



WC20 - Mitigating Circumstances Policy

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Introduction

If a recognisably serious or significant event beyond your control has affected your health or personal life and as a result you are, or have been, unable to submit or attend an assessment on time – you need to let us know. This process is known across all our academic programmes as requesting 'mitigating circumstances'.

Before submitting a claim, please read the information on these pages carefully.

Purpose

Westerfield College is committed to supporting students who face unforeseen and unavoidable circumstances that may affect their academic performance. This policy offers a clear and structured process for students to request consideration of mitigating circumstances, ensuring that all students are treated fairly, empathetically, and consistently while upholding academic integrity.

Procedure

Specifically, the policy aims to:

- Define what constitutes mitigating circumstances and the process for submitting a claim.
- Ensure transparency in how claims are considered and applied.
- Provide a streamlined and accessible process for submitting, reviewing, and notifying students about mitigating circumstances claims.
- Ensure that staff handling claims are trained and have access to the necessary information to make informed decisions.
- Apply outcomes fairly and in line with the College's academic integrity and assessment policies.
- Support students in overcoming personal challenges to succeed academically.

Definition of Mitigating Circumstances

1. What are Mitigating Circumstances?

Mitigating circumstances are significant, unexpected, and unavoidable events that negatively impact a student's ability to meet academic obligations. To be considered mitigating, circumstances must meet the following criteria:

- **Unexpected:** The event was unforeseen and could not have been reasonably predicted.
- **Unavoidable:** The event could not have been prevented or mitigated by the student.
- **Significant:** The event had a serious and demonstrable impact on the student's ability to attend or complete an assessment.

Eligibility for Claims:

- A student who attends or submits an assessment on time generally cannot claim mitigating circumstances unless they can demonstrate that their judgment about their fitness to attend or submit was impaired.
- Claims cannot be submitted after the assessment results are known, unless under specific conditions.
- If a student attends an assessment but later believes their decision to attend was impaired by circumstances, they may submit a claim retrospectively.

Beyond the Student's Control

Students must show that the circumstances were beyond their control and that they could not have reasonably taken steps to prevent or mitigate the situation.

Impact on Assessment

The circumstances must have had a significant impact on the student's ability to complete the assessment. Supporting evidence should include details about the duration and impact of the event.

Timeliness

Typically, the circumstances must occur on or shortly before the assessment date, or during the preparation period leading up to it. The student must show how the event affected their ability to prepare or perform in the assessment.

Self-Certification Period

For short-term illnesses or minor disruptions, students may use the self-certification process to avoid late penalties without submitting detailed evidence. However, for more serious conditions, students must submit a full mitigating circumstance claim with evidence.

2. Core Principles

Westerfield College is committed to fair and consistent treatment of all students who submit mitigating circumstances claims:

- All students, regardless of program, are entitled to equitable consideration of their claims.
- Outcomes will be based on evidence and in the best interests of the student.
- The process will be consistent, transparent, and efficient.
- A student who submits or attends an assessment on time is declaring themselves fit to complete it, and therefore, no mitigating circumstances claim will usually be accepted for that assessment.
- Distance learning students will be given the same level of consideration for mitigating circumstances as campus-based students, with a recognition that the mode of study may result in unique challenges.
- Students will have access to accurate information to make informed decisions about assessments.

3. Criteria for Mitigating Circumstances Claims

To submit a claim, students must identify which of the following criteria applies to the affected assessment:

- **Late submission of coursework:** Assessment is submitted late but within the allowed penalty period (usually up to 8 working days after the deadline).
- **Absence from a time-bound assessment:** Includes exams, tests, presentations, or lab work.
- **Illness during an assessment:** If a student becomes unwell during an exam or presentation.
- **Non-submission of assessment:** If an assessment is not submitted within the late penalty period and the student is unable to meet the deadline due to significant circumstances.

- **Impaired judgment before submitting or attending assessment:** If a student feels their ability to assess their fitness to attend or submit an assessment was impaired due to mitigating circumstances.

4. Submission of a Claim

Submitting a mitigating circumstance claim means the student believes they cannot meet the assessment deadline due to unforeseen circumstances. If approved, the student should not attempt the assessment until an alternative deadline or assessment opportunity is provided.

- **Assessment Submission After Approval:** If the student attempts or submits an assessment after the claim is approved, the mitigating circumstances claim will be invalid, and the original assessment outcome will stand.
- **Late Submissions After Approval:** If a student submits work after approval but before the outcome is communicated, the claim will be prioritized, and the previous submission will be voided.

5. Submission Process:

- Claims must be submitted through the designated online submission tool. In exceptional cases (e.g., hospitalization), a staff member may submit on behalf of the student.
- Claims must include an explanation of the circumstances and supporting evidence, where applicable.

6. Deadlines for Submission:

- The final deadline for submitting a mitigating circumstances claim is 7 calendar days after the assessment due date.
- Claims submitted after assessment results are released will not be accepted. A formal academic appeal must be made instead.

7. Supporting Evidence

- Students are responsible for obtaining any required evidence to support their claim. This may include medical certificates, personal statements, or other documentation.
- Evidence should be submitted with the claim or within 7 days unless an extension is granted.
- Where providing evidence is not possible, students should include an explanation in their statement, and their claim will still be considered.

8. Flare-Ups of Long-Term Health Conditions

Students with pre-existing conditions who experience a sudden deterioration or flare-up may submit a claim without needing to provide additional evidence if the condition has been previously declared to the College.

9. Harassment and Discrimination

Students facing harassment or discrimination based on disability, gender, race, or other factors should be able to submit a mitigating circumstance claim without the need for evidence. However, a brief explanation of the impact is required.

10. Outcome of a Claim

If a claim is accepted, the Mitigating Circumstances Panel may recommend one of the following:

- **Extension of deadlines** for coursework or assignments.
- **Deferral of assessments** to a later date.
- **Alternative assessments** in an adjusted format.
- **Adjustment in grading** to reflect the circumstances.
- **Withdrawal without penalty** from a course or module.

If the claim is not accepted, the student will receive a clear explanation and be directed to relevant support services.

11. Self-Certification Process

Self-certification allows students to submit assessments late without penalty for minor illnesses or disruptions. It should not be used for more serious or long-term issues. Students are allowed a limited number of self-certification claims per academic year.

- **Campus Students:** Can self-certify for up to 5 working days.
- **Distance Learning Students:** Can self-certify for up to 10 working days.
- Submissions after the self-certification period will incur late penalties.

12. Appeals Process

If a student disagrees with the outcome of a mitigating circumstances claim, they may appeal within 10 working days. Appeals should include:

- A clear explanation of why the decision is being challenged.
- Any new supporting evidence.

The Appeals Panel will review the case and provide a final decision within 15 working days.

13. Support Services

Westerfield College offers a range of support services to assist students:

- **Academic Advisors:** For academic guidance.
- **Student Support Services:** For counselling and general well-being.
- **Health Services:** For medical or psychological support.

14. Confidentiality and Data Protection

All information submitted as part of a mitigating circumstances claim will be treated confidentially in compliance with data protection regulations. Only authorized personnel will have access to the information.

Policy Review

This policy will be reviewed every two years by Academic Board unless there are internal or legislative changes necessitating an earlier review.

Version History

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