



Mitigating Circumstances 2023-24

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About this document

1. Academy of Live Technology (the Academy) has authority delegated by its validation partner, the University of Bolton to manage and operate its regulations and procedures for the submission and consideration of mitigating circumstances on behalf of the University.
2. This document details the way in which Academy for Live Technology manages those regulations and agreed procedural variations for the convening of mitigating circumstances panels.
3. The Academy recognises that there may be times when, through no fault of their own and despite managing learning and assessment appropriately, students may find it impossible to attend an assessment activity, or to complete an assessment, or to perform to the full extent of their ability because of a serious and unforeseen event. In such instances the Academy's intention is to respond sympathetically and deal with the situation and redress the assessment shortfall.

The following regulations and procedures set out the framework for the submission and consideration of such circumstances.

Introduction

4. All students have a responsibility to manage their learning, revision and assessment activities throughout the whole duration of each semester or assessment period. It is therefore essential that they carefully plan and manage workloads throughout this time, and do not leave too much coursework, learning, revision or similar activities to be undertaken until too late in the semester or assessment period. Similarly, when examinations or other time-constrained assessment are to be taken at the end of a semester or other period, they should conduct revision throughout the semester or period, and not limit it to the period shortly before sitting examinations or other time- constrained assessments.
5. It is also essential to recognise that many mild illnesses and routinely difficult or upsetting events do occur in life, and that it is a normal part of life to have to manage these and continue with work or study. Therefore, students must realise that many such difficulties are not normally accepted by The Academy in mitigation for non- completion or poor performance in assessment activities.
6. Circumstances which would not normally be acceptable are those where a student could reasonably have avoided the situation or acted to limit the impact of the circumstances. Therefore, the following are examples (and not an exhaustive list) of circumstances which would not fall within the Academy's definition of mitigating circumstances:
 - proximity or number of examinations or other assessments (but see 6 below for an explanation of those situations where reasonable adjustments may be made in advance);
 - completing coursework too late and missing deadlines because of computer difficulties, or transport difficulties;
 - losing work not backed up on computer disk;
 - failure to make alternative travel plans when disruptions were known in advance;
 - normal work commitments on behalf of an employer;
 - misreading of assignment deadlines or examination timetables;
 - poor time management;
 - scheduling of holidays or time abroad.

7. It is a student's responsibility to provide the necessary information and evidence about their mitigating circumstances and assessment deadlines within the published timescales

The Academy will not normally consider mitigating circumstances if they are submitted outside these specified timescales particularly if the claim and/or evidence relates, without valid reason found acceptable by The Academy, to events which occurred an unreasonable length of time in the past. Students are also reminded that to knowingly make false or misleading claims of mitigating circumstances is an offence under both the Student Disciplinary Procedures and under the Academic Misconduct Regulations of the University of Bolton.

Medical circumstances and certificates

8. The Academy does not normally consider medical certificates for long-standing, managed conditions or illness as mitigation for poor performance. This is because students would normally have had the benefit of experience, medical knowledge or help to manage the condition and would have had the opportunity to register with the Backstage Academy's Student Support Service to gain access to appropriate study support and to agree reasonable adjustments enabling them to be assessed without disadvantage.
9. The Academy recognises that, exceptionally, there may be a need for a very small number of students to submit evidence of mitigating circumstances, if experiencing a temporary and serious incapacitating medical condition that may have directly affected the ability to attend or complete an assessment or to perform to the full extent of their ability.
10. If a student believes they are in the above category, then any medical certificates/letters to support mitigating circumstances must:
 - relate specifically to the dates and duration of the illness;
 - be signed by hand on bona fide headed paper from the specialist or doctor's surgery (appointment cards are not sufficient evidence);
 - contain a clear medical diagnosis or opinion and not merely report a claim that a student felt unwell and/or had reason to believe he/she were ill at some point in the past. It may therefore be difficult to obtain a medical certificate after an illness is over and such evidence is less likely to be considered as valid.

Please note that:

- doctors are entitled to charge for any medical certificates or notes they provide;
- doctors do not always provide certificates for short periods of illness;
- doctors might not provide certificates after illness has ended, because after recovery it might be impossible to know that a student had been ill.

Personal/confidential circumstances

11. In some cases circumstances may be viewed as unusually delicate or personal nature by a student and a request can be made for these to be viewed by the Chair of the Mitigating Circumstances Panel only (by ticking the appropriate box on the Mitigating Circumstances form).
12. It should be noted however that the Chair of the relevant Mitigating Circumstances Panel will always need to see the evidence submitted and that the Chair(s) and External Examiner(s) of the relevant Assessment Boards may need to be informed, in confidence, of the general nature of the circumstances to be able to assess their impact and thereby help the Assessment Board to arrive at an appropriate course of action.

Procedures for submitting Mitigating Circumstance requests

13. Mitigating circumstances requests and documentation are considered by Mitigating Circumstances Panels. Mitigating Circumstances Panels meet regularly and notify their decisions to Assessment Boards. The dates of panel meetings are published at the beginning of the academic year.
14. If, after considering the above guidelines, a student wishes the Panel to consider their mitigating circumstances, they will need to complete the online mitigating circumstances form, which is available at <https://forms.office.com/e/C6TjLnwe9S>

The form allows you to include a covering note in which you summarise your situation, to upload documentary evidence of your circumstances and module assessment deadlines.

15. Each claim submitted in accordance with the procedures and timescales in these regulations will be considered on one occasion only by the Mitigating Circumstances Panel. Therefore, another claim with supporting documentation must be completed and submitted by the published deadline should mitigating circumstances subsequently affect the same or further assessments, whether or not they were not listed on any previous claim.
16. **NOTE** The Academy has separate procedures for extension requests which are for minor issues which may merit limited extension. Therefore, if there is time to prevent a potentially poor performance, it may be more appropriate to use the extension request procedure rather than submit mitigating circumstances. This however will depend on the severity and nature of the circumstances.
17. Note the following important points:
 - Only claims made by a student in writing, following the procedures, will be considered. Apart from results profiles, this is all the evidence Panels will have and presentation by tutors of anecdotal, oral evidence will not be permitted. (Only if a student is incapable of making their own claim will a written claim made by a third party on their behalf be accepted.)
 - It is important to provide full details in the covering letter, and to complete the information on the envelope fully.

How the academy considers evidence of mitigating circumstances

18. If mitigating circumstances are accepted, The Academy, via a Mitigating Circumstances Panel, will consider the following in assessing their effect on performance:
 - the severity and timescale of circumstances and consequent link – or absence of link – to the timing of assessment claimed to have been affected;
 - any independent documentary evidence supporting the claim, e.g. medical certificate.
19. The Panel will not normally accept as valid:
 - Circumstances which students are expected to cope with as part of a properly managed workload, or as part of the normal routine difficulties and upsetting aspects of life which may unfortunately occur (see section 4 above);
 - Circumstances which are not formally notified using a Mitigating Circumstances envelope, with appropriate documentary evidence;
20. Mitigating Circumstances Panels only make decisions about coursework assessments and/or examinations listed on the Mitigating Circumstances envelope. Minutes are not taken of the discussions of Mitigating Circumstances Panels – only the decisions are recorded. Panels communicate their decisions to the relevant Assessment Boards.

21. When mitigation has been accepted and a student has not passed the affected module, Assessment Boards will normally also an assessment or module to be retaken without further penalty.
22. When mitigation has been accepted and a student has passed the affected assessments, Student Progression Boards and Final Awards Boards will use their academic judgment to take account of the possible effects of the mitigating circumstances in arriving at an appropriate progression or award decision.
23. In all cases a range of outcomes may be possible arising from the exercise of academic judgment and discretion by an Assessment Board, depending on a student's individual circumstances, their stage of programme and their overall profile of marks and grades.

Extension requests

24. Academy of Live Technology treats requests for extension as a form of mitigation. While it follows the principles outlined in the University of Bolton undergraduate and postgraduate Assessment Regulations, the process for application varies slightly.
25. The rules and procedural variations can be found in the Guidance on Extension Document available on the Academy's website.