

Mitigating Circumstances

Procedure

This procedure applies to:

All students on the University of the Built Environment taught programmes

London School of Architecture students

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Mitigating Circumstances

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Mitigating Circumstances

1. Introduction

At University of the Built Environment, we understand that unexpected and serious events beyond your control can sometimes affect your ability to complete assessments. These are known as mitigating circumstances.

This procedure outlines what constitutes mitigating circumstances and how to apply. It applies to all students enrolled on taught degree programmes and should be read alongside your [Academic and Programme Regulations \(opens new window\)](#).

This process is designed to help you remain engaged with your studies. If your situation is likely to affect future assessments throughout the semester, you should explore alternative support options before submitting a mitigating circumstances request. For advice, contact the Student Advice team via the [VLE \(opens new window\)](#).

2. Choosing the Right Procedure: Interruption of Studies or Mitigating Circumstances?

If you are experiencing difficulties in engaging with your studies, the University of the Built Environment has two key procedures:

1. Mitigating Circumstances:
 - Use if you plan to stay registered in the 'current' semester/term and continue studying.
 - You are affected short-term and cannot meet an assessment deadline or perform to your best ability.
2. Interruption of Studies:
 - For all non-apprenticeship programmes except Master of Architecture:
 - Use if you cannot continue with part or all your studies this semester.
 - You need a break from one or more modules for health, personal or professional reasons.
 - For the Master of Architecture programme:
 - Use if you cannot continue with your studies this term.
 - You need a break from your studies for health, personal or professional reasons.

3. Other support is available too:

If you're not sure whether to apply for Mitigating Circumstances or an Interruption of Studies, we may be able to offer other support to help you stay on track. For advice on assessment extensions, Academic Skills support, or disability and welfare support, please contact the Student Advice Team via [VLE \(opens new window\)](#) or by calling 0118 921 4696 (option 2).

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3. Definitions

Definition: “Mitigating circumstances” are serious, unforeseen circumstances, outside of your control, which affect your ability to prepare for or complete your assessments and/or impact your assessment performance.

Mitigating circumstances should be used only when the following, or other support options, are not appropriate:

- Extensions (all taught programmes except Master of Architecture)
- Exemption from late penalty (Master of Architecture programme only)

You should not rely on this procedure to manage ongoing or pre-existing issues unless agreed with the Disability & Welfare team. Repeated use may lead to referral for further support.

4. Criteria

To use this procedure, you must be registered on a University of the Built Environment taught programme.

4.1 Circumstances that qualify as mitigating circumstances

To qualify, circumstances must have affected you during the preparation and/or submission period, not earlier in the semester when there was no direct impact on your assessment. One of the following criteria must be met and evidenced to apply for mitigating circumstances.

- **Criteria i:** A serious physical or mental illness or injury.
- **Criteria ii:** The death, or significant illness, of a close family member, friend, or person for whom you have a responsibility of care.
- **Criteria iii:** Significant and unforeseen circumstances beyond your reasonable control.

4.2 Circumstances that do not qualify as mitigating circumstances

This is not an exhaustive list of circumstances. Where circumstances are foreseen and can be planned for, students are encouraged to manage their own workload appropriately and utilise their extensions. A member of the Student Advice team can discuss validity of circumstances and alternative support options with you.

- **Short-term minor ailments** (e.g., colds, coughs, gastroenteritis) even when supported by medical evidence.

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- **Late submission** of assessments where you could reasonably have been expected to use an extension/submit a request for exemption from late penalty.
- **Foreseen or planned medical procedures/events**, such as minor surgery that was known in advance.
- **Planned or foreseeable financial difficulties**, including budgeting or payment issues that are within your control.
- **Loss of access to the VLE due to missed payments.**
- **Foreseeable family difficulties** or commitments that are within your reasonable control.
- **Work commitments**, including routine peaks in workload, planned business travel, or taking on additional responsibilities.
- **Starting a new job** or changing employment close to an assessment deadline.
- **Ignorance or misunderstanding** of University regulations, policies, submission requirements, or deadlines.
- **Technical failures** of any kind for which you are responsible, including an unstable internet connection, device breakdown, or failure to back up work. Students are expected to maintain regular back-ups and seek alternative internet access in the event of an outage.
- **Failure to plan workload effectively** or manage your time appropriately.
- **Planned personal events or celebrations**, including holidays, weddings, birthdays, anniversaries, house moves, or religious observance.
- **Being subject to other University of the Built Environment procedures**, such as Academic Misconduct, Disciplinary, Fitness to Study, Complaints, or Appeals.

4.3 Disability (including Specific Learning Difficulties, mental health conditions, and long-term medical conditions)

- If you are disabled or have a long-term health condition (12 months or more) and haven't already done so, contact the Disability and Welfare team to ensure appropriate support is put in place.
- You should submit a mitigating circumstances request if one of the following applies to you:
 - You are a disabled student and experience mitigating circumstances unrelated to your disability.

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- You experience a flare-up of a long-term fluctuating health condition. If you have previously provided evidence of this condition to the Disability and Welfare Team, you will not normally be required to provide new evidence.
- You have requested reasonable adjustments that have been ineffective or not put in place in time. You should also contact the Disability and Welfare team for further advice and support.

4.4 Group Impact

4.4.1 Group Assessment

- If you are on a module with a group assessment, you must submit a mitigating circumstances request form:
 - If your mitigating circumstances affects a group assessment.
 - If a group member's mitigating circumstances affects your group assessment.

4.5 Cohort-wide Issues

- If a large group or cohort is affected by the same event, notify the Student Advice team.
- The University will assess the situation and escalate to the Board of Examiners, who may decide on appropriate action.
- You will be informed if this applies; no individual form will be required.

5. Guide to the Procedure

5.1 How to Submit a Mitigating Circumstances Request

For all programmes except Master of Architecture:

- Complete the Online Mitigating Circumstances Form via the Assessment Tracking page.
- Submit valid evidence (see Appendix A).
- You must submit a form for each affected assessment, including resubmissions.
- The form opens 7 days before the assessment deadline and closes 14 calendar days after (10am UK time).

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- Complete the Online Mitigating Circumstances Form which will be provided to you if eligible to apply for mitigating circumstances.
- You must submit a form for each affected assessment, including re-assessment and resits
- Where you are unable to participate in a re-assessment opportunity due to mitigating circumstances, you must submit a form to apply to resit your assessment in the resit window at the end of the academic year.
- The form opens 7 days before the assessment deadline and closes 14 calendar days after (10am UK time).

5.2 What should be included in your Mitigating Circumstances request

- Description and dates of your circumstances.
- How the circumstances affected your assessment preparation or submission. Evidence and description must clearly show the impact on the assessment preparation or submission otherwise your request may be rejected.
- Valid supporting evidence, as outlined in [Appendix A](#).
 - Please discuss with the Disability and Welfare Team if you have already provided valid supporting evidence, you may not need to resubmit it.

5.3 After you have submitted your request

- Continue to engage with your studies and submit assessments where possible.
- If unable to complete future assessments, consider interrupting your studies.
- If you need further support, contact the Student Advice team via [VLE \(opens new window\)](#) to discuss your options.

6. Outcomes for taught programmes (excluding Master of Architecture)

The process has two stages:

6.1.1 Stage 1 – Initial Review and Outcomes

- Reviewed by trained University of the Built Environment staff to confirm completeness and validity of circumstances.
- Any requests that relate to disability will be shared with the Disability team.

Mitigating Circumstances

- **Possible outcomes:**
 - Approved: Circumstances meet the criteria.
 - For all programmes except the Master of Architecture:
You may submit assessments up to 14 calendar days late without penalty, from the original due date (excluding resubmissions and CMAs). Your case proceeds to Stage 2.
 - Not Approved: Criteria not met. Your case will not progress, but you may be signposted to other support.
 - Further Information Required: You will be asked to submit missing information or evidence by a set deadline. Failure to respond in time will result in your request being rejected.
- You will receive a Stage 1 decision within 10 working days of submitting your mitigating circumstances request.

6.1.2 Stage 2 – Outcome recommendation

- If approved at Stage 1, your case proceeds to a Stage 2 outcome once your module results are available.
- Recommendations for Stage 2 outcomes are made by trained Academic Registry staff based on several factors, including, but not limited to:
 - The nature and impact of your circumstances.
 - Whether learning outcomes have been or can still be demonstrated.
 - Progression on your programme and overall academic progress to date.
 - Fairness and parity with other students, no unfair advantage will be given to those with approved mitigating circumstances.
- A Mitigating Circumstances Panel may be convened in specific cases, such as:
 - Final semester students.
 - Students on a final attempt at a module.
- In all cases, academic judgement is not altered; individual marks are not changed.
- All recommendations are reviewed and confirmed by the relevant Board of Examiners.
- Where relevant, the Board of Examiners will also consider the impact of all previous mitigating circumstances when considering students who are at a borderline classification grade boundary, close to award or are at risk of having their studies terminated.

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- The Stage 2 outcome is released alongside your module results on module results release day.

6.1.3 Stage 2 – Outcomes

Following Board of Examiners' approval, your outcome will be one of the following:

- **No Adjustment**

No adjustment is needed as you have passed the assessment.

Students on a classification module who have passed the assessment, may be given the opportunity to re-submit to improve their mark.

- **Right to resubmit without capping¹**

You can resubmit any failed assessments in the next resubmission window without your mark being capped.²

¹ *Capping* means your resubmission or retake can only earn the minimum pass mark, usually because of a previous fail on the module.

² If your module was already capped due to a previous fail, the cap will still apply.

Please note: This outcome is not available for approved mitigating circumstances at a resubmission attempt.

- **Right to retake without capping¹**

You can retake the whole module at the next available opportunity, without a cap on your marks and free of charge.²

¹ *Capping* means your retake can only earn the minimum pass mark, usually due to a previous fail.

² You must register for the retake the first time the module is offered. If you delay, the full module fee will be charged. Any subsequent attempts will also be charged.

If you had approved mitigating circumstances at your final (fourth) attempt, the Board of Examiners may grant you two more attempts: one retake and one resubmission. In this case, you will also be referred to University of the Built Environments [Fitness to Study Procedure \(opens new window\)](#) to make sure you get the support you need.

- **Disregard an assessment element**

The affected assessment is removed from your module result, and your final mark is calculated based on the remaining assessments.

This can only apply when:

- The affected assessment is weighted less than the remaining ones.

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- You've still demonstrated all required learning outcomes through your other assessments.

This option is not available for students on the Access Module or Single Module Study programmes.

- *Note:* In some cases, assessments cannot be disregarded, such as End Point Assessments or those required by professional, statutory, or regulatory bodies. You will be informed of your outcome by email. All outcomes are final unless a procedural error is identified.

7. Outcomes for the Master of Architecture programme

- Recommendations are made by trained Academic Registry staff based on several factors, including, but not limited to:
 - The nature and impact of your circumstances.
 - Whether learning outcomes have been or can still be demonstrated.
 - Progression on your programme and overall academic progress to date.
 - Fairness and parity with other students, no unfair advantage will be given to those with approved mitigating circumstances.
- A Mitigating Circumstances Panel may be convened in specific cases, such as:
 - Final semester students.
 - Students on a final attempt at a module.
- In all cases, academic judgement is not altered; individual marks are not changed.
- All recommendations are reviewed and confirmed by the relevant Board of Examiners.
- Where relevant, the Board of Examiners will also consider the impact of all previous mitigating circumstances when considering students who are at a borderline classification grade boundary, close to award or are at risk of having their studies terminated.

Following Board of Examiners' approval, your outcome will be one of the following:

- **No adjustment**
No adjustment is needed as you have passed the assessment.
- **Right for re-assessment without capping**
You can submit your assessment in the re-assessment opportunity without your mark being capped.

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Your re-assessment attempt will be counted as your first attempt and this mark will count towards your module result and final classification for an award.

Please note: This outcome is not available for approved mitigating circumstances at a re-assessment or resit attempt.

- **Right to re-sit without capping**

You can submit your assessment in the resit window at the end of the academic year without your mark being capped.

Your resit attempt will be counted as your first attempt, and this mark will count towards your module result and final classification for an award.

- **Right to repeat without capping¹**

You can repeat the whole module at the next available opportunity, without a cap on your marks and free of charge.²

¹ Capping means your retake can only earn the minimum pass mark, usually due to a previous fail.

² You must register for the repeat in the next academic session.

The Board of Examiners will determine whether the repeat attempt is with or without attendance.

8. What if I miss the deadline to submit mitigating circumstances?

If you have missed the deadline to submit a mitigating circumstances request, you should contact the Student Advice team via [VLE \(opens new window\)](#) as soon as possible. You must explain why you were unable to meet the original deadline and provide details of the circumstances that occurred during the relevant assessment period.

Your request must include the following information:

- A description of the circumstances
- How the circumstances affected your ability to complete the assessment
- The specific dates affected (from-to)
- Valid supporting evidence (see [Appendix A – Evidence Guidelines](#))

Late requests will only be considered where there were unavoidable and serious circumstances that prevented you from submitting on time (e.g. hospitalisation, incarceration, or being unable to engage due to serious ill health).

If your late request is not accepted, you must wait until your module results are released and then submit an academic appeal in line with the [Student Appeals Procedure \(opens new window\)](#).

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Please note: Not realising your performance was affected until after receiving your results is not normally considered a valid reason for submitting a late request.

9. Other support

- The University monitors your academic progress and may intervene if you are not progressing as expected.
- You may be referred to other procedures to help you remain on track.
- If you are struggling, please contact us as soon as possible:
 - For all programmes except Master of Architecture contact the Student Advice team via [VLE \(opens new window\)](#) .
 - For the Master of Architecture programme contact the Student and Academic Support Coordinator
- The team can:
 - Offer advice and guidance.
 - Refer you to relevant support procedures.
 - Help you access the assistance you need to continue your studies.

10. Apprenticeship students – additional guidance

For all apprenticeship programmes:

- Workload: “Exceptional workload” will not normally be accepted as mitigating circumstances if you are receiving the required 20% off-the-job training.
 - If you are not receiving the required 20%, contact your Apprenticeship Outcomes Officer.
 - They may be able to provide a statement to support your application, depending on the extent of the shortfall.
- Completion Concerns:
 - Speak to your Apprenticeship Outcomes Officer if your circumstances may prevent you from completing your apprenticeship by the planned end date.
- Missed Mandatory Sessions:
 - You should not use the Online Mitigating Circumstances Form to report this, contact your Apprenticeship Outcomes Officer directly to discuss your options.

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10.1 End Point Assessment for Integrated Apprenticeships

- Follow the mitigating circumstances procedure if sudden or unforeseen circumstances affect your ability to prepare for or complete your end point assessments.
- If mitigating circumstances are approved, your employer will be consulted when determining the most appropriate Stage 2 outcome.
- This is in line with the Stage 2 Outcome section of the End-Point Assessment Plan for the Integrated Apprenticeship.

11. Appeals

You have the right to appeal against your mitigating circumstances outcome, including the decision not to approve a late mitigating circumstances request. If you decide to appeal, you must do so within 10 working days of receiving the outcome. Please refer to the [Student Appeals Procedure \(opens new window\)](#) for more information.

12. How will my personal information be dealt with?

- The University will treat your personal information with care and in line with our Privacy Policy and Data Protection Policy, following the Data Protection Act 2018 and GDPR.
- Relevant case details are only shared with University of the Built Environment staff involved in processing your request or directly supporting you. If you want to limit access further, contact the Student Advice Team before submitting.
- Identifiable information will be kept for the duration of your registration and up to 2 years after your end date.
- Summary (non-identifiable) data may be used for reporting and analysis purposes.

13. Relevant policies & procedures

[Fitness to Study Procedure \(opens new window\)](#)

[Student Appeals Procedure \(opens new window\)](#)

[Interruption of Studies \(opens new window\)](#)

[Neurodiversity, Disability, and Long-Term Health Code of Practice \(opens new window\)](#)

[Alternative Assessment Procedure \(opens new window\)](#)

[Safeguarding Procedure \(opens new window\)](#)

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Appendix A: Examples of Valid Evidence

If you have provided evidence of a disability or long-term health condition to the Disability and Welfare Team, you will not normally be required to provide new evidence in the case of flare-ups; however, evidence may be submitted voluntarily.

The table below provides examples of valid circumstances and evidence for all mitigating circumstances grounds. This list is not exhaustive, and you should submit all evidence that you feel is required to support your mitigating circumstances case when completing the relevant Online Mitigating Circumstances Form.

If you are unsure about the evidence you are required to provide, please contact the Student Advice team via Student Central.

Mitigating Circumstances	Examples of Valid Evidence <i>(Evidence must be relevant to the circumstances in question)</i>
<p>Criteria i: A serious personal physical or mental illness or injury, which is not a long-term condition</p>	<ul style="list-style-type: none"> • Doctor's letter, consultant's letter, letter from therapist, letter from hospital, hospital admittance/ release form. • Statutory sick pay (SSP) form. • Email or letter from employer.
<p>Criteria ii: The death, or serious illness, of a close family member, friend, or person for whom you have a responsibility of care</p>	<ul style="list-style-type: none"> • Doctor's letter, consultant's letter, letter from hospital, prescription. • Statutory sick pay (SSP) form, letter from employer. • Death certificate, order of service, obituary, or news report
<p>Criteria iii: Sudden and unforeseen circumstances beyond your reasonable control* <i>For example: Redundancy, divorce/separation, homelessness, jury service, incarceration, deployment, victim of</i></p>	<ul style="list-style-type: none"> • Doctor's letter/ appointment letter. • Eviction papers or other official letters referring to accommodation status. • Divorce or other legal papers. • Police report or letter from victim

**Natural disasters, epidemics, terrorist attacks, war, or armed conflict that are a matter of public record do not require evidence. However, it is required that you outline specifically on the online form how you personally have been impacted.*