

Mitigating Circumstances Policy

Introduction

This policy outlines the normal Faculty procedures relating to applications for mitigating circumstances. Mitigating circumstances are defined as unforeseen, unpreventable circumstances that significantly disrupt a candidate's performance in an examination. This should not be confused with long term issues such as medical conditions, for which the Faculty can make reasonable adjustments before assessment.

The purpose of mitigating circumstances policy is to enable the Faculty to take into account circumstances that may prevent a candidate from demonstrating their achievement and require an opportunity to defer sitting their examination without charge.

Candidates may suffer from serious and unforeseen circumstances that adversely affect their ability to complete an examination or assessment task and/or their performance in a piece of assessment. This Policy and following procedure set out how such circumstances should be reported to, and, considered by, the Faculty. The accompanying guidance document provides greater detail of the process and procedures that is to be followed by the candidate and the Faculty with regards to mitigating circumstances.

Mitigating circumstances can be considered in the following circumstances:

- bereavement (near relative only)
- serious accident or illness
- sudden deterioration of a long-term condition
- burglary and theft
- childbirth (e.g. going into labour on the day of an assessment)
- medical operation (if approved prior to the point of assessment or an emergency)
- hospital tests (if approved prior to the point of assessment or an emergency)
- being taken ill during an examination
- significant accident, injury, acute ailment or condition
- unanticipated and unavoidable professional obligations
- private or public transport failure leading to delays of more than 1 hour (corroborative evidence is required to verify such a delay)
- pregnancy related illness

Policy

- It is the candidate's responsibility to notify the Faculty of any mitigating circumstances that are believed to affect their ability to perform in an assessment/examination before and assessment takes place and to defer to the next assessment cycle. Reports of mitigating circumstances are normally expected to be submitted at the earliest opportunity before an assessment.
- Where mitigating circumstances arise during an assessment which the candidate believes are having a material, detrimental effect on performance, the candidate would normally be expected to withdraw from the sitting and re-sit at a later date. If the candidate wishes to proceed with a request for mitigating circumstances to be taken into account, they must submit a request using the mitigating circumstances form.

- Mitigating circumstances can be submitted in relation to examinations and scheduled assessments only and are eligible for circumstances that occur after the withdrawal and deferral deadline (i.e. 8 weeks before examination or assessment).
- Mitigating circumstances must be submitted in writing using the mitigating circumstances form and all evidence to support the claim should be included.
- All claims of mitigating circumstances will be reviewed by the Education Development Manager, Education Development Officer and relevant Committee Chair or nominated deputy.
- If the panel approves the request for mitigating circumstances the deferral and withdrawal fee will be waived, and the candidate will be automatically registered for the next sitting of the examination.
- Each claim of mitigating circumstances is only applicable to the immediate examination that it affects.
- Mitigating circumstances will not result in additional marks being awarded or papers being re-marked.

Procedure

Submitting request for mitigating circumstances – before an assessment

- For a claim to be accepted a candidate must produce independent documentary evidence in support of their application to show that the circumstances:
 - have detrimentally affected their performance/submission/attendance in assessment or will do so;
 - were unforeseen;
 - were out of their control and could not have been prevented;
 - relate directly to the timing of the assessment affected.
- All claims of mitigating circumstances will be considered by the Education Development Manager, Education Development Officer and the relevant Committee Chair, or a nominated deputy, who may consult others as they see fit. Records of any mitigating circumstances submitted in respect of other assessments may be used to inform the decision-making process.
- Upon receipt of a mitigating circumstances claim the Faculty may request additional evidence if deemed necessary. Evidence should provide relevant information of the nature and extent of the mitigating circumstances and confirm that the candidate's performance would be significantly impacted by these.
- Candidates will receive acknowledgement of receipt of their claim of mitigating circumstances within 2 working days and be notified of the outcome at the earliest opportunity and as soon as is reasonably practicable before the scheduled assessment.

Submitting request for mitigating circumstances – during an assessment

- If a candidate decides to proceed with an assessment even though they believe that mitigating circumstances are having an effect on performance, then the mitigating circumstances must be reported to a member of FSRH staff or an Invigilator who will complete a contemporaneous record which will be signed by the candidate. If the candidate wishes to proceed with a request for mitigating circumstances to be taken into account, they must submit a request using the mitigating circumstances form.

- Candidates reporting mitigating circumstances during an assessment will not normally be allowed any additional time to complete an assessment unless an error of process on the part of the FSRH or the examination/assessment venue has denied them the full time to complete the assessment.
- Where mitigating circumstances arise that affect all candidates the FSRH staff member or Invigilator supervising the assessment will be responsible for deciding what action to take and will provide a written report to the Examinations Committee.
- Candidates will receive acknowledgement of receipt of their claim of mitigating circumstances within 2 working days and will receive written confirmation of the outcome within 14 working days.