

Mitigating Circumstances Guide for Students, 2023/24

Heriot-Watt University

Before you apply

- If you can, speak to your personal tutor before submitting a mitigating circumstances application.
- All applications must be accompanied by supporting evidence that covers the dates affected in the application;
 - All documents submitted (including supporting evidence) **must** be in English or accompanied by an official translation.
 - If you cannot get the evidence in time, submit your application and note that the evidence will follow.
 - If you are unable to provide evidence, and the circumstances affected your studies for 7 days or less, an *MC Self-certification Form* may be submitted with your application. See <https://www.hw.ac.uk/uk/students/studies/examinations/mitigating-circumstances.htm>
- Students must submit their own mitigating circumstances application. For example, an application cannot be completed by a parent or friend.
- Have a look through the examples in the **Typical Outcomes** table below. These provide **indicative** outcomes for mitigating circumstances applications, based on University-agreed examples.

Typical Outcomes

Reason for Mitigating Circumstances Application	Typical Outcome
Accommodation issues – if outside of student’s control, e.g. asked to leave rented property earlier than expected. Example evidence: eviction notice, notice to quit.	Accept
Appointments (general) – usually rejected unless urgent or unexpected e.g. interview or pre-interview assessment, but in all cases must be evidenced. Students are expected to organise their time around their studies.	Reject, except in rare cases
Bereavement (Close family member or close relationship) . This can be a very difficult time for all involved. But even in these circumstances the University must ask for evidence. Example evidence: copy of death certificate, Order of Service for funeral, newspaper announcement. May also require evidence of relationship to the deceased. Can accept letter from close family member of the deceased confirming death and relationship to the student. Please also contact wellbeing for support: studentwellbeing@hw.ac.uk	Accept

Reason for Mitigating Circumstances Application	Typical Outcome
<p>Bereavement (friend or distant relative). This can be a very difficult time for all involved. But even in these circumstances the University must ask for evidence.</p> <p>Example evidence: copy of death certificate, Order of Service for funeral, newspaper announcement. May also require evidence of relationship to the deceased and the impact of their death on the student. This might be a letter from a counsellor, or a letter from a close family member of the deceased confirming death and relationship to the student.</p> <p>Please also contact wellbeing for support: studentwellbeing@hw.ac.uk</p>	<p>Considered on a case-by-case basis</p>
<p>Caring Responsibilities (Registered carer) – if a student has previously satisfied the University that they are a carer, then the University must take account of students with caring responsibilities in any considerations of student absence, mitigating circumstances and temporary suspension of studies applications. These will therefore be accepted</p> <p>https://www.hw.ac.uk/students/doc/student_carers_policy.pdf</p>	<p>Accept</p>
<p>Childcare (family) – Looking after your own or family members’ children is only grounds for Mitigating Circumstances in the case of unexpected and unavoidable childcare events, such as a child sent home from School while you are in an exam. Example evidence, note from School, doctor’s note.</p> <p>You may also be asked for evidence of your relationship with the child if it is not clear, such as a birth-certificate.</p>	<p>Considered on a case-by-case basis</p>
<p>Childcare (paid) – Paid work is not grounds for Mitigating Circumstances</p>	<p>Reject</p>
<p>Coursework submission errors – you had the wrong date or time for the deadline, e.g. you mistook 12 noon for 12 midnight.</p> <p>(Unless HWU is responsible for the error).</p>	<p>Reject</p>
<p>Court attendance - supporting evidence required, i.e., court letter.</p>	<p>Accept</p>
<p>Criminal activity impacting studies. For example: Laptop/device stolen - Laptop stolen with the only up-to-date copy of student’s coursework on it. Evidence: police incident report. Would need to explain why there was no other copy of the work.</p> <p>Criminal activity disrupting assessment such as a burglary or assault. Evidence: police incident report.</p> <p>Please also contact wellbeing for support: studentwellbeing@hw.ac.uk</p>	<p>Considered on a case-by-case basis</p>
<p>Deferring course examinations to the following year – i.e. students seeking to defer their examinations to the following year.</p>	<p>Reject</p>

Reason for Mitigating Circumstances Application	Typical Outcome
<p>Disability - If a student has previously disclosed a disability to the University and it can be demonstrated that they have been disadvantaged in the exams through not receiving reasonable adjustments, they should provide details and include supporting evidence from the Disability Service disability@hw.ac.uk or Counselling Services studentwellbeing@hw.ac.uk</p>	<p>Considered on a case-by-case basis</p>
<p>Employment issues – where these are unforeseen. Only acceptable for part-time or Graduate Apprenticeship students. E.g. redundancy, workload etc. Must be unforeseen and accompanied by supporting letter from employer.</p> <p>HW Online students must show that they could not cancel exam within the 3-day cancellation timescale.</p>	<p>Considered on a case-by-case basis</p>
<p>Enrolment issues delaying access to course materials – Examples that will be Rejected: late getting visa issued, student error, short delay. Examples that may be accepted: Awaiting outcome of appeal, HWU delay in processing transfer between campuses, political disruption.</p>	<p>Considered on a case-by-case basis</p>
<p>Exam dates errors – you had the wrong date or time of exam. It is your responsibility to check the exam timetable.</p>	<p>Reject</p>
<p>Exams (non-HWU) - students sitting exam(s) for other qualifications, with other institutions.</p>	<p>Reject</p>
<p>Exam support services - e.g., issues with University-provided exam scribe, invigilator, exam accommodation, etc. This must be confirmed by the invigilator, Students Service Centre or other University department.</p>	<p>Accept</p>
<p>Exemptions - MCs will not be considered when awarding exemptions for exams. (Unless HWU error).</p>	<p>Reject</p>
<p>Financial hold prevents access to assessment or course materials – this will not be accepted as a mitigating circumstance, unless evidence is provided which demonstrates exceptional <i>non-financial</i> difficulties which prevented payments being made; accompanied by evidence of attempts to reach an agreement with the University's Finance department, or evidence which demonstrates why it was not possible to contact the Finance department.</p>	<p>Reject</p>

Reason for Mitigating Circumstances Application	Typical Outcome
<p>Financial issues disrupting studies for <i>full-time</i> students (Note: If you have had a financial hold applied restricting your access to online assessments, please see the “Financial hold prevents access to assessment or course materials” section, above.)</p> <p>For full-time students, if you find that financial issues are disrupting your studies, you are advised to consider applying for a hardship fund (https://www.hw.ac.uk/uk/students/money/uk/student-hardship-funds.htm) or you may be able to apply for a temporary suspension of studies (TSS). For example, if you find yourself in a position where you must work to support yourself to the extent that you cannot commit fully to your studies.</p> <p>However this situation cannot be considered as a mitigating circumstance.</p>	Reject
<p>Financial issues disrupting studies for <i>part-time</i> students (Note: If you have had a financial hold applied restricting your access to online assessments, please see the “Prevented from accessing online assessment due to financial hold” section, below.)</p> <p>For part-time students, if you find that financial issues are disrupting your studies, this may be considered as a mitigating circumstance. Evidence must be provided such as Final demand notices, or referrals to debt collecting agencies.</p>	Considered on a case-by-case basis
<p>Graduation ceremony - from a previous institution (evidence required).</p>	Accept
<p>Group work Issues dealing with group members, e.g. perceived underperformance or lack of contribution.</p> <p>Group members being ill or not being able to contribute due to mitigating circumstances.</p> <p>Students with disabilities might have group work discussed in their learning profile, if so, this may be considered.</p>	Reject Considered on a case-by-case basis Considered on a case-by-case basis
<p>Holidays/Vacation - including those booked before starting HWU.</p>	Reject
<p>Home-Schooling as a result of a national emergency – unexpected demands supporting the home-schooling of dependent children. Supporting evidence of dependents required: the child’s birth certificate, child’s passport, or confirmation from a suitable referee (e.g. doctor, personal tutor, member of staff who knows student, well-being services confirmation, etc.). If no evidence is available, then a rationale will be required, but will not automatically be accepted.</p>	Accept

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Home emergency - such as flood or power cut. Example evidence: verifiable photo evidence, letter from landlord, confirmation from service provider, insurance claim documentation.	Accept
Hospital appointments – Evidence required, e.g. appointment letter/card.	Accept
<p>Illness - any illness (mental, physical and/or emotional) suffered by a student, or if a student is being affected by the illness of a close family member. Supporting medical evidence required from a doctor or medical professional.</p> <p>If a close family member is ill, we may also require evidence of your relationship to them. Also, please note that supporting medical evidence will only be accepted when there is clear permission granted by the invalid.</p> <p>Graduate Apprentices may submit evidence that they have already been through their employers sickness absence procedures.</p>	Accept
Illness (having to leave exam early) - must provide supporting medical evidence or invigilator's report confirming incident.	Accept
<p>Industrial action – There is a specific policy regarding this. The Head of School will consult with University colleagues as per Regulation A10: https://www.hw.ac.uk/documents/Regulations-2021-22.pdf</p>	Consider on collective basis
Internships/work placements	Reject
<p>IT issues</p> <p><i>See Appendix: Details Regarding IT Issues:</i></p>	Considered on a case-by-case basis
<p>Key workers brought in to work during a national emergency - subject to the student being able to demonstrate they are key workers (based on government definitions) and have been required to do more hours than usual, which can be demonstrated by, for example, a letter from their employer.</p>	Accept
<p>Linked course impacted by previous MC. For example a Semester 2 course due to MC in a "linked" S1 course (confirmation from Course Leader is required).</p>	Accept

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<p>Maternity and Paternity – the University has guidance in place: https://www.hw.ac.uk/students/doc/student-maternity-and-paternity-guidelin.pdf</p> <p>Section 4.3 suggests students consider a TSS.</p> <p><i>The University recognises that at times parenting/caring responsibilities can impact on everyday activities including the ability of students to fulfil their course obligations. In this context, with supporting material such as a doctor’s note, the individual may wish to apply for mitigating circumstances. However, there may be cases where as part of the pregnancy, and newborn stage, that students may choose to submit an MC rather than TSS. This should be considered on a case-by-case basis and incorporate both maternal and paternal rights as outlined in the policy.</i></p>	Accept
<p>Military/Emergency Services - mandatory training or service, i.e. where this is not voluntary work. Also includes reservists. Evidence: call-up papers, newspaper evidence when this is at a national level.</p>	Accept
<p>Personal Issues – Where these are severe and unexpected. There must be significant supporting evidence from a professional source. Please also contact wellbeing for support: studentwellbeing@hw.ac.uk</p>	Accept
<p>Pet loss or caring responsibilities – if a pet for which a student has responsibility requires urgent veterinary care at a time which clashes with an exam or assessment deadline. Or if a pet for which a student has a strong emotional attachment is killed or injured at a time which causes undue stress affecting exam or assessment performance. Evidence of responsibility such as veterinary bills or pet insurance documents. As evidence of undue stress, supporting evidence from a professional source is required. Please also contact wellbeing for support: studentwellbeing@hw.ac.uk</p>	Accept
<p>Quarantine – If the student is prevented from attending an assessment due to the introduction of unexpected quarantine rules, then this may be accepted. Evidence may be required if the quarantine it is not a matter of public knowledge.</p> <p>If the student is unable to attend an assessment because pre-existing quarantine rules were not included in their travel plans, this will not be accepted.</p>	Considered on a case-by-case basis
<p>Religious Pilgrimage or Holidays - Although not usually approved as a matter of course, there are also situations in which students can apply for an approved absence such as religious and cultural observance.</p>	To be referred to University Dean for consideration
<p>Sickness – See Illness, above.</p>	
<p>Sporting events (Sports Scholars); but must be flagged in advance with supporting evidence.</p>	Accept
<p>Sporting events For participation at national or international level; but must be flagged in advance with supporting evidence.</p>	Accept

Reason for Mitigating Circumstances Application	Typical Outcome
Sporting events For non sports scholars and where this is not for participation at national or international level; or when the event is only flagged during or after the assessment.	Reject
Supervisor change at key time. If a student’s supervisor must be switched to a new supervisor at a key point in the student’s studies. Example evidence: Letter from course leader or senior academic confirming that the change was disruptive.	Accept.
Travel delays - missing exams or late submitting coursework. Exceptions possible: <ul style="list-style-type: none"> • Car accident/breakdown on way to exam only. Example evidence: newspaper report, travel report. • Ongoing bad weather conditions (e.g., ash cloud, evidence required). – This will be covered in ‘mitigating circumstances affecting groups of students’ and requires coordinated consideration/University guidance. • Public transport issues <i>en route</i> to exams which affect several students, and this will be covered in ‘mitigating circumstances affecting groups of students’ and requires coordinated consideration/University guidance 	Reject
Upload Issues e.g. uploading to Canvas or Turnitin. See <i>Appendix: Details Regarding IT Issues:</i>	Considered on a case by case basis
Visa issues - including lost documents (exceptions depending on circumstances and if outside of the student's control).	Reject
War or conflict disrupting studies. Specific evidence may not be required in cases where the conflict is taking place where the student is residing or in their home country and the conflict is public knowledge. For those affected indirectly by conflict, specific evidence may be required.	Accept
Weddings - if a close family member or has a role in the ceremony. Also acceptable for cultural reasons. Evidence must be provided, can be letter from direct family member (e.g. legal guardian, parent, future spouse).	Accept
Work commitments – unless studying part-time, distance learning, or Graduate apprenticeship with supporting evidence from employer required. (also see Key Workers, above)	Reject

Appendix: Details Regarding IT Issues:

Variations between student modes of study:

- **Campus-based students:** Campus based students are expected to be resident within commuting distance of the University to attend classes, and so also have access to IT and study facilities on campus.
- **Independent Distance Learners:** IDL students are expected to have access to suitable IT equipment and a study environment.

Examples which are likely to be rejected:

- Unable to access VLE pages and so missed a substantial portion of the course.
- Unable to work on essay assessment as laptop in for repair.

For campus-based students, these cases could be considered where exceptional circumstances prevented access to the campus.

Examples which may be accepted:

Note: Occasional IT issues can affect studies at key points such as essay deadlines. In these cases, evidence can be difficult to obtain, and so self-certification may be accepted. However, if the student is repeatedly encountering such issues, the University may follow up with the student to discuss the reasons that they do not have access to reliable IT facilities.

- Home internet connection slowed down substantially at the assessment deadline, and so deadline missed.
- Lost laptop with only up-to-date copy of assessment.

Examples which are likely to be accepted:

- There was a city-wide disruption to the internet
- Your Internet Service Provider confirms an unexpected outage during your assessment.
- A utility provider confirms a significant power outage in your area during a key period of your assessment.
- The University equipment you were using failed during the exam.

Examples of evidence of IT issues

1. News reports of a city-wide disruption of internet during the period of the exam.
2. Internet Service Provider's statement confirming broadband disruption.
3. Screenshots showing evidence of attempts to upload the exam, in good time. Screenshots need to ensure that date, time and user are visible.
4. Report from HWU Information Services confirming connectivity, login, authentication or application issues.
5. Repair report addressed to the student stating the nature of the repair and the dates in for repair.
6. Screenshots demonstrating application failure, ensuring date, time, and user are visible.
7. On campus only: Invigilator's statement confirming equipment failure.