

## MITIGATING CIRCUMSTANCES GUIDANCE

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1. Richmond treats all students without bias and acknowledges that there are inevitable circumstances occurring to students, which may adversely affect student's attendance, ability to sit assessments, and engagement with university life. The definition of mitigating circumstances is regarded as highly disruptive or unexpected events beyond the student's control.
2. The most commonly accepted examples regarded by the University as mitigating circumstance normally are:
  - a. Sudden deterioration of a chronic mental and/or physical health condition;
  - b. Short-term serious or significant illness that leads to the need of medical intervention;
  - c. Severe emergency family/personal issue;
  - d. Bereavement;
  - e. UK Visa problems/ change in immigration status.
3. For the purpose of this guidance, a chronic condition encompasses a wide range of symptoms and illnesses. If a student is suffering from a sudden deterioration of the chronic condition that is preventing them from engaging in and attending university, the University expects that they seek medical intervention or professional help without delay. In addition, the student must contact their academic advisor immediately if they are struggling to attend and engage in their studies.
4. Students who have an on-going declared SENs are given reasonable adjustments on the basis of academic suitability for the programme of study. These adjustments are agreed in advance and are not covered by mitigating circumstances. Long- term disability should not be considered as a ground of the mitigating circumstances since it is a retrospective process, when the disabilities are normally registered by Student Affairs.
5. Not every unexpected event will be seen as a mitigating circumstance. Students are expected to manage circumstances in their lives in conjunction with their responsibilities as a student. The following list is not exhaustive but **WILL NOT NORMALLY BE SEEN AS A MITIGATING CIRCUMSTANCE**:
  - a. Common illnesses such as colds, flus, stomach bugs, planned medical appointments even when supported by evidence as these normally would fall under the absence threshold;

- b. A medical condition supported by ‘retrospective’/’post-dated’ medical evidence or medical circumstances that occurred outside the relevant assessment period;
- c. Employment;
- d. Financial difficulties;
- e. Travel delays and transport difficulties;
- f. Personal travel and delays due to personal travel;
- g. Poor time management;
- h. Long-term SENS condition for which the student is already receiving adjustments;
- i. Ongoing caring responsibilities of family members/dependents;
- j. Religious holidays/family events;
- k. Personal computer/printer problems (including with University computer/server/printing facilities);
- l. Poor practice e.g. no back up of electronic documents;
- m. Criminal conviction;
- n. Being unaware of the dates or times of submission deadlines or examination(s);
- o. Not being aware of the Attendance Policy/Mitigating Circumstance Guidance.

### **Submitting Mitigating Circumstance**

- 6. The submission of evidence must be in line with the submission dates of the appeal. The Student Privacy Policy is in place with the evidence you provide and all the requests are regarded as strictly confidential. If appropriate, the OIA will be the only governing body as a matter of appeal procedure. The information supplied is used in order to review the case.
- 7. If the appeal is submitted without the necessary evidence, it will not be heard. The Committee, however, may decide to accept the application out of discretion, if the student could prove genuine grounds by supporting evidence to explain the reasons for late submission.

### **Evidence Requirements**

- 8. Students are responsible for submitting the evidence with the appeal. It is not the burden of the University to collate evidence on the student’s behalf. The Committee will, however, from time to time reach out to a relevant member of the University to seek further information should it be required to make a decision relevant to the case.
- 9. Evidence examples:

- a. Medical evidence of certification or letter by a registered medical practitioner:
    - i. confirming the nature and extent of the illness;
    - ii. confirming the dates clearly correspond with the timeframe of the claim;
    - iii. whenever possible, comes from a locally registered medical practitioner;
    - iv. confirming that the claim has an impact on attendance and/or assessments;
  - b. Funeral notice or death certificate. The University appreciates that it is difficult to obtain the original death certificate, particularly if the occurrence of death is outside the UK, therefore a copy or alternative evidence, such as funeral arrangements, death notice, written evidence from a professional such as a funeral director etc. if the evidence is substantial and compelling. A letter from a family member, text messages or an email to a friend about a death does not count as legitimate evidence;
  - c. Report from a police officer or investigating authority (a crime reference number is needed if necessary);
  - d. Letter from solicitor, summons to attend court.
10. An independent professional translation service is needed if the supported evidence is not written in English.
11. The University, under the freedom of information act, reserves the right to liaise with the relevant person, in regards to seeking clarification of the authenticity of submitted evidence at the time of the decision stage. If students are found to supply fraudulent documentation, a disciplinary action will be given.

## VERSION MANAGEMENT

<b>Responsible Department: RAQA (Department of Registry, Admissions and Quality Assurance)</b>			
<b>Approving body: Academic Board</b>			
Version no.	Key Changes	Date of approval	Date of effect
1		24 July 2018	28 August 2018
2	Shortened and simplified wording	August 2020	August 2020
3	Removed header and updated responsible department to RAQA	17 October 2022	17 October 2022
		<b>Restricted access?</b> <i>Tick as appropriate</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	