

HE Code of Practice Mitigating Circumstances

Review

Formal Review Cycle	3 Years		
Latest Formal Review (date)	March 2026	Next Formal Review Due (date)	March 2029
Policy Owner	Associate Principal Quality, Teaching and Assessment		
Policy Author	Head of HE Academic Standards and Quality		

Approvals

Board of Corp Y/N	N	Committee	HE Board	Date approved	24/05/2024
ELT Y/N	Y	ELT date approved	20/06/2024	Additional committee	

Publication

Website Y/N	Y	Unify Y/N	Y	Student VLE Y/N	Y	Other	
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Change History

Version	Date Reviewed/ Revised	Description of Change	Reviewed by	Approved by
1.0	24 May 2025	New Code of Practice		HE Board
1.1	12 December 2025	Modification: Inclusion of Exceptional Remote Learning Arrangements (see 8).	Operations Lead, Higher Education	HE Board
1.2	17 March 2026	Modification: Inclusion of Interruption of Studies	Operations Lead, Higher Education	HE Board
1.3	28 th April 2026	Modification: <ul style="list-style-type: none"> Updated links to validating 	HEQM	HE Board

		<p>partner's current code of practices.</p> <ul style="list-style-type: none">• Clarified definition in relation to validating partner language (3.2)• Specified expected timeframe for MC applications in line information with the MC form. (5.2)• Revised 5.3 to specify acceptable and not acceptable evidence types.• Added 5.4 exceptional circumstances applications• Added 5.6 encouraging student support's role in this process.• Added 5.7 to clarify MC use cases.• Revised 6.5 to align MC outcomes with the outcomes on the MC form. <p>Added 6.8 to clarify partner provision exceptions.</p>		
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Mitigating Circumstances

1. Policy Statement

- 1.1. This policy is a policy of the City of Sunderland College, trading as Education Partnership North East (which includes Sunderland College, Hartlepool Sixth Form College and Northumberland College). These colleges will be referred to as “the College” throughout this document.

2. Scope

- 2.1. Applicable to all students on all credit bearing Higher Education provision at the College.
- 2.2. For students registered on provision awarded by University partners, the programme handbook will outline the process to be followed. Further detail can be accessed at:
 - University of Hull - [ucop-requests-for-extensions-and-add-consideration-v1-04-may-2024.docx](#)
 - University of Cumbria - [Appendix 3e \(cumbria.ac.uk\)](#)
 - Pearson - [Special consideration | Pearson qualifications, Centre Guide to Quality Assurance](#)
- 2.3. The Code has been developed with reference to the principles of the Office of the Independent Adjudicator (OIA)'s [Good Practice Framework: Requests for Additional Consideration](#).

3. Definition of Mitigating Circumstances

- 3.1. Mitigating Circumstances are exceptional circumstances which are outside of the student's control and normally unforeseeable and unpreventable which have adversely affected a student's engagement with their programme of study and/or performance in summative assessment.
- 3.2. The term 'Mitigating Circumstances' is also referred to as 'Extenuating Circumstances' or 'Additional Consideration' by other awarding organisations.
- 3.3. The following are examples of circumstances which the College is likely to accept. This list is not exhaustive, and each application will be considered individually.
 - Serious short-term illness or injury.
 - An on-going illness or disability worsening.
 - Death or significant illness of an immediate family member.
 - Unexpected caring responsibilities for a family member or dependent.
 - Significant personal or family crisis.
- 3.4. The follow are examples of circumstances which are unlikely to be accepted by the College:
 - Minor illnesses, such as common colds or hay fever.
 - Planned life events, such as house moves, job changes, holidays.
 - Minor transport disruption.
 - Study related circumstances such as computer/printer failures, poor time management, bunching of assessment deadlines.

4. Extension Requests

- 4.1. It is the student's responsibility to manage their time in order to meet assessment deadlines, however, if there are unforeseen circumstances which will impact this the student must initially discuss these with their Module Leader and Programme Leader.

- 4.2. Programme Leaders can approve extension requests in advance of assessment deadlines of up to 7 calendar days.
- 4.3. All extension requests must be recorded on the Extension Form (Appendix 1) and an annual report of the number received and approved should be submitted to the Quality Team.
- 4.4.

5. Applying for Mitigating Circumstances

- 5.1. If after discussion with the Programme Leader it is felt that an assessment deadline extension will not address the underlying issues, the student can complete the Mitigating Circumstances Form (Appendix 2).
- 5.2. The form should be submitted to quality@educationpartnershipne.ac.uk no later than 7 calendar days after the deadlines for the assessment(s) affected.
- 5.3. Supporting evidence must be provided to support the application. Without supporting evidence the application is unlikely to be accepted.
 - 5.3.1. The following types of evidence are normally considered appropriate in supporting a mitigating circumstances application:
 - Independent medical evidence confirming illness or injury, obtained at or close to the time of the circumstances.
 - Medical records or appointment histories (e.g. NHS App or GP records) that demonstrate a clear timeline of events.
 - Evidence from professional support services (e.g. counselling, wellbeing, safeguarding), provided at or near the time of the circumstances.
 - Written statements from College staff who have direct knowledge of the circumstances or their impact on the student's engagement or assessment (e.g. Programme Leader, Module Leader, Personal Tutor).
 - Statements from an independent third party external to the College who has direct knowledge of the circumstances (e.g. healthcare professional, emergency services, legal representative).
 - Official documentation such as police reports, legal documentation, or other formal records evidencing significant events.
 - 5.3.2. The following types of evidence are unlikely, on their own, to provide sufficient support for an application:
 - Self-declarations that describe circumstances without independent evidence of timing or impact.
 - Evidence that repeats the student's account without providing an independent professional assessment.
 - Statements from family members or friends, where no independent verification is provided
 - Evidence that is not contemporaneous (e.g. documentation obtained significantly before or after the relevant assessment period).
- 5.4. In exceptional circumstances where a student is unable to complete the application due to incapacitation, a Mitigating Circumstances Form may be submitted on their behalf by a member of staff. The member of staff must clearly state the capacity in which they are acting (e.g. Programme Leader, Personal Tutor) and confirm that the application reflects the student's circumstances to the best of their knowledge. Supporting evidence must still be provided.
- 5.5. The application will be acknowledged by the Quality Team within 5 working days and progress of the application tracked. Updates will be sent to the student at each stage of the process.

- 5.6. Students are encouraged to seek advice and support when considering an application for mitigating circumstances. This may include Student Services, wellbeing support, safeguarding, or disability support teams.
- 5.7. Mitigating Circumstances are not intended to support long-term conditions; students should engage with Disability Support for ongoing adjustments.

6. Consideration of Mitigating Circumstances Applications

- 6.1. The College will convene on a monthly basis, or on an ad-hoc basis where necessary, a Mitigating Circumstance Sub-Group (MCSG) of the HE Board to consider all applications submitted.
- 6.2. The MCSG will ensure a comparable and equitable consideration of applications and outcomes across the College.
- 6.3. The MCSG will be Chaired by a current Programme Board Chair nominated by the Chair of the HE Board. Two additional members of the HE Board will be co-opted to the MCSG. The outcomes of the MCSG will be formally minuted.
- 6.4. The MCSG will consider whether to accept the application based on the information provided in the Mitigating Circumstances Form only. The Group will not be provided with any information on student grade profiles.
- 6.5. The MCSG on approving an application will record one of the following outcomes:
 - You will not have any lateness penalties applied to the assessment's mark for the days within the time period affected by your mitigating circumstance.
 - You will be offered to sit or submit the affected assessment with a revised estimated timeframe or deadline for submission (e.g. next available exam period or submission date).
 - You will be offered an alternative assessment if the original assessment is no longer available or suitable.
 - We disregard the partial attempt and you are offered to sit or submit the affected assessment with a revised estimated timeframe or deadline for submission (e.g. next available exam period or submission date).
 - We disregard the partial attempt and you are offered to sit or submit an alternative assessment if the original assessment is no longer available or suitable.
 - When an assessment has been attended or submitted on time but you can provide medical evidence to show you weren't capable of making the decision to do so, and attempting the work again would make matters worse, your attempt will be marked. However, the mark recorded in the student record system will flag that your ability was affected and if your degree award is within the borderline range you may be considered for the higher award (undergraduate students only).

7. Appeal of the decision of the Mitigating Circumstances Sub-Group

- 7.1. A student may appeal the decision of the outcome of the MCSG within 10 working days of receipt of the written notification. A student should submit their Academic Appeal to quality@educationpartnershipne.ac.uk with supporting evidence to support their appeal.
- 7.2. The process outlined in the HE Academic Appeals Policy will then be followed.

8. Exceptional Remote Learning Arrangements

- 8.1. In circumstances where an exceptional safeguarding risk has been identified, the College may implement Exceptional Remote Learning Arrangements as a temporary measure.
- 8.2. These arrangements are approved by the Mitigating Circumstances Sub-Group only in exceptional cases and do not constitute a permanent change to the validated mode of delivery or to the student contract. They will be subject to regular review and may be withdrawn when safeguarding concerns no longer apply.

8.3. Arrangements must be agreed by the student and evidenced through Appendix 3.

9. Interruption of Studies

- 9.1. An Interruption of Studies is a formal pause in a student's registration where circumstances are significant, ongoing, and prevent continued engagement with learning and assessment. A student may request an interruption when their situation is expected to affect multiple modules or their overall academic progress. Interruptions of study may be requested for a number of reasons, including but not limited to: mental or physical illness, maternity/parental leave, significant personal or family circumstances, financial hardship, or other substantial factors affecting engagement. Interruptions cannot be applied retrospectively and may carry implications for fees, funding, or visa compliance depending on the awarding body and individual circumstances.
- 9.2. Students must submit a request using Appendix 4 and provide any required evidence to their Programme Leader. Completed Interruption of Studies applications are normally reviewed and responded to within 10 working days. Interruptions are typically approved for up to 12 months at a time, with a maximum total of 24 months, and must remain within the awarding body's registration limits. Students should return at the start of the same Semester in which they interrupted. This ensures they rejoin at an appropriate point in the programme's academic cycle and can engage with the full sequence of learning and assessment.
- 9.3. Once this maximum has been reached, no further interruption can be granted, and the student must either return to study at the next available point or withdraw from the programme if they are unable to resume.
- 9.4. Requests for interruption are managed through Student Records and approved by curriculum leadership, rather than the Mitigating Circumstances Panel, as interruptions relate to registration status while the panel considers only assessment matters. Students have the right to appeal an Interruption of Studies decision, and any such appeal must be submitted through the Higher Education Academic Appeals Code of Practice.
- 9.5. Where an interruption is requested, the Programme Leader must notify Student Services/Safeguarding prior to approval, to ensure that any wellbeing or safeguarding considerations are addressed. Confirmation of this notification must be recorded on the Interruption of Studies Request Form (Appendix 4).
- 9.6. During the interruption period, teaching, learning activities, and assessment requirements are suspended. During this period, programmes may occasionally be withdrawn or significantly changed. As an OfS-registered provider, the College follows its Student Protection Plan, which outlines how continuity of study is protected in the event of course changes or closure, including options such as teach-out, transfer, or where necessary refunds and compensation as per the College's HE Refunds and Compensation Policy.
- 9.7. A scheduled return to study review date must be agreed at the point of interruption. The Programme Leader will contact the student on or around this date to support planning for return to study and ensure appropriate engagement is re-established. This should be 8-12 weeks before the anticipated return date, to initiate return to study planning and ensure appropriate support is in place. Students will receive an updated schedule for assessments and learning activities and may be required to engage in return to study discussions to support a smooth reintegration.
- 9.8. If a student's circumstances mean they are unlikely to return on the anticipated date, they must notify their Programme Leader as early as possible so that appropriate options can be explored; this may include revising the return date or discussing alternative outcomes where the maximum interruption period cannot be extended. Interruption may also alter minimum and maximum registration periods under awarding-body rules.

10. Privacy and Confidentiality

10.1. All Mitigating Circumstances applications received by the College will be treated confidentially and only information disclosed to those members of staff who are directly involved in the Mitigating Circumstances process.

11. Associated Documents

- Academic Appeals Policy
- Board of Examiners Guidance

12. Policy Monitoring and Review

12.1. The HE Education Board will receive on an annual basis a summary report of:

- The number and type of cases considered at each stage of the process and the outcome of each by Faculty.
- The number of applications submitted.
- The number of applications approved.
- The number of appeals received.

13. Equality Impact Assessment

(Consider whether the policy or procedures may disproportionately impact any group.)

Have you sought consultation on this policy?		Yes, through Programme Leads, HE Boards.		
Details:				
Could a particular group be affected (negatively or positively)?	Impact Y/N	Description of Impact	Evidence	Mitigation/Justification
Protected characteristics under the Equality Act 2010				
Age	N			
Disability	N			
Gender Reassignment	N			
Marriage and Civil Partnership	N			
Pregnancy and maternity	N			
Race	N			
Religion or belief	N			
Sex	N			
Sexual Orientation	N			
Additional characteristics to consider				
Young Persons in Care & Care Leavers	N			
Young Carers & Care Givers	N			
Young Parents	N			
Youth Offenders	N			

Those Receiving Free School Meals	N			
If there is no impact, please explain:	The policy provides a consistent and inclusive framework for assessing mitigating circumstances, with appropriate flexibility to support individual needs where required. No adverse or disproportionate impact on any protected or additional characteristic groups has been identified.			