



Fairfield School of Business

## Mitigating (or ‘Exceptional’) Circumstances Policy for **Bath Spa University (BSU)** Taught Degree Programmes

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**Version:** 1.0

Category: Academic Regulations (externally validated programmes)

Owner(s): Head of Student Lifecycle

Approved by: The Board of Governors

Access: **Public** – Anyone can view this document

Applicability: This policy applies to student on courses leading to awards from  
**Bath Spa University**

## 1. Policy for University-validated Programmes

- 1.1. Fairfield School of Business delivers higher education programmes that lead to awards from external awarding bodies. Under these arrangements, you are enrolled as a student of the awarding body and subject to its academic regulations.
- 1.2. Students enrolled on programmes leading to an award from **Bath Spa University (BSU)** will have their mitigating circumstances requests dealt with in the following way:
  - You should request an assignment extension or mitigating circumstance from FSB's Registry team ([registry@fairfield.ac](mailto:registry@fairfield.ac)) in the first instance;
  - Your request will then be submitted to, and decided by, Bath Spa University in accordance with their policies and procedures. You can read the University's guidance, and its examples of what constitutes valid Mitigating (Exceptional) Circumstances here:  
[Exceptional-Circumstances-Policy.pdf](#)
  - If you are not happy with the outcome of your request, you may have recourse to a review of the decision under the Appeals Policy and Procedures (Stage 2) for Bath Spa University programmes. All appeals are decided by the University.

**Note that Extensions and Mitigating Circumstances are two separate processes. If you are unsure which procedure to follow, please speak to your student support officer.**

## 2. What are Mitigating (or 'Exceptional') Circumstances?

- 2.1. **Mitigating Circumstances** (sometimes referred to as 'Extenuating' or 'Exceptional' circumstances) are unforeseen or unavoidable circumstances that can occur in a student's life that affect their performance in an assessment, leading to them achieving a lower grade than they would otherwise be capable of. Such circumstances may also have prevented them from attempting an assessment.
- 2.2. Mitigating Circumstances (sometimes referred to as 'Extenuating' or 'Exceptional' circumstances) must be:
  - i. short-term disruptive circumstances,
  - ii. beyond the control of the student,
  - iii. happen shortly before or during an assessment, and
  - iv. have had a material effect on the students' ability to undertake the assessment.
- 2.3. Mitigating Circumstances do not apply to an any ongoing disability, specific learning need or mental health condition that a student may already be receiving support for under our Reasonable Adjustments Policy. Students should speak to their on-campus Student Support

office if they have any long-term support need. This policy may however apply in the event of a severe episode or an acute worsening of these conditions.

- 2.4. A list of examples of what are considered Mitigating Circumstances is given in Section 6 of this policy.
- 2.5. Depending on the circumstance and the type of assessment, students may be granted an extension, a resubmission attempt without academic penalty, or an alternative form of assessment (if sanctioned by the awarding body's Assessment Board).
- 2.6. We expect those who enrol on a study programme with us to be able to balance their personal life commitments with their academic deadlines, manage their workloads independently and cope with the pressure of meeting all assessment requirements. Issues arising from these would not normally be considered as valid Mitigating Circumstances and the school's Students Services and Academic Support Services can assist students who are struggling to reconcile their study/life balance or experiencing feelings of stress.

#### 2.7. **Deferral**

If Mitigating Circumstances are approved, this would normally 'defer' a student's coursework deadline to the next assessment deadline in the academic year. Deferred assessment is treated as a first attempt (i.e uncapped), with the full range of marks available. Students can also seek to 'defer' a referred (capped) piece of work to the next assessment period through this policy.

- 2.8. An approved Mitigating Circumstances claim will not excuse students from completing their assessment(s) but will defer the coursework deadline for those modules or assessments approved on the claim to the next assessment point. Students will still be required to demonstrate that they can achieve the required learning outcomes to successfully pass each of their modules and to meet the programme requirements for progression or award.
- 2.9. Final year students are informed that they will not be eligible to attend Graduation until all assessments have been successfully completed. Therefore, deferring coursework through Mitigating Circumstances may result in the student becoming ineligible to graduate with the majority of their cohort. The student will be invited to the next available graduation event, depending on when the student successfully completes their award.

#### **Fit to Sit/Submit Principle**

- 2.10. Student enrolled on Bath Spa University programmes will be subject to its 'Fit to Sit / Submit' principle. When students submit an assessment or sit an examination, they are declaring that they are fit to do so. Students should not then claim at a later date that their performance in an assessment or examination was affected by Mitigating Circumstances.

- 2.11. If a student is not fit to sit / submit, a short extension (usually one week, but this can be extended by agreement of the FSB Programme Leader and University Link Tutor) can be requested, or an Exceptional Circumstances claim can be submitted to request that the assessment is deferred to the next assessment point.

### 3. Submitting the Request

- 3.1. Fairfield School of Business will submit all requests for mitigating circumstance and assignment extensions on a student's behalf to the University.

- 3.2. Students seeking to make a Mitigating Circumstance claim or request an assignment extension should first contact FSB's Student Support Team to request a Mitigating (Exceptional) Circumstances form or an Assignment Extension form.

#### 3.3. **Timing of Submissions**

Mitigating Circumstances claims must be submitted as close as possible to the date of the affected assessment. Claims should not be submitted so far in advance that the impact of the Exceptional Circumstances cannot be assessed.

#### 3.4. **Retrospective or Late Submissions**

Retrospective or late claims for Exceptional Circumstances can be submitted up to 10 working days following the receipt by the student of their official University results email. Retrospective or late claims for Exceptional Circumstances following the relevant Assessment Board will only be considered in certain circumstances and students should fully explain why they were unable to submit a claim before the Assessment Board.

- 3.5. Students may apply for Mitigating Circumstances for more than one module if the same circumstances have affected more than one assessment. The claim form should clearly explain the details of the circumstances, which assessments and modules have been affected, and how these circumstances have affected the student's ability to submit.
- 3.6. Students who have agreed Mitigating Circumstances in place for an assessment can still submit the assessment on time for the original submission deadline. This will "void" the Mitigating Circumstances claim and the mark ratified at the Assessment Board will stand. Students cannot subsequently ask for a claim to be reinstated once the assessment has been submitted.
- 3.7. Mitigating Circumstances cannot be used to waive the late submission penalty when coursework is submitted after the published deadline.

## 4. Considering a Request

- 4.1. All requests forwarded by the FSB Registry Team will be dealt with by Bath Spa University in accordance with its Exceptional Circumstances Policy.
- 4.2. Claims will initially be considered by the University's Assistant Registrar - Assessments and Progression or their nominee who will make a decision to approve or not approve the claim if their findings demonstrate clear information or evidence to enable them to make a decision on the student's claim. In all other cases, the claim will be considered by the University's Exceptional Circumstances Panel.
- 4.3. The terms of reference of the Exceptional Circumstances Panel shall be:
  - a. to make a judgement on Exceptional Circumstances claims that cannot be resolved by Assistant Registrar - Assessments and Progression or their nominee;
  - b. if required, make proposals or recommendations for further actions

The Exceptional Circumstances Panel shall be comprised of Bath Spa University Officers:

- Registrar (Chair)
- Assistant Registrar - Assessments and Progression
- Assistant Registrar - Engagement and Success
- Representative from Student Wellbeing Services

Secretary:

- Member of Student Information Team

## 5. Outcome of a Mitigating Circumstances Procedure

- 5.1. The possible decisions of the Panel are as follows:
  - The claim is approved
  - The claim is not approved
- 5.2. The Panel may also make recommendations with regards to progression or other study related recommendations. Students may be referred to Student Wellbeing Services following the consideration of an claim.
- 5.3. Students whose claims are taken to an Exceptional Circumstances Panel will be notified of this and of the date of the Panel meeting and they will be given the opportunity to submit additional evidence to support their claim, should they wish to do so. Following the meeting

of the Exceptional Circumstances Panel, students will be notified of the outcome within 5 working days of the panel.

## 6. Examples of Mitigating Circumstances

**FSB is required to use the University's definitions of what would constitute mitigating (or 'exceptional') circumstances, for the purpose of this policy.**

6.1. The following examples are likely to be considered eligible circumstances and as such form part of the criteria used to assess each exceptional circumstances application:

- Serious personal accident, injury or illness
- Hospitalisation (including operations)
- Death or serious illness of close family member, dependent, partner or friend
- National disruption or national mourning
- Serious complications in pregnancy or maternity
- Unexpected caring duties for child, family member or friend
- Sudden deterioration or escalation of ongoing illness, condition or disability
- Serious personal disruption (such as a relationship breakdown, separation, divorce, house move, victim of crime)
- Serious incident (such as assault or harassment)
- Major household problem (such as break-in, fire, homelessness)
- Absence for public service (such as jury service, service with reserved forces)
- Recent diagnosis of disability or long-term condition
- Recent change, commencement or cessation of medication
- Delay in the receipt of appropriate support for disability or long-term condition
- IT issues (such as digital poverty or laptop malfunction or theft)

6.2. In line with the University's definition of exceptional circumstances, the following examples may be considered eligible exceptional circumstances as part of supporting significant and impactful student opportunities to develop their studies, careers and employability skills. Additional evidence to support the claim may be requested.

- Competing in national/international sports
- Participation in cultural events
- Faith-related observances and practices
- Significant opportunities to benefit your career or studies
- Significant financial issues which impact your studies and ability to complete assessments

6.3. The following examples are not likely to be considered as mitigating circumstances and students should use these as a guide to whether their circumstances would meet the Mitigating Circumstances criteria.

- Short-term or minor illness (e.g sore throat, cough, cold)
- Transport issues
- Misreading of assessment submission dates and times
- Personal events that could have been anticipated (such as a holiday, wedding, sports event or field trip) and where you have control over the date or may choose not to participate
- Pressure of academic workload, including the management of multiple submission deadlines (there may be exceptions related to disruption pertaining to placement modules, semesters abroad and where an assessment is contingent on work-related activities, which will be assessed on a case-by-case basis)
- Demands of paid employment
- Language of assessment not being the student's main language

## 7. Review and Update of this Policy

- 7.1. This policy will be reviewed annually and updated in accordance with periodic changes to BSU's policies and procedures and the terms of the partnership agreement between FSB and BSU. Changes to this policy will be verified by the University and approved for publication by FSB's Board of Governors.

## Version Tracking:

Version	Author / revisions by	Changes summary	Approved by	Date
1.0	Quality Manager (FSB) Registry Lead (FSB) Programme Leader (FSB)	This version replaces all previous version which have been differentiated by university partner.  First version adapted from BSU's Exceptional circumstances policy; localised for FSB as per agreed responsibility under partnership agreement.	Board of Governors	Sep 2024 (C.A.)

**Date of next review:** September 2025