

COVID-19 Response – 2019/20

Mitigating Circumstances and No Detriment Policy

Guidance for Staff

Updated: 1st April 2020

This document has been developed on the basis of ‘guidance on summer term teaching and alternative assessments’ approved by the Education Committee and Academic Board on 30th March 2020.

1. PRINCIPLES

- 1.1. The College [Mitigating Circumstances Policy](#) and [guidance](#) continue to apply, however for 2019/20 exceptions to this have been agreed, including no requirement to submit evidence and additional circumstances that have been identified as acceptable.
- 1.2. All claims should now be submitted online through [MS forms](#).
- 1.3. Students are not expected to submit evidence for any mitigating circumstances in 2020.
- 1.4. Students who **attempt** an assessment and submit on time will automatically benefit from the [No Detriment Policy](#) which ensures that students are not disadvantaged by completing assessments during this period of disruption caused by the outbreak of COVID-19.
- 1.5. Mitigating circumstances claims can be submitted for non-submissions, late submissions and impaired performance in line with the existing policy for mitigating circumstances.
- 1.6. Students asked to declare if this is a coronavirus related claim. We are anticipating that **most MCs** declaring as related to coronavirus are to be accepted.
- 1.7. Exam boards are expected to take the COVID-19 crisis as key evidence to the background in which all students have had to complete work since March this year; the widespread stress and disruption of this period will therefore automatically be taken into account throughout the whole of our assessment and examining process in 2020.
- 1.8. This guidance will be updated periodically.

2. NO DETRIMENT POLICY

The [policy](#) has been agreed as a temporary exceptional policy to be in place for this period of disruption. The Policy is as below:

- i. *The College is adopting a ‘no detriment’ policy in 2019/20 to help our students progress and complete in the face of COVID-19 challenges. Students should continue to be encouraged to complete the alternative assessments set in place of exams whenever possible.*
- ii. *If a student **does not** attempt a final assessment then they will be offered the average module mark calculated on the basis of assessment completed to date for that module. This can apply only when;*

- *the student has submitted mitigating circumstances.*
- *the assessment already completed constitutes 40% or more of the module assessment weighting.*
- *achievement of the core learning objectives has been demonstrated in already completed assessment.*
- *this would continue to meet any Professional, Statutory and Regulatory Body (PSRB) requirements*

Students may decline this offer and opt for a reassessment opportunity without penalty.

iii. *If a student **attempts** an assessment and achieves a mark that results in an overall module mark lower than any already completed assessment for that module they will be offered the opportunity to receive a final module mark based on only the previously completed assessment for that module. This can only apply when;*

- *the assessment already completed constitutes 40% or more of the module assessment weighting.*
- *achievement of the core learning objectives has been demonstrated in already completed assessment.*
- *this would continue to meet any PSRB requirements*

The submission of a mitigating circumstances form is not required for this.

iv. *If a student **does not** submit an assessment for a module for which more than 60% of assessment weighting is still outstanding, and/or in which the core learning objectives have not yet been met, they should submit a mitigating circumstances form in order to be considered for an opportunity for reassessment without penalty.*

v. *If a student **attempts** an assessment for a module for which more than 60% of the assessment weighting is still outstanding, and/or in which the core learning objectives have not yet been met the following will apply.*

- *If they fail the assessment they will be offered the opportunity to be reassessed without penalty.*
- *If they pass the assessment they will be offered the choice of accepting the mark or reassessment without penalty.*

The submission of a mitigating circumstances form is not required for this.

3. NO DETRIMENT PROCESS

- 3.1. Departmental academic staff are responsible for identifying the modules that meet the criteria where 40% of assessment has already been completed and passed and where core learning objectives have been achieved. For these modules, departments should calculate the module mark for students including the exam and not including the exam. Where the module mark without the exam is higher then it is this mark which should be recorded. (more guidance on mark entry to follow later)

- 3.2. Where students are provided with a choice to keep the exam pass mark or opt for a reassessment without penalty, departments are responsible for communicating this to students with advice on the implications of choosing each option. Students should be advised where the module does not count towards classification so they understand that the current mark will not be detrimental to the outcome of their degree. Where the module does not count towards classification students should be advised not to reassess.
(Template letters for these communications will be provided later)
- 3.3. All departments must keep accurate records of all decisions and actions taken under the no detriment policy for reporting later and in case of any subsequent appeals.

4. MITIGATING CIRCUMSTANCES POLICY

- 4.1. The College [Mitigating Circumstances Policy](#) and [guidance](#) continue to apply, however for 2019/20 exceptions to this have been agreed and we have developed new COVID-19 Mitigating Circumstances guidance for students for 2019/20. This outlines the circumstances in which mitigating circumstances will be considered and accepted during this period. The student guidance is available on the Mitigating Circumstances Sharepoint site.

5. MITIGATING CIRCUMSTANCES PROCESS

- 5.1. There is a SharePoint site for managing mitigating circumstances claims and information on the College approach to handling claims during the COVID-19 response.
<https://birkbeckuol.sharepoint.com/sites/ps-ts-registry-mit-circs>
- 5.2. Students are asked to complete an online form via MS forms, available here: [Online Mitigating Circumstances Form](#)
- 5.3. A pdf copy of the form is available on the SharePoint for reference:
<https://birkbeckuol.sharepoint.com/sites/ps-ts-registry-mit-circs>
- 5.4. Students can submit a mitigating circumstances claim at any point in advance of an assessment and up to 14 days after the assessment submission date.
- 5.5. Students should be informed by the department as soon as possible whether the application has been accepted.
- 5.6. Records of mitigating circumstance claims and outcomes made must be stored in a secure location by departments with access restricted to relevant staff.
- 5.7. Departments are responsible for recording relevant details of claims and decisions to enable reporting and in case of future appeals.

6. MITIGATING CIRCUMSTANCES SPREADSHEETS GUIDANCE

- 6.1. All departments will have access to a spreadsheet containing all mitigating circumstances submissions. They are found within the SharePoint site and ASMs within each department will have permission to add others to the relevant folder.
- 6.2. These spreadsheets will be updated daily at 5pm so departments are asked to check the spreadsheet at the start of each day.

6.3. When processing a claim, staff should record the following in the relevant column in the spreadsheet (on the very far right hand side):

- the date the claim was logged
- any action taken by the department
- date the claim was approved, or notes detailing reasons why the claim was not accepted

6.4. **Staff MUST NOT enter any data in columns that are not mentioned above and not in any additional rows. The departmental spreadsheets are automatically generated from a Master spreadsheet. If any data is added to new rows or columns not mentioned above this may corrupt the Master spreadsheet.**

6.5. If staff have any problems with their departmental spreadsheet, then they are asked to contact asq@bbk.ac.uk

7. CONSIDERATION OF CLAIMS

Coronavirus related

7.1. Students have been advised that mitigating circumstances do not need to be submitted due to general stress and disruption of COVID-19. Mitigating circumstances claims should be submitted only in cases where a student: has suffered significant personal or family illness, bereavement, or serious personal, emotional or financial challenges as a result of COVID-19.

Text:

“The College recognises that the outbreak of Coronavirus (COVID-19) is resulting in a great deal of stress and disruption to all our lives. We will be working to try to ensure that your academic progression and achievement is not disadvantaged by the current crisis. Please be advised that all exam boards will take the COVID-19 crisis as key evidence to the background in which all students have had to complete work this year. You do not need to submit a Mitigating Circumstances Claim in relation to this stress and disruption. If you have suffered significant personal or family illness, bereavement or serious personal, emotional or financial challenges as a result of COVID-19 or other unforeseen circumstances unrelated to COVID-19 then you may wish to submit a claim for Mitigating Circumstances. Claims should be submitted if these factors have impacted on your ability to submit the assessment or on your ability to perform well on the assessment.”

7.2. Students are asked in which way they have been impacted:

- Financial
- Employment
- Housing
- Health or disability
- Bereavement
- IT or computer

- Increased caring responsibilities
- Other

7.3 CASE EXAMPLES

The following are examples of situations that would be acceptable as mitigating circumstances claims during this period of disruption. This list is not exhaustive.

- Bereavement due to COVID-19
- Hospitalised due to contracting COVID-19
- Ill at home due to having COVID-19-like symptoms.
- Financial concerns due to loss of work
- Had difficulties in completing work because of limited access to a computer or study space.
- Busy home-schooling my children/getting shopping/caring for vulnerable relatives, not enough time to concentrate or complete assessment.
- Taking on extra work in employment to cover staff absences/ extra shifts as a key worker.
- Deterioration of existing mental ill health conditions or development of such conditions

Non-coronavirus related

7.4 Students who have mitigating circumstances not related to coronavirus have been advised to submit mitigating circumstances forms as necessary, using the same online form as for COVID-19 claims. The requirement to supply evidence **has been removed** for these cases.

7.5 Refer to existing guidance - <http://www.bbk.ac.uk/registry/policies/documents/mitigating-circumstances-guidance.pdf>

8. OUTCOMES OF ACCEPTED MITIGATING CIRCUMSTANCES CLAIMS

8.1. As per the existing [mitigating circumstances policy](#) (paragraph 29) possible options for students are;

- **Reassessment without penalty (deferral)** – no increase of attempt number and not capped
- **Use other completed elements to determine module result** - should only use the marks from non-affected elements of the assessment to decide the module result
- **Classification of finalists** - should have their final classification raised (if all credits achieved and the overall weighted average mark is within 2.00% of a borderline).

8.2 Departments should consider the appropriate outcome for each individual case. The award of a pass for the module based on already completed assessment elements should only be given if the student has completed at least 40% of the normally required assessment for the

module and there is confidence that the already completed assessment has demonstrated achievement of the module learning outcomes and meets any PSRB requirements.

9. LATE SUBMISSION

- 9.1. Assessment that is submitted late (but before the absolute cut off) is subject to capping. If mitigating circumstances are accepted then the assessment cap is removed.
- 9.2. It is expected that deadlines will be set to allow for the most flexibility, and most deadlines will now be close to the absolute cut off (the latest possible point to logistically complete marking before boards). If students are able to submit after the deadline but before the absolute cut off, then mitigating circumstances to not cap the late submission may be considered.
 - ***Submitted after the deadline but before the absolute cut off date*** – consider mitigating circumstances. If approved remove the cap.
 - ***Submitted after the absolute cut off date***– No consideration of late submission, recorded as a non-submission. Mitigating circumstances application may be considered to offer reassessment without penalty or to use completed elements to determine module result.

Registry Services

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