



HE Taught Award Regulations: Part B

Section: 1: Personal Mitigating Circumstances and Interruption of Study
Procedure

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REVISION HISTORY

Ver	Date	Author	Description
1.0	October 2013	Peter Greenall	Initial Approval of PMC procedure
1.1	May 2014	Scott Smith	Various amendments to process regarding ongoing conditions, timescales of applications and the addition of a terms of reference for panels.
1.2	April 2016	Scott Smith	Various amendments to include specific IoS elements and return to study guidance
1.3	July 2016	Scott Smith	Amendment to titles, roles.
1.4	October 2016	Scott Smith	Iterative changes based on operational feedback
1.4.1	September 2017	Scott Smith	Various minor amendments to terminology. Additional of section B1.6
1.5	March 2018	Scott Smith	Added section relating to appeals
1.5.1	May 2018	Scott Smith	GDPR section included

APPROVAL

Ver	Committee	Date Approved	Comments
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1.4.1	ASDC	27 Sept 2017	Approved all amendments
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B1.1 INTRODUCTION

These regulations relate to the provision of higher education programmes delivered at Blackpool and The Fylde College awarded by Lancaster University, Pearson, SQA and Blackpool and The Fylde College. Students undertaking a programme of study awarded by Liverpool John Moores University at Blackpool and The Fylde College may access the University's regulations here:

- <https://www.ljmu.ac.uk/about-us/public-information/academic-quality-and-regulations>

B1: Personal Mitigating Circumstances and Interruption of Study has been produced following consideration of the Quality Assurance Agency's Quality Code.

Students may occasionally experience serious medical or personal circumstances which can severely disrupt their ability to study and affect their performance in an assessment.

This procedure provides students with the opportunity to inform the College of these circumstances.

The personal mitigating circumstances will:

- have prevented a student from performing at their expected level in an assessment or examination or have prevented them from attending an examination
- are severe and exceptional
- are unforeseen or unavoidable
- are close in time to the affected assessment

Support mechanisms are established between a student, their tutors and the Student Support and Wellbeing Department in their induction at the start of a programme of study and link to the information provided in the College's B4 Strategy; personal mitigating circumstances applications will therefore normally only be granted where there has been an adverse change in a student's circumstances after their enrolment, or where personal mitigating circumstances have been previously granted there must be an adverse change in a student's circumstances that can be independently evidenced.

B1.1.1 WHAT ARE PERSONAL MITIGATING CIRCUMSTANCES?

Personal mitigating circumstances are a serious, significant event which is unforeseen and/or unavoidable that may appreciably impair a student's academic performance in one or more assessed activities and may possibly occur over a period of time. Personal mitigating circumstances may include medical matters or events directly affecting someone other than the student.

Please note that where a student is applying for interruption of study the same criteria for approval as Personal Mitigating Circumstances are used i.e. a student may not interrupt their studies without good reason, there must be circumstances beyond their control that will have an adverse effect on their studies.

B1.2 GROUNDS FOR PMC AND ACCEPTABLE EVIDENCE

Examples of personal mitigating circumstances may include; but is not limited to:

- significant physical or psychological illness
- severe personal difficulties
- serious illness or death of a member of your immediate family (e.g. mother, father, sister, brother, son, daughter)
- sudden deterioration in a long standing medical condition or disability
- being the victim of a serious crime
- legal proceedings requiring attendance at court.

B1.2.1 REASONS NOT CONSIDERED

Studying Higher Education undoubtedly places pressure on students. The ability to manage workloads and competing pressures is therefore a skill which is further refined during studies. The following reasons would therefore not be considered as valid claims for Personal Mitigating Circumstances:

- failure to read the examination timetable or coursework deadline properly
- pressure of work
- failure to save work properly / failure of IT equipment
- minor illnesses or self-induced conditions (colds, hangovers etc.)
- religious festivals
- domestic or personal disruptions which may have been anticipated (e.g. moving house, holidays etc.)
- sporting fixtures.

The list above is not exhaustive and should therefore be used as an indicative guide.

B1.2.2 SUPPORTING EVIDENCE

Examples of evidence of personal mitigating circumstances	
Serious physical illness	Medical certificate/hospital report/report from qualified medical practitioner on letter headed paper
Psychological illness	Report from a psychiatrist, psychologist or Counselling Service
Severe personal difficulties	Report from a Counselling Service, Welfare Service or another qualified professional
Serious illness or death of an immediate family member or close friend	A medical report from a qualified medical practitioner or a copy of a death certificate accompanied if

	necessary by formal documentation confirming relationship with deceased
Sudden deterioration in a long standing medical condition or disability	A medical report from an appropriate qualified medical practitioner
Being the victim of a serious crime	Crime report and number
Legal proceedings requiring attendance at court	Documentary evidence from the court or a solicitor

B1.3 PMC APPLICATIONS

Applications will only be accepted before an assessment date when a student is aware that they will be unable to attend an examination or submit a piece of assessed work and as with all applications evidence must be produced to support the application. Applications submitted before an assessment date should also whenever possible be submitted no more than four weeks in advance of the assessment date.

Where an application is presented after an assessment date it should normally be submitted within 10 working days of the assessment date.

There will be occasions when students are not fit to attend on the day of an examination, test or other form of assessment in such cases they should:

- notify the Programme Leader of their absence
- seek medical advice on the day and provide documentary evidence of incapacity
- submit a Personal Mitigating Circumstances Application Form within ten working days

If taken ill during an examination, test or other form of assessment the following action should be taken:

- notify the Senior Invigilator or Academic Tutor in charge so that a report can be made
- seek medical attention on the day and provide documentary evidence of incapacity
- submit a Personal Mitigating Circumstances Application Form within 10 working days of the assessment

Applications received after 10 working days of the submission or examination date will not normally be considered.

The outcome of an approved application is that, for coursework, a revised assessment deadline or for practical assessments or examinations a new date will be provided to the student by the programme leader. Revised assessments will be provided in keeping with the principles set out in B1.6.

B1.4 PMC AND IOS APPLICATION PROCESS

Applications for Personal Mitigating Circumstances (PMC) and Interruption of Study (IoS) must be supported by relevant documentary evidence.

It is a student's responsibility to complete and submit the application. In exceptional circumstances a student may nominate an advocate to submit the application on their behalf if they are unable to do so because of physical or mental incapacity. Academic staff cannot initiate the process but may, in exceptionally sensitive situations present a written statement to the Panel in support of a student claim for PMC or IOS.

For both PMC and IoS applications the application form must indicate clearly each module and each assignment covered by the application and must confirm all relevant dates. Failure to complete the form in full will delay applications. Any applications received without evidence will delay the application and may not be approved by the Panel.

Applications should be returned by email mitigating.circumstances@blackpool.ac.uk or via reception to the

HE Student Administration Manager,
University Centre,
Park Road, Blackpool.

The Student Administration Manager will acknowledge the receipt of the application by email within three working days of receiving it. HE Learning Mentors will also contact the student to ascertain their support needs. For example, time management; study planning or emotional support.

Normally correspondence will be conducted through college email and students are advised to check their e-mail accounts regularly to monitor the progress of their application.

B1.5 THE PANEL

All applications will be considered by a Personal Mitigating Circumstance and Interruption of Study Panel.

A typical panel is identified in Appendix B1- B – PMC Panel Terms of Reference.

The panel will determine the validity of each application by considering the following:

- The evidence to support the circumstance
- The severity of circumstances
- The nature of circumstances

In cases of Personal Mitigating Circumstances:

- The time period in which to complete the assessment (i.e. date when an assessment was set and deadline for submission)
- Whether there was enough time to complete the assessment if the PMC were disregarded
- Whether the period affected corresponds with the date of the assessment

And in cases of Interruption of Study, the panel will establish a return to study plan, in terms of semesters and previous achievement of assessment(s) in individual modules.

B1.5.1 DOCUMENTATION AVAILABLE TO THE PANEL

The panel will have made available to it the following documentation:

- The HE Taught Award Regulations Part A.
- B1: Personal Mitigating Circumstances and Interruption of Study
- Any previous PMC/loS applications.
- The Students EBS stage report (Student Assessment Details)
- The application form.
- Evidence to support the application.
- Documentation relating to any support already in place.
- The student's attendance record.

Additional documentation deemed relevant to the circumstance may be submitted by the academic team or by the student in question where either party believes it may assist the panel in their deliberations.

The Panel is empowered by the HE Academic Standard and Development Committee to determine the validity of each case and will record one of the following outcomes for each application:

Description	Action
<p style="text-align: center;">Accept</p> <p>The circumstances presented by the student are supported by the documentary evidence provided and are deemed to have had an adverse effect on their performance in the assessments listed on the application.</p>	<p style="text-align: center;">Personal Mitigating Circumstances</p> <p>An amendment will be made to the individual student study plan to reflect appropriate adjustments in assessment deadlines or uncapped reassessment following discussion and negotiation with the course tutor.</p> <p>Where possible the reassessment of PMCs will comprise of the original assessment(s) except where a student may gain unfair advantage over that of other students in the same cohort.</p> <p>To ensure that any subsequent assessment is fair and equitable, the programme leader and student must always complete the Revised Study Plan Form and return it to the HE Student Administration Manager – This document is a formal record of new submission dates and must be adhered to; in not meeting the revised deadlines a student will be penalised through the validating bodies late submission or reassessment procedures.</p> <p style="text-align: center;">Interruption of Study</p> <p>A return to study plan will be created to support the individual in their return to the College.</p> <p>The student will be enrolled onto a zero cost programme to ensure support is provided through any interruption.</p>

Partially Accept (PMC applications only)	<p>The circumstances presented by the student are supported by the documentary evidence provided and are deemed to have had an adverse effect on their performance in <u>some but not all</u> of the assessments listed on the application.</p>	<p>An amendment will be made to the individual student study plan to reflect appropriate adjustments in assessment deadlines or uncapped reassessment following discussion and negotiation with the course tutor.</p> <p>Where possible, for the pertinent assessments, the reassessment of PMCs will comprise of the original assessment(s) except where a student may gain unfair advantage over that of other students in the same cohort.</p> <p>To ensure that any subsequent assessment is fair and equitable, the programme leader and student must always complete the Revised Study Plan Form and return it to the HE Student Administration Manager – This document is a formal record of new submission dates and must be adhered to; in not meeting the revised deadlines a student will be penalised through the validating bodies late submission or reassessment procedures.</p>
Defer	<p>The circumstances presented by the student are deemed to have had an adverse effect on their performance in the assessments listed on the application, however the documentary evidence provided is insufficient.</p>	<p>The application is placed on hold and the student is contacted in order to obtain further evidence.</p>
Reject	<p>The circumstances presented by the student are not deemed to have had an adverse effect on their performance in the assessments listed on the application.</p>	<p>The student is subject to the normal assessment regulations relating to non-submission and reassessment.</p> <p>Where a panel makes the decision to reject an application students may appeal the decision through the College's Appeals Procedure.</p>

B1.6 PRINCIPLES OF PMC ASSESSMENT

- i. A PMC assessment should never advantage a student over their peers.
 - ii. A PMC assessment is not a reassessment, it is an extension to the original assessment deadline.
 - iii. Tutors must issue a revised assessment front sheet ensuring that the student is fully aware of where to obtain support and when and how to submit their PMC assessment.
 - iv. Students are, where appropriate, permitted to improve a previous submission. However, where a student may, for example, have completed the majority of an examination before falling ill, they must be provided with a new assessment.
 - v. The amount of time provided to a student to complete the assessment should not exceed the time provided to the students who took the assessment originally.
- Note:** Where a *substantial* amount of work is to be undertaken through an approved PMC or when existing assessments may influence a student's ability to submit PMC work in the original timescale, tutors should use their academic judgment to select an appropriate deadline outside the original timescale but should always bear in mind principle i.

B1.7 INTERRUPTION OF STUDY SUPPORT

Immediately following the approval of an interruption of study, the student will be contacted by the Student Support and Wellbeing (SSW) to discuss their support needs.

During an interruption, students will periodically be contacted by SSW. This contact is provided to:

- maintain support throughout the interruption and in the period before a student's return
- provide the opportunity for a return to study session that will enable a student to re-engage confidently with the College. Where possible the student's programme leader will be available at the return to study session, or soon after, to answer any questions the student may have and to provide any resources that may aid their return

As soon as is reasonable following the approval of an interruption the HE Academic Registrar, the relevant Programme Leader and the student in question will discuss and complete a Return to Study Plan. This plan sets out the interruption in terms of return dates, modules and assessments. If a student is unable to attend this meeting the plan will be completed in their absence. On completion, the plan will be mailed, by recorded delivery, to the student's home address. If a student is not content with the details of the plan they must contact the HE Academic Registrar at University Centre, Park Road, Blackpool within 15 working days. If no contact is made by the student it will be presumed that they have accepted the details of the plan.

Students who have interrupted their studies will be withdrawn from their original programme of study and enrolled to a separate course code for the duration of their interruption. This temporary enrolment will ensure that students continue to have access to central college facilities and support services. Students should not attend classes or undertake any assessments during their period of interruption, nor should they initiate contact with academic staff unless asked to do so by SSW.

B1.8 MATTERS TO CONSIDER FOR STUDENTS INTERRUPTING STUDY

Blackpool and The Fylde College will wherever possible offer readmission to the original programme following an interruption of study.

There may however be circumstances when this is not possible. This is most likely when a programme is updated through the College's validation processes or when the number of students applying to a programme is inadequate to provide a sustainable cohort.

Where changes have been made to the College's provision, students may in some cases:

- as a requirement of the updating of a programme be required to study additional modules in order to successfully achieve a qualification.
- be prevented from returning to the same programme where it is significantly different from their original programme.
- be prevented from enrolling onto the same programme when the programme is withdrawn.

Students, whenever possible, will be informed of potential changes to the status of their programme prior to their interruption, this however cannot be guaranteed.

Where a programme of study, for whatever reason, following an interruption of study is no longer available, Blackpool and The Fylde College will endeavour to provide a suitable alternative.

Students should also be aware that, on their return, their tuition fees may have increased. Students should always seek the advice of both the College's HE Student Administration Manager and the Student Loan Company prior to the approval of an application.

B1.9 APPEALS

Students have the right of appeal when an application has either been partially or wholly rejected.

Where the original panel's decision is to reject, either because the application form was incomplete or they were unable to make a decision because of a lack of evidence, students should submit a new application and not an appeal.

Appeals will therefore only be heard when a student believes that the rejection of their application has been in some way unreasonable or prejudiced.

B1.10 GENERAL DATA PROTECTION REGULATION

Students should be aware that any information provided to support an application for either Personal Mitigating Circumstances or Interruption of Study will always be treated as confidential and only shared with relevant members of staff. Information provided by students within the scope of this policy, may however be used in conjunction with another College procedure as appropriate.

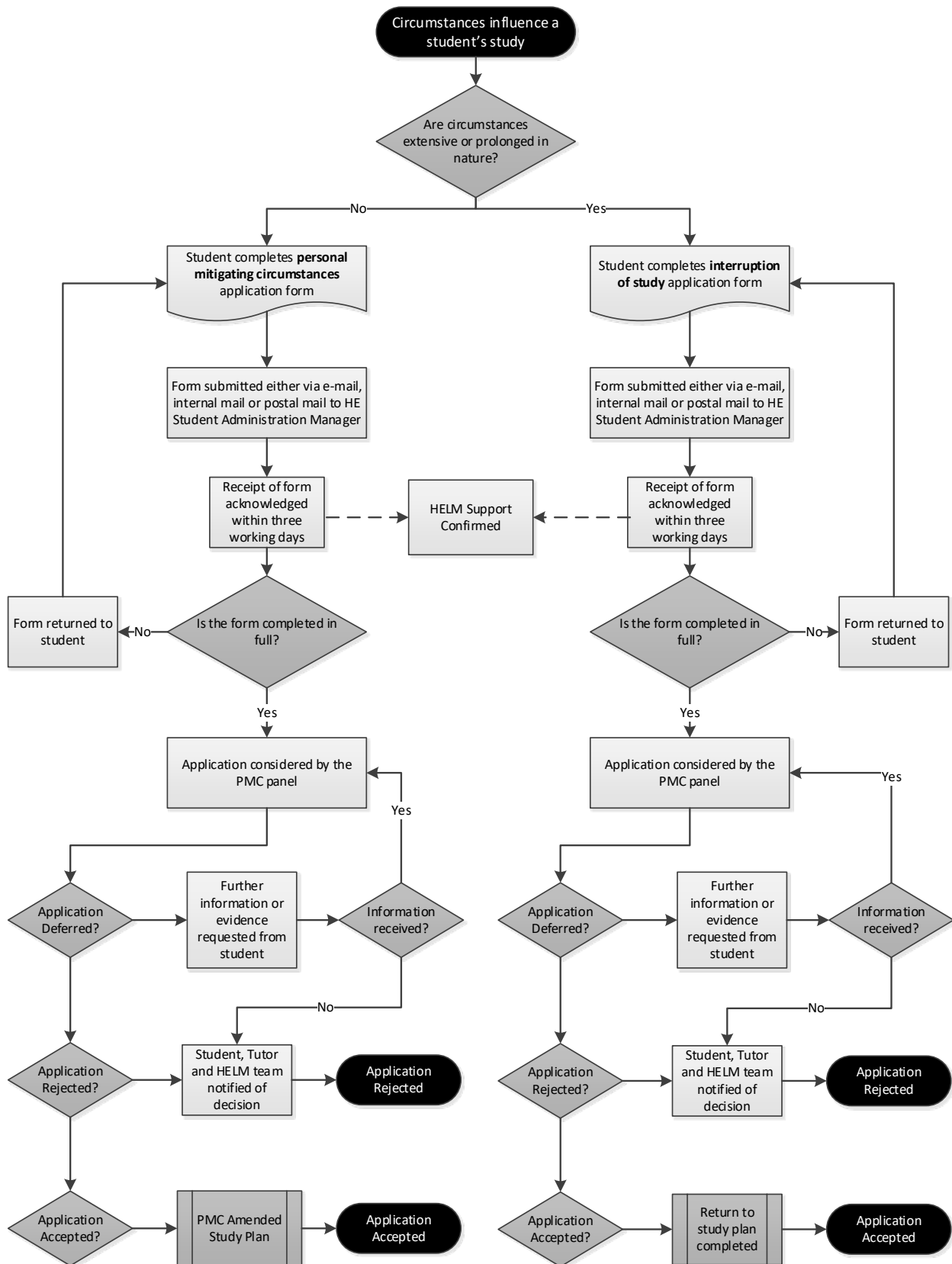
Under General Data Protection Regulations, Retaining Personal Data (Principle 5), personal data should not be kept any longer than is necessary for the purpose for which it was obtained.

Any applications received within the scope of this policy will be logged against the student record, indicating which assessments are associated with a PMC or IoS application. This will remain in perpetuity.

Students should make every effort not to provide details in support of an application that relates to a third party. Wherever possible, evidence should identify the effect any circumstances have had on themselves. Where evidence involving a third party is provided, under GDPR Article 14, the College may be required to notify third parties that it is processing their data. Where possible and appropriate any such evidence should have personal information redacted; if evidence is received that has not been redacted the Student Administration Manager will redact personal information immediately following its presentation to a panel.

Staff of Blackpool & The Fylde College who participate in a Personal Mitigating Circumstances panel should be aware that information about them acting in their professional capacity may be disclosed to the OIA if it formed part of the information which has been considered under a College process.

APPENDIX B1-A – PMC AND IOS PROCEDURE FLOWCHART



APPENDIX B1-B – PMC PANEL TERMS OF REFERENCE

Personal Mitigating Circumstances and Interruption of Study Panel	
Chair	<ul style="list-style-type: none"> • HE Academic Registrar (or nominee)
Membership	<ul style="list-style-type: none"> • Academic staff x 2 (from separate curriculum area, varying each meeting) <p>The panel is considered quorate when a minimum of three members are present.</p>
In Attendance:	<ul style="list-style-type: none"> • HE Manager - Student Support and Wellbeing
Minuting	<ul style="list-style-type: none"> • HE Student Administration Manager
Frequency	Monthly
Summary of purpose	Responsible to HE Academic Standard and Development Committee; to ensure the fairness and reliability of all judgments against Personal Mitigating Circumstances or Interruption of Study applications and to consider whether there are actions or events outside the control of a student which may have caused them to fail to attend an examination, submit work or perform at a lesser academic standard than might have been expected.
Terms of Reference	<ul style="list-style-type: none"> • To review individual student applications in order to determine whether the Personal Mitigating Circumstances in respect of formal assessments are valid or invalid • To review individual student applications relating to Interruption of Study in order to determine whether they are valid or invalid • To liaise with Student Support and Wellbeing to facilitate additional learner support (ALS). • To provide an annual report to the HE Academic Standards and Development Committee. • To establish that evidence is valid, i.e. authentic and appropriate and that it relates to the assessment in question and that it has been submitted by the required date • To establish, through the HE Academic Registrar, a return to study plan, in terms of semesters and previous achievement of assessment(s) in individual modules, for students with approved Interruption of Study.
Date of last review	April 2019