:
  - Deferral without penalty;
  - Extension or acceptance of late submission;
  - Alternative or replacement assessment;
  - Reconsideration of borderline marks;
  - Rescaling or discounting of a small component ( $\leq 20\%$ ) where alternatives are impractical.
  - In cases of hospitalisation or serious incapacity, the Committee may exceptionally approve retrospective action where failure to do so would result in material unfairness, provided the Board of Examiners can confirm academic integrity and fairness.
  - If the learner is an apprentice, a suspension of studies/break in Learning may be required. This will be discussed and agreed with the apprentices and their employer to ensure funding rules are adhered to.

## 8.5 Communication of Decisions

- The relevant Faculty Administration Team will communicate outcomes to students via University email, normally within 5 working days of the Committee meeting.
- If the learner is an apprentice, their employer will also be informed if the MC results in a suspension of studies/break in learning
- Records will be retained securely in accordance with data protection legislation and University retention schedules.

## 8.6 Reviews

### Timing of Reviews

1. A student may request a review of the outcome of their mitigating circumstances if they are dissatisfied.
2. A request for review must be submitted within seven (7) calendar days of receipt of the outcome being communicated by the Faculty.

### Grounds for Requesting a Review

*A review is not a reconsideration of academic judgment but a check of fairness and process.*

Students may request a review if:

- The published procedures were not correctly followed (procedural error);
- The outcome or decision was unreasonable in light of the evidence presented;
- The University failed to consider relevant information supplied by the student;
- The University did not provide adequate reasons for its decision;
- New evidence is available which could not reasonably have been obtained earlier;
- There was a reasonable perception or appearance of bias in the process.

### Review Request Submission and Process

1. Students must complete the Mitigating Circumstances Review Request form and submit it to the Student Casework Team: [reviews@buckingham.ac.uk](mailto:reviews@buckingham.ac.uk)



2. Review request information must include:
  - The student's details and assessment(s) affected
  - The original decision and date received
  - The grounds of appeal (as per the permitted grounds above)
  - Any additional evidence (with explanation why this was not provided earlier)
3. The Student Casework Team will appoint an appropriately Senior and independent member of University staff who was not involved in the original decision, and who is independent from the student's faculty to review the case. The outcome of the review request will be communicated to the student within 10 calendar days of the case being allocated to the reviewer.
4. The reviewer will consider whether:
  - The original processes were correctly applied
  - The decision was reasonable given the evidence
  - The student's new evidence is admissible
  - If any conflict of interest or bias may have affected the decision
  - The Reviewer will conduct the review only on the grounds listed above, they will not re-hear the case or substitute academic judgment.
5. If the reviewer upholds the review request, the student will be informed that the matter has been referred back to the Mitigating Circumstances Committee to reconsider the case in light of the reviewer's decision. At the end of this reconsideration, the student will have reached the end of the University's procedures, and the student will be sent a decision letter by the Faculty Administration team. The decision letter will set out the decision, including the reasons for the decision.
6. Within 28 days of the decision letter being sent, the Student Casework team will issue a Completion of Procedures letter. The Completion of Procedures letter will confirm that all internal procedures have been completed and will state that the student has the right to seek review by the Office of the Independent Adjudicator for Higher Education (OIA) and the time limit for doing so.
7. If the Reviewer rejects the review request, the student will have reached the end of the University's procedures, and the Student Casework Team will issue a Completion of Procedures letter.



Annex A – Flowchart

