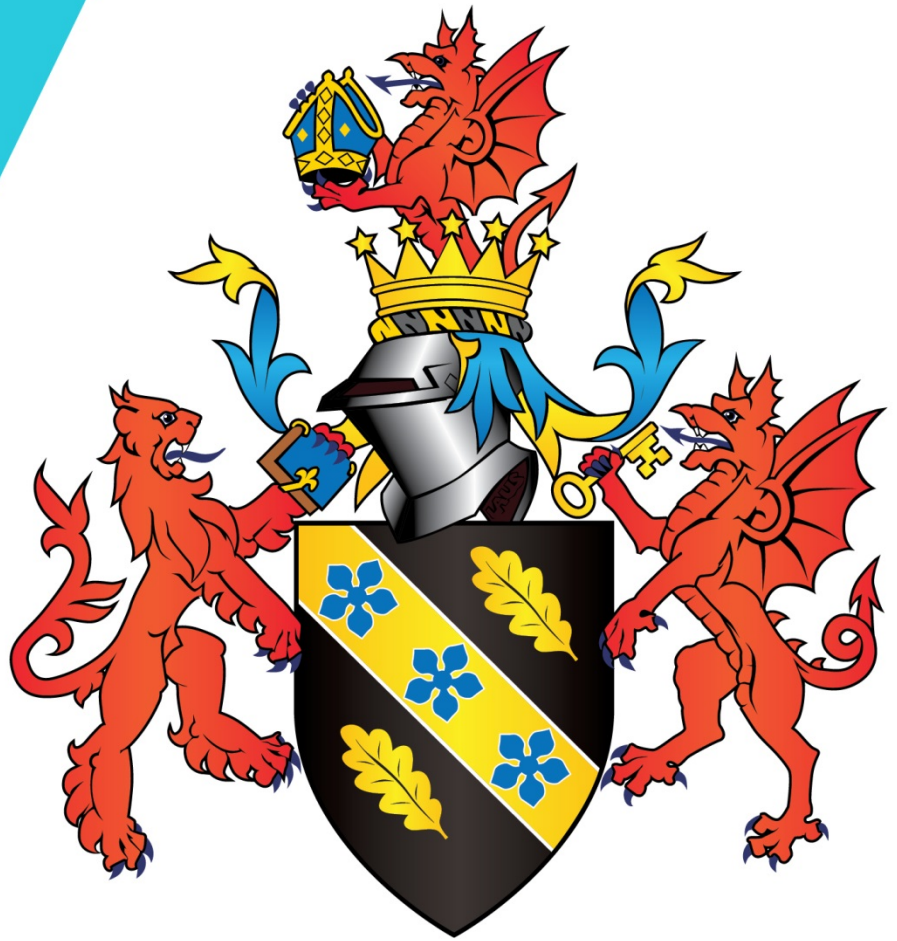




Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David



Mitigating Circumstances Policy

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1. Introduction

- 1.1. This policy covers the University's procedures in relation to mitigating circumstances that arise in the course of study.
- 1.2. The policy adopts the principles and good practice from a number of sector documents:
 - OIA: The Good Practice Framework: supporting disabled students (2017)
 - UK Quality Code for Higher Education: Advice and Guidance: Assessment (2018)
 - UK Quality Code for Higher Education: Advice and Guidance: Learning and Teaching (2018)

2. Guiding Principles

- 2.1. The policy aims to ensure that mitigating circumstances procedures are conducted in a fair and transparent manner, ensuring that any cases are dealt with in timely manner by appropriately independent staff, with outcomes proportional to the case.
- 2.2. Remedies normally aim to return the student to the position that they would normally have been in, had the mitigating circumstances not occurred.
- 2.3. The standard of proof to be applied is "on the balance of probabilities".

3. Scope

- 3.1. The principles in this policy apply to all students, at any level of study, registered for University of Wales Trinity Saint David's awards. However, for students studying at collaborative partner institutions, some processes may vary from those in the policy according to the arrangements at individual partner institutions. Any variance will be approved by the University.
- 3.2. This policy covers mitigating circumstances that arise while on placement or exchange.

4. Relationship and interface with other policies and procedures

- 4.1. There are a number of policies and procedures that are connected to the Mitigating Circumstances Policy, including:
 - Academic Misconduct Policy
 - Bullying and Harassment Policy
 - Dignity at Work procedure
 - Fitness to Practise Policy
 - Fitness to Study Policy
 - Non-Academic Misconduct Policy
 - Professional Relationship Policy
 - Strategic Equality Plan
 - Student Complaint Policy

- 4.2. As part of the initial assessment of any case, the University will consider which policy/ies is/are the most appropriate to be used
- 4.3. The University will reassess this policy as appropriate and may change or add procedures as necessary. It may be the case that two policies are run in parallel or it could be the case that one procedure follows the other where a case contains elements belonging to more than one policy (e.g. an extenuating circumstances claim leads to fitness to study).
- 4.4. Where two or more policies or procedures are applicable at the same time, normally one policy will be the primary policy in terms of process.
- 4.5. Students will be informed which policy, policies and /or procedures are used in their case and in which order they will be applied.

5. Responsibilities

5.1. University Responsibilities:

- 5.1.1. The policy and procedural framework are overseen on behalf of Senate by the Associate Pro Vice-Chancellor (Academic Experience).
- 5.1.2. Case Officers fulfil a range of roles in relation to mitigating circumstances, including:
 - 5.1.2.1. undertaking an initial assessment;
 - 5.1.2.2. undertaking an investigation;
 - 5.1.2.3. making a recommendation as to whether a case needs to proceed to an appropriate panel;
 - 5.1.2.4. and making a recommendation relating to an outcome.
- 5.1.3. A case may have more than one Case Officer, each with a specific role in relation to the case.
- 5.1.4. A Senior Officer, not involved at any previous stage, will undertake the review of an outcomes.
- 5.1.5. Deans of Institutes and Directors / Heads of Professional Units are responsible for ensuring that the procedures outlined in this policy are used appropriately, particularly in relation to any cases at an informal stage.
- 5.1.6. Programme Managers are responsible for dealing appropriately and in line with the policy with informal concerns.

5.2. Student Responsibilities

- 5.2.1. Students are responsible for:
 - 5.2.1.1. Submitting the claim appropriate form.
 - 5.2.1.2. Submitting the claim to the appropriate University's (or Collaborative Partner Institution's) Office within the timeframe.
 - 5.2.1.3. Providing any supporting evidence relating to their claim.
 - 5.2.1.4. Awareness of University's (and/or Collaborative Partner Institution's) regulations.
 - 5.2.1.5. Regularly checking their University email and the information provided through the student portal.

6. Definitions

- 6.1. With regard to Mitigating Circumstances the following definitions are used:
- 6.1.1. “Compensatory Measures” – measures offered to support a student during study and in preparation for assessment to ensure that the student is not disadvantaged.
 - 6.1.2. “Extenuating Circumstances” – refer to immobilising ill health during the assessment period, bereavement of a close relative or friend during the assessment period, or other similarly profound experience or difficulty that is outside the control of the student.
 - 6.1.2.1. In respect of full-time students in employment, where study is subsidiary to the employment (that is, where the study is related to and dependent on the employment and the employer normally allows the student time-off from work to study and/or directly contributes to the costs of study), pressure from employment may also be considered as extenuating circumstances. In all other cases, full-time students cannot claim extenuating circumstances for pressure from employment.
 - 6.1.2.2. For part-time students, pressure from employment may be considered as extenuating circumstances only where the student’s primary role is in work and the student’s study is directly secondary to the student’s work.
 - 6.1.3. “**Interruption of Studies**” - formal pause in a student’s study for an extended period of time during which a student is not required to engage with their studies.
 - 6.1.4. “**Student**” - any person enrolled or registered to follow a Programme of Study or module(s) offered by the University and persons who have been students of the University for up to 3 months after they have left the University.

7. Principles

- 7.1. The object of an assessment is to measure achievement, not potential; what a student has done, not what they might have the potential to do.
- 7.2. Each student is responsible for submitting assessed coursework on time and in an appropriate and accessible format, for presenting him/herself for written examinations or presentations at the appropriate time and place, and for submitting information on extenuating circumstances.
- 7.3. The role of the mitigating circumstances procedures is to ensure that all students are treated fairly and consistently across the University.
- 7.4. The University categorises mitigating circumstances into two types: those that relate to long-term disabilities and those of limited duration that arise during the course of study.
- 7.5. Long-term disabilities are normally considered through the compensatory measures procedures.
- 7.6. Short-term mitigating circumstances are normally considered through the extenuating circumstances procedure.

8. Reasonable adjustments

- 8.1. If a student has registered a disability or learning difficulty with the University, then they may find it beneficial to receive additional support to help engage with any of the processes in this policy. If so, a student should contact Student Services or the equivalent at a Collaborative Partnership Institution, who are a useful source of advice and can assist with supplying the relevant documentation in an alternative format.
- 8.2. If a student expects to find it difficult to meet the deadlines expressed in the Policy because of a registered disability or learning difficulty, they should inform the University (and/or Collaborative Partnership Institution) of this, ideally before the relevant deadline elapses. Additional time may be granted for submissions that meet these grounds.
- 8.3. Where students have not already formally declared a disability to the University prior to the start of an academic misconduct process, they are advised to make such a declaration as soon as possible during the formal processes so that it is possible to make reasonable adjustments as appropriate.
- 8.4. The Student Services Department or equivalent at Collaborative Partnership Institutions will make the decision in relation to the exact nature of any reasonable adjustments needed, in consultation with the student and ensuring external advice is taken as appropriate. The relevant process may be suspended until reasonable adjustments have been put in place.
- 8.5. Reasonable adjustments will be made as appropriate in relation to the relevant process and communicating the outcome for all students who have a declared disability or other health issues
- 8.6. All students will have the right to be accompanied by a person of their choosing at any meeting associated with the relevant process and is required to inform the University in writing in advance of any meeting or hearing whether they intend to be accompanied. Legal representation is only allowed in exceptional circumstances. Such a request for legal representation needs to be made in writing to the Office of the Associate Pro Vice-Chancellor (Academic Experience). The accompanying person shall not normally contribute to the discussions.

9. Support

- 9.1. Students are able to approach their Programme Manager or appropriate University officer (or equivalent at their Collaborative Partnership Institution) to discuss informally any concerns that they have in relation to their course or service delivered by the University.
- 9.2. Once a claim has been submitted formally, advice and guidance can be sought from an Academic Office or Collaborative Partnership Office.
- 9.3. In addition, the Students' Union offers students help and support in navigating University policies and procedures, and resolving issues and problems.
- 9.4. Students are also able to seek support from the Student Services (or equivalent at their Collaborative Partnership Institution) throughout the process.
- 9.5. Support in terms of advice and guidance for the student through the process will not be provided by the same member of staff that makes a judgement in the case.
- 9.6. Members of staff are able to seek advice and guidance from the Academic Office (aocases@uwtsd.ac.uk) in relation to mitigating circumstances processes.

10. Compensatory Measures

- 10.1. All students¹ with long-term impairments will attend an initial interview with one of the Student Services team to identify potential requirements and arrange for specialist diagnostic 'assessment of need'. Student Services will require evidence of the impairment. This could take the form of:
 - 10.1.1. a report from a general practitioner or consultant in the case of a physical or psychological medical condition;
 - 10.1.2. an Educational Psychologist's or PATOSS accredited Specialist Diagnostic Assessor's report (post-16 and using the correct tests as defined by SASC) in the case of Specific Learning Difficulties.
- 10.2. Where the student does not have a current diagnostic report or has not previously been assessed as having Specific Learning Difficulties, Learning Support will arrange for an initial assessment.
 - 10.2.1. The Learning Support team will arrange for further assessment to be carried out by a specialist assessor in Specific Learning Difficulties or a Mental Health Advisor if such action is advised.
 - 10.2.2. While further assessment is being carried out and prior to the production of a full report, Learning Support may judge it necessary to devise an interim pattern of compensatory measures to be recorded on Statement of Compensatory Measures. The interim statement shall be replaced by a full statement as soon as the further assessment has been completed and a full report produced.
- 10.3. Upon production of a full report, the student is invited to sign a disclosure form allowing Learning Support to notify the relevant members of University staff of the diagnosis and recommendations.
- 10.4. Unless the student's disability could put other students and staff at risk, the student may choose not to disclose their disability to anyone apart from Learning Support. In such cases, the student will be required to sign a form confirming this decision.
- 10.5. The recommendations of the full report provide the guidance as to the reasonable adjustments needed for assessment according to the student's individual needs directly arising from the impairment.
- 10.6. Learning Support will advise on the guidance given in the student's Needs Assessment and/or diagnostic assessment/medical assessment which may relate to assessments, such as assignments, oral presentations, placements, fieldwork and/or examinations.
- 10.7. Learning Support will, in consultation with the student and the Academic Discipline, devise a pattern of compensatory measures as part of the normal assessment of the student, which may include as appropriate:
 - 10.7.1. study skills support;
 - 10.7.2. support through assistive technology;
 - 10.7.3. support through a mental health/support mentor/specialist support lecturer;
 - 10.7.4. additional time for examinations;

¹ The processes in sections 10 and 11 relate to students who are only enrolled with the University. Students who are studying at Collaborative Partnership Institutions should consult the relevant staff at their institution.

- 10.7.5. provision of an amanuensis for examinations;
 - 10.7.6. differentiation of deadlines for assessments other than examinations;
 - 10.7.7. avoidance of grouping of deadlines for assessments other than examinations;
 - 10.7.8. rescheduling of assessment deadlines for assessments other than examinations;
 - 10.7.9. alternative forms of assessment.
- 10.8. The role of the Institute in such consultations is not to evaluate the circumstances of the student, but to inform Learning Support of the nature of assessment within the Institute in question.
- 10.9. In the case of Joint Honours students requiring compensatory measures, Learning Support should consult with both Disciplines to make sure that the student is subject to consistent treatment.
- 10.10. An individual Statement of Compensatory Measures will be drawn up for a student which is practical and meets the student's needs.
- 10.10.1. The statement must be signed by the student first and then by all other parties.
 - 10.10.2. The student must be made aware of to whom the statement will be provided and any details recorded in the statement must be in accordance with the level of disclosure agreed to by the student.
 - 10.10.3. The statement outlines the generic compensatory measures which may be applied to assessments by type of assessment which the student has to undertake.
 - 10.10.4. The statement must be completed as early as possible.
 - 10.10.5. Copies of the statement should be provided to the student, Learning Support, the relevant Institute and Registry.
- 10.11. In many cases the compensatory measures offered to support a student during study and in preparation for assessment will be sufficient to ensure that the student is not disadvantaged.
- 10.11.1. However, in some cases it may be necessary to arrange differentiated deadlines for submission of assessments other than examinations in addition to other measures. In all cases where differentiated deadlines are given, a specific date for submission must be identified which reflects the actual needs of the student and is no more than 1 week after the undifferentiated deadline.
 - 10.11.2. If it is determined that, due to the particular circumstances of a student, a differentiated deadline of 1 week would be insufficient, then Learning Support should request a rescheduling of the assessment deadline.
- 10.12. The Institute must be notified of a request for a rescheduled assessment deadline at least 2 term-time weeks prior to the original deadline in order to allow consultation regarding the appropriate new assessment deadline.
- 10.13. In a few very exceptional cases, Learning Support may have to recommend individual assessment regimes for a student, which must be approved by the Director of Academic Experience or nominee.
- 10.13.1. When determining any rescheduled assessment deadline for assessments other than examinations, Learning Support and the

Institute should be aware of the possible impact on the student's eligibility for progression or award (as set out in the relevant sections of Chapter 6 of the Academic Quality Handbook).

- 10.13.2. If all other assessments have been successfully completed, where it is necessary to reschedule assessment deadlines for assessment components with a credit value of up to 20 or equivalent in terms of notional study hours, it may be more appropriate to request that the student be permitted to progress conditionally.
 - 10.13.3. If incomplete assessments, including any to be rescheduled, have a credit value of more than 20 or equivalent in terms of notional study hours, it may be more appropriate to request that the student be permitted to repeat specific modules in the next academic session.
- 10.14. Once the generic compensatory measures which may be applied to assessments by type of assessment have been agreed, Learning Support, working in conjunction with the student should advise the Institute of the actual compensatory measures to be applied to particular assessment components for individual modules on a case by case basis.
- 10.14.1. The Institute must be advised of the actual compensatory measures at least 4 term-time weeks prior to any examinations and at least 1 working day prior to any undifferentiated deadline for submission of assessments other than examination.
 - 10.14.2. In many cases it will not be necessary to apply any additional compensatory measures for a particular assessment component beyond the compensatory measures offered across all modules.
- 10.15. The actual compensatory measures applied to assessment components for individual modules should be recorded by Learning Support team members on the Record of Compensatory Measures and a copy of the completed record should be provided to the student, Learning Support, and the relevant Institute and stored centrally.
- 10.16. If it is claimed that further needs have arisen, application can be made to Student Services for a further assessment which may lead to an amendment of the generic compensatory measures offered to a student and a revised Statement of Compensatory Measures or to the invoking of the Fitness to Study Policy or Fitness to Practise Policy as appropriate.
- 10.17. The Statement of Compensatory Measures may need to be reviewed at the beginning of each year of study.
- 10.18. It is recognised that some students with long-term impairments may also develop short-term difficulties not directly associated to their long-term impairments. In such cases, students should refer to the University's procedures for Extenuating Circumstances clearly noting any previously agreed compensatory measures.

11. Amanuensis

- 11.1. It is normally the case that during examination periods a small number of students will need the aid of an amanuensis. This arrangement is made if Student Services is advised by a screening assessor that a student warrants an examination concession of this nature or if a student is unable to write due to a short-term injury.
- 11.2. An amanuensis team is established so that Registry can call upon its members in turn. It is generally assumed that those who are used to minute-taking are probably most suited to the work.

12. Extenuating Circumstances: Principles

- 12.1. A student who believes that their performance in or ability to complete an assessment has been adversely affected by extenuating circumstances may request that those circumstances are recognised by the University. Claims for extenuating circumstances are judged on clear and transparent criteria.
- 12.2. The University's approach to considering claims for extenuating circumstances is based on two principles:
 - 12.2.1. The object of an assessment is to measure achievement, not potential; what a student has done, not what they might have the potential to do.
 - 12.2.2. Each student is responsible for submitting assessed coursework on time and in an appropriate and accessible format, for presenting themselves for written examinations or presentations at the appropriate time and place, and for submitting information on extenuating circumstances.
- 12.3. The role of the Extenuating Circumstances Procedures is to:
 - 12.3.1. ensure consistency in the consideration of claims for extenuating circumstances across the University;
 - 12.3.2. determine whether a claim for extenuating circumstances can be approved or should be rejected;
 - 12.3.3. determine the action to be taken in the event that the claim is approved – either the lifting of a late submission penalty or the opportunity to be re-assessed without incurring an additional penalty;
 - 12.3.4. in exceptional cases, to refer a student to Student Services (or equivalent at a Collaborative Partnership Institution) to determine if the student should be considered for Compensatory Measures or if the student should be considered under the Fitness to Study Policy or Fitness to Practise Policy.

13. Extenuating Circumstances Procedures

- 13.1. All claims for extenuating circumstances should be submitted to the appropriate office by the student as soon as possible and must be received no more than 21 days after the original date for submission of an assessment or the scheduled date of an examination.
- 13.2. Claims submitted outside of this timeframe will not be considered unless there is independent evidence to show compelling reasons as to why the claim was not received in a timely manner.
- 13.3. All claims must be made using the Extenuating Circumstances Form.
- 13.4. Claims made by staff or other students on behalf of a student who is not aware of the claim themselves cannot be accepted.
- 13.5. All claims must be supported by verifiable independent documentary evidence which clearly identifies the extenuating circumstances and their duration.
- 13.6. All claims must be accompanied by evidence of the actual date of submission of an assessment in the form of an official submission receipt or confirmation from a member of staff that the assessment has been submitted.
- 13.7. Where evidence is awaited, the student must provide an indication of the likely evidence and associated timescale for providing the evidence.

- 13.8. On receipt of an extenuating circumstances claim, a Case Officer shall be appointed.
- 13.9. Care will be taken to ensure that the Case Officer appointed is impartial. The Case Officer is normally a member of University staff, but could, in exceptional circumstances, be external to the University.
- 13.10. If there are any concerns in relation to the Case Officer, parties are asked to express those concerns in writing to the Office of the Associate Pro Vice-Chancellor (Academic Experience) who will consider any such concerns.
- 13.11. The Case Officer shall undertake an initial evaluation to check that the extenuating circumstances claim:
 - 13.11.1. is submitted under the correct procedures;
 - 13.11.2. is submitted within any deadline;
 - 13.11.3. is in the required format;
 - 13.11.4. is supported by verifiable independent documentary evidence which clearly identifies the extenuating circumstances and their duration;
- 13.12. As a result of the initial evaluation, the Case Officer will make a determination as to whether:
 - 13.12.1. claim has not been received previously or academic misconduct (unfair practice) has taken place for the same assessment;
 - 13.12.2. claim is submitted on the correct and up-to-date form;
 - 13.12.3. all sections of the form are completed in full;
 - 13.12.4. claim is eligible for consideration;
 - 13.12.5. claim is not a retrospective claim made for assessments undertaken in the previous Semester where the outcome has been considered by an Examining Board and where the student has subsequently engaged with studies in the current Semester;
 - 13.12.6. date of assessment is not in the future (although this may be permissible if student has stated that they will not submit/not attend);
 - 13.12.7. actual submission date has been stated (or indication that they will not be handing in work within 1 week of the deadline) and whether or not the examination/presentation was attended;
 - 13.12.8. relevant verifiable independent documentary evidence has been provided;
 - 13.12.9. claim is submitted prior to receiving formal or informal notification of results (or with sufficient independent evidence such as 'University Confirmation of Extenuating Circumstances Form' to show compelling reasons if not);
 - 13.12.10. claim is submitted no more than 21 days after the assessment deadline or the date of an examination/presentation (or with sufficient independent evidence such as 'University Confirmation of Extenuating Circumstances Form' to show compelling reasons if not);
 - 13.12.11. written proof of the actual date of submission has been provided (not required for examinations/presentations).
- 13.13. The Case Officer will return to a student, without the claim being considered further, any claim that:

- 13.13.1. is received more than 21 days after the original date for submission of an assessment or the scheduled date of an examination; or
 - 13.13.2. after formal/informal notification of results which does not include independent evidence to explain the delay in receiving the claim;
 - 13.13.3. is incomplete;
 - 13.13.4. lacks evidence or does not meet the criteria.
- 13.14. In such cases, the Case Officer will notify the student formally in writing of the reasons why the claim has been returned.
- 13.15. Following return of a claim, where a student can directly address the reason for return, and the student may request that the claim be fully considered.
- 13.16. The Case Officer will make a judgement as to whether to approve or reject the claim. The Case Officer may seek advice from the Academic Office regarding any claims.
- 13.16.1. The Case Officer has authority to approve any claim which has been received in a timely manner and is appropriately supported by verifiable independent documentary evidence which clearly relates to the assessment in the claim.
- 13.17. The Case Officer has authority to reject any claim where the evidence provided is not appropriate or relevant either to the claim or to any explanation of why the claim was not submitted in a timely manner.
- 13.17.1. Claims for extenuating circumstances made following formal or informal notification of the result of the assessment will only be considered if the student can provide independent evidence to show compelling reasons as to why the claim was not made prior to the notification of results.
- 13.18. Retrospective claims made for assessments undertaken in a previous semester/term where the outcome for the assessments has been considered by an Examining Board and where the student has subsequently engaged with studies in the current semester/term will not be eligible for consideration.
- 13.19. The Case Officer will consider each claim and decide whether or not to approve the request on the basis of the appropriateness of the evidence provided.
- 13.20. In the event that a claim is approved, appropriate action will be taken:
- 13.20.1. either the lifting of a late submission penalty; or
 - 13.20.2. the opportunity to be re-assessed without incurring an additional penalty.
- 13.21. For every claim, both the decision and the reason(s) for arriving at the decision must be documented and reported to the Academic Office.
- 13.22. The Case Officer is responsible for informing the student, the relevant Programme Manager, the relevant Institute, and Registry of the extenuating circumstances decision normally within 7 days of the decision being made.
- 13.23. The student shall be informed of their right of appeal against the extenuating circumstances decision.
- 13.24. Registry will ensure that the relevant Examining Board is informed of the extenuating circumstances decision.
- 13.25. A student may be referred to Student Services (or equivalent at their Collaborative Partner Institution) to determine if the student should be considered for Compensatory Measures or if the student should be considered under the Fitness to Study Policy or Fitness to Practise Policy. The decision to refer a student to

Student Services will be made based on the nature and volume of the extenuating circumstances (taking any previous claims made the student into account).

- 13.26. Where a claim for extenuating circumstances is pending at the time of the meeting of the Examining Board, the Board's decision in respect of the student's overall outcome is provisional pending receipt of the extenuating circumstances decision.
- 13.27. Where necessary, an Examining Board will be reconvened to take the necessary action(s) to implement the extenuating circumstances decision. This may include, where appropriate, the determination of any new submission deadlines. The Examining Board may not re-open the discussion of any case of individual extenuating circumstances and may not overturn an extenuating circumstances decision.

14. Extenuating Circumstances Criteria

- 14.1. It is not possible to provide a definitive list of all acceptable independent documentary evidence, but the following are typical examples of what may be acceptable, depending on the exact individual circumstances:
 - 14.1.1. Statement of Fitness for Work or Medical Certificate which clearly indicates the duration and impact of the illness/circumstances during the period of the assessment;
 - 14.1.2. Signed and dated letter from a medical practitioner which clearly indicates the duration and impact of the illness/circumstances during the period of the assessment;
 - 14.1.2.1. For cases that relate to the ill-health/circumstances of a third party, independent evidence of the impact of the third party's illness/circumstances on the student must be provided.
 - 14.1.2.2. Non-diagnostic letters from medical practitioners (that is letters which state "the student informed me that they were ill..." or similar) and letters from non-traditional health practitioners cannot be accepted as independent evidence.
 - 14.1.2.3. Photos of medical conditions and tablets, appointment letters, prescriptions and self-certification forms cannot be accepted.
 - 14.1.3. University Confirmation of Extenuating Circumstances Form signed by an authorised signatory from Student Services which clearly indicates the duration and impact of the extenuating circumstances during the period of the assessment;
 - 14.1.4. Copy of a Death Certificate;
 - 14.1.5. Order of service from a funeral;
 - 14.1.5.1. Obituaries and newspaper articles cannot be accepted.
 - 14.1.6. Copy of a Birth Certificate;
 - 14.1.7. Signed and dated letter from an employer which clearly indicates the duration and impact of the extenuating circumstances during the period of the assessment;
 - 14.1.7.1. Pressures from employers can only be recognised where study is subsidiary to employment. For full-time students, study is only considered subsidiary to employment where the study is directly related to and dependent on the employment (where the employer specifically allows the student time-off

from work to study and/or pays for the study). In all other cases, full-time students cannot claim extenuating circumstances for pressure for employers. For part-time students, study is only considered subsidiary to employment where your primary role is in work and your study is directly secondary to your work.

- 14.1.8. Signed and dated letter from a coroner, legal practitioner, police officer, court official, minister of religion or other professional which clearly indicates the duration and impact of the extenuating circumstances during the period of the assessment.
- 14.2. Letters must be on official headed notepaper of the individual or organisation concerned (with full contact details) and signed and dated by the author. Evidence presented by email may be acceptable if the email has been sent by the author from the official domain name of the author's organisation.
- 14.3. Evidence must be in English or Welsh. It is the student's responsibility to provide a translation undertaken by an accredited translator for any material not in English or Welsh.
- 14.4. Evidence must be unaltered. If there is evidence that a student has fraudulently presented documentation, this matter would be regarded as an attempt to gain unfair advantage and should be dealt with under the Academic Misconduct Policy.
- 14.5. Where a student is concerned about retention of evidence which is of a particularly personal nature, the student may request that the evidence be destroyed as soon as a decision on the claim has been made. Where a student is reluctant to disclose evidence of a particularly personal nature, the student may approach Student Services and request a University Confirmation of Extenuating Circumstances Form be completed or a letter of confirmation from the Director of Student Services.
- 14.6. The following are not normally recognised to be extenuating circumstances:
 - 14.6.1. Minor, non-immobilising health problems with a duration of less than one week including, but not limited to: colds, sore throat, sprains (other than in the writing hand/arm).
 - 14.6.2. Loss of work including, but not limited to: as a result of theft, the breakdown of a computer or other electronic equipment, mislaying an electronic storage device or hard copy.
 - 14.6.3. Difficulties in submitting for assessment due to technical problems (not caused by a failure of the University's systems).
 - 14.6.4. Difficulty in gaining access to available materials such as books or videos.

Students should guard against such difficulties by keeping electronic back-ups of work, together with hard copies; keeping drafts of work in progress; and managing the time allocated for completing the assessment.
 - 14.6.5. Non-serious domestic or personal disruptions including, but not limited to: moving house, change of job, holidays, weddings, oversleeping, cultural and/or educational adjustment, normal stress and anxiety experienced in relation to assessment.

Students are expected to be able to take reasonable steps to ensure that non-serious domestic or personal disruptions do not affect assessments.

- 14.6.6. The normal financial difficulties which may be experienced by students, unless there has been a sudden and unforeseen change in financial circumstances.

Students experiencing short-term financial difficulties should seek advice and support from Student Services.

- 14.6.7. Long standing impairments or medical conditions, unless it can be demonstrated through evidence that there has been an increase in severity at the time of the assessment, such that the student's academic performance may have been adversely affected.

Students should report long standing impairments and conditions to Student Services to ensure that, where appropriate, adjustments are made to the assessment regime and support arrangements are put in place well before assessment commences.

14.7. Review of Decision

- 14.7.1. If a student is not satisfied with the decision made regarding extenuating circumstances, the student may request that the decision be reviewed by a suitable senior officer of the University, as outlined in section 27.

15. Interruption of Studies

- 15.1. Interruption of studies is defined as a formal pause in a student's study for an extended period of time during which a student is not required to engage with their studies.
- 15.2. Students do not have the automatic right to interrupt their studies; a request to interrupt studies must be made to the Academic Office on the approved form.
- 15.3. Where an application for interruption of studies is received prior to the start of a semester/term/block or after no more than 20% of the duration of the semester/term/block, the interruption would, if approved, have an effective start date of the beginning of the semester/term/block.
- 15.4. Where an application for interruption of studies is received after more than 20% of the duration of the semester/term/block, but after no more than 70% of the duration of the semester/term/block, the interruption would, if approved, have an effective start date of the date the application was received.
- 15.5. Where an application for interruption of studies is received after more than 70% of the duration of the semester/term/block it will be considered as an indication that the student wishes to apply for extenuating circumstances in that semester/term/block and the student will be directed to the appropriate regulations.
- 15.6. Where individual modules are delivered sequentially in a programme, an individual module may be considered as a "block" for the purpose of the regulations for interruption of studies.
- 15.7. Grounds for interruption of studies
- 15.7.1. The grounds on which a student can request an interruption of studies are as follows:
- 15.7.1.1. Health or Medical;
 - 15.7.1.2. Maternity, paternity or adoption leave;
 - 15.7.1.3. Compassionate (including bereavement and serious domestic difficulties);

- 15.7.1.4. Financial;
 - 15.7.1.5. Exceptional Professional Commitments;
 - 15.7.1.6. Opportunities which contribute to academic development;
 - 15.7.1.7. Exceptional circumstances outside the control of the student that seriously compromises their ability to continue with their studies (including the impact of a situation in relation to learning differences/neurodiversity).
- 15.7.2. All applications must be supported by appropriate independent evidence. Incomplete applications will not be approved.
- 15.8. Application Procedure
- 15.8.1. The student should discuss their intention to interrupt their studies with their Personal or Year Tutor or Programme Manager and relevant members of staff in their Institute (or Collaborative Partnership Institution). International students are strongly encouraged to consult International Registry (international.registry@uwtsd.ac.uk) before making a final decision, as this may have implications with regards to immigration status.
 - 15.8.2. The student should complete an Interruption of Studies Form. The student must complete all relevant sections of the form and make sure that the grounds for interruption are clearly marked and that independent supporting evidence is provided.
 - 15.8.3. The relevant Programme Manager must provide a statement indicating whether or not the Institute supports the request and provide details of the plans and any conditions for return to studies (which must, in the case of a student seeking to interrupt studies partway through a level of study, include a clear indication of whether any partial or full credit already gained will be carried forward or forfeited).
 - 15.8.4. The completed form should be sent to the Academic Office for final consideration and determination of actual dates of interruption of studies in cases where the request is approved. Applications which are not fully completed or which are not supported by the Centre/Academic Discipline will not be approved.
 - 15.8.5. The Academic Office will inform the student of the final decision by means of an Interruption of Studies Outcome.
- 15.9. Review of Decision
- 15.9.1. If a student is not satisfied with the decision made regarding an interruption of studies, the student may request that the decision be reviewed by a suitable senior officer of the University, as outlined in section 27.

16. Timing and period of interruption of studies

- 16.1. Normally an interruption of studies should be for a definite period and a date for return to studies should be agreed at the time the interruption is approved. Normally a student will be expected to resume their studies at the beginning of the next appropriate Semester or Term or Block in order to continue their studies.
- 16.2. In supporting a request for an interruption of studies, the Institute will have produced a plan for a return to studies which details whether any partial or full credit already

gained will be carried forward or will be forfeited when studies are resumed and sets any conditions for the return to studies.

- 16.3. A student who interrupts studies should be aware that the University regularly monitors and reviews its academic portfolio, so it may not be possible for the University to guarantee that the same modules or programmes will be part of the provision when the student resumes their studies. In such cases, the University (or Collaborative Partnership Institution) will work with the student and seek to identify a suitable alternative (which may mean that the student has to forfeit partial credit which had previously been approved to take forward).
- 16.4. If a student is unable to return on the agreed date, they must seek further approval to extend the period of interruption. If a student fails to return to their studies by the date specified and approval for an extension to the interruption has not been sought, the University shall assume that the student has withdrawn from the University. The student shall be informed in writing that they have been withdrawn and the record amended. The student shall have the right to appeal against the decision in accordance with the Academic Appeal Policy.
- 16.5. Normally the total maximum period for interruption of studies for any award is 12 months for a full-time student and 24 months for a part-time student. If a period of interruption of greater than this is required, the student should normally withdraw from their studies. The student can reapply when able to commit to study again and the University will take previous periods of study into consideration when considering applications.
- 16.6. The usual time limit for completing a taught award will automatically be adjusted to take into consideration time spent on an approved interruption of studies; however, the maximum time limit for completing a taught award will not be automatically extended. A student may request an extension to their interruption of studies following the application procedure outlined above provided that the student can complete their programme of study or obtain an exit qualification within the maximum time limit. Students who require an extension to the maximum time limit for completing a taught award must apply under the specific regulations.

17. Funding Issues

- 17.1. A student should consult their sponsor to obtain a clear understanding of the funding implications before interrupting studies; the University is not able to guarantee the resumption of any external grant or loan. If a student carries forward partial credit with the approval of the Academic Discipline/Centre, there may be an implication for fees charged. If a student interrupts studies and returns to repeat a Semester or Term the student will be charged the appropriate tuition fee for the repeated period of study.
- 17.2. Changes in a student's status may affect funding/benefits for which the student can apply and students who have interrupted studies may not be entitled to Council Tax exemption. Students who have interrupted studies are not entitled to use the following services:
 - 17.2.1. University Computing Service / Network System
 - 17.2.2. University Library services
 - 17.2.3. Students' Union

18. Implications for the immigration status of overseas students

- 18.1. If a student is from overseas and has student leave to remain in the UK, an interruption of studies will have serious implications for their immigration status and they will not be permitted to remain in the UK for the duration of the interruption of studies.

19. Required to Suspend

- 19.1. Under exceptional circumstances a student may be required to interrupt studies due to academic, disciplinary, or financial reasons or as a result of Fitness to Practise or Fitness to Study decisions. In such cases the period of interruption will be classified as a suspension of studies and the student will be informed that their studies have been suspended and will be notified of the reasons for the suspension. The student will be given a return to studies date and informed of any conditions that must be met before they can resume studies.
- 19.2. A student may also be required to suspend studies where the University deems that on health grounds it is not appropriate for a student to continue with their studies, whether in exercising its duty of care to others or where it is deemed not to be in the interest of the particular student. In such cases, it will be made clear to the student that the requirement to suspend studies is separate from the University's Disciplinary procedures.
- 19.3. In cases where the decision to require a suspension of studies is made by an Examining Board, the student shall be given an opportunity to appeal against the decision by presenting a case in accord with the Academic Appeal Policy. In other cases, the opportunity for appeal will be outlined in the relevant policy (e.g. Fitness to Study).

20. Adjustment to Time Limits for Completing a Taught Award

- 20.1. Details of the time limits for the completion of each taught award are provided in Chapter 6 of the Academic Quality Handbook. These time-limits may be adjusted in exceptional cases by submitting a request on the Application for Adjustment to Time Limit Form.
- 20.2. The usual time limit for completing a taught award will automatically be adjusted to take into consideration time spent on an approved interruption of studies or in cases where a student is required to repeat a level of study as long as the maximum period of study is not exceeded.

21. Grounds for adjustment

- 21.1. The grounds on which a student can request an adjustment to the usual time limit for an award are as follows:
 - 21.1.1. Health or Medical;
 - 21.1.2. Compassionate (including serious domestic difficulties);
 - 21.1.3. Exceptional Professional Commitments.
- 21.2. All applications must be supported by appropriate independent evidence. Incomplete applications will not be considered and the form will be returned to the Institute.

22. Application procedure

- 22.1. The student should provide a full and reasoned case, identifying the length of the requested adjustment (which must not result in the maximum time limit being exceeded) and supported by appropriate independent evidence, for consideration of the Special Cases Committee, as detailed below:
 - 22.1.1. requests on health or medical grounds must supply independent medical evidence, including a clear indication of the nature of the illness and its duration;
 - 22.1.2. requests on compassionate grounds must supply independent evidence in support of the case which clearly explains the situation and indicates how long the circumstances have impeded the student's ability to engage with study;
 - 22.1.3. requests on the grounds of exceptional professional commitments must be accompanied by written confirmation from the employer which provides a description of the exceptional workload borne by the student and for how long this was the case.
- 22.2. The student's submission must be accompanied by a statement from the relevant Programme Manager, showing that they have evaluated the situation and indicating whether or not the Institute considers the requested adjustment to be appropriate.
- 22.3. The completed form should be sent to the Academic Office for final consideration. Applications which are not fully completed or which are not supported by the Institute will not be approved.
- 22.4. The Academic Office will inform the student of the final decision by means of an Outcome letter.

23. Adjustments to the maximum time limit for completing a taught award

- 23.1. The maximum time limit for completing a taught award cannot normally be adjusted. If a student reaches the maximum time limit for completing a taught award, the student will be withdrawn from the programme and awarded the appropriate exit qualification.
- 23.2. However, in exceptional cases a request to adjust the maximum time limit may be considered by Special Cases Committee.

24. Application procedure

- 24.1. The student should provide a full and reasoned case, identifying the length of the requested adjustment (which must not result in the maximum time limit being exceeded) and supported by appropriate independent evidence, for consideration of the Special Cases Committee, as detailed below:
 - 24.1.1. requests on health or medical grounds must supply independent medical evidence, including a clear indication of the nature of the illness and its duration;
 - 24.1.2. requests on compassionate grounds must supply independent evidence in support of the case which clearly explains the situation and indicates how long the circumstances have impeded the student's ability to engage with study;

- 24.1.3. requests on the grounds of exceptional professional commitments must be accompanied by written confirmation from the employer which provides a description of the exceptional workload borne by the student and for how long this was the case.
- 24.2. The student's submission must be accompanied by a statement from the relevant Programme Manager, showing that they have evaluated the situation and indicating whether or not the Institute considers the requested adjustment to be appropriate.
- 24.3. The Special Cases Committee will consider the evidence provided and the statement from the Institute and reach a final decision on whether the adjustment request is to be granted or not and the exact length of the adjustment in cases where the adjustment request is granted. For every request, both the decision and the reason(s) for arriving at the decision must be documented and reported to the Academic Office.

25. Change to Mode of Study Partway Through Level of Study

- 25.1. Changes of mode of study (from full-time to part-time or from part-time to full-time) can normally only be requested prior to the start of a level of study or at most 4 weeks after the start of the level of study. Such requests should be submitted directly to the Registry using the appropriate form.
- 25.2. In exceptional cases, a student may be permitted to change mode of study outside of the normal timeframe. A student should submit a request on the appropriate form.
- 25.3. Prior to requesting a change of mode of study partway through a level of study, the student must consult their sponsor to obtain a clear understanding of the funding/visa implications. The University cannot guarantee the continuation of any external grant or loan after a change of mode of study.
 - 25.3.1. International students with student leave to remain in the UK are not permitted to change mode of study from full-time to part-time and remain in the UK as a student.
 - 25.3.2. Students who have completed Part I of a Taught Master's Degree will not be permitted to change mode of study during Part II unless there are extremely compelling reasons to do so.
- 25.4. The student should provide a full and reasoned case, explaining how and why the change of mode of study will allow them to complete their award and why the change is needed. The request must be supported by appropriate independent evidence.
- 25.5. The relevant Programme Manager must provide a statement indicating whether or not the Institute supports the request and list all modules completed to date as well as provide clarification on how partially completed modules will be handled and give a clear plan for completion of any outstanding modules in the level.
- 25.6. The completed form should be sent to the Academic Office for final consideration. Applications which are not fully completed or which are not supported by the Institute will not be approved.
- 25.7. The Academic Office will inform the student of the final decision by means of an Outcome letter.
- 25.8. A student who has previously changed mode of study will not normally be permitted to change mode of study for a second time unless there are extremely compelling reasons to do so.

25.9. Review of Decision

- 25.9.1. If a student is not satisfied with the decision, the student may request that the decision be reviewed by a suitable senior officer of the University, as outlined in section 27.

26. Special Cases Committee

26.1. The Special Cases Committee is responsible for considering requests for adjustments to the usual time limit and the maximum time limit for the completion of taught awards. It is also responsible for deciding upon the appropriate action for dealing with extraordinary cases relating to assessment.

26.2. It is chaired by a member of staff appointed by the Academic Standards Committee, meets at least once each term and is a sub-committee of the Academic Standards Committee.

26.3. Membership

26.3.1. The Special Cases Committee shall consist of:

Chair

One representative from each Institute

Representation from staff with responsibility for Quality Assurance

Representation from Registry

Representation from the Students' Union

26.3.2. Members should not contribute to the decision in relation to a student enrolled on a module which they teach or assess, or in relation to a student that they know. Institutes should identify an individual from each Discipline that could be called upon to act as alternate for this Committee.

26.3.3. In cases where the Chair considers that the details contained in the medical or other evidence provided by the student to be of a particularly sensitive nature, such details will not be circulated to the Committee, and the Chair will be responsible for providing the Committee with a synopsis of the evidence provided.

26.4. Terms of Reference

26.4.1. The Terms of Reference of the Special Cases Committee are:

- (1) To consider all requests from students seeking an extension to the maximum time limit for completion of a taught award;
- (2) To consider appropriate action for dealing with extraordinary cases relating to assessment not covered by the academic regulations;
- (3) To review where necessary the regulations for admissions, assessment, progression and award in exceptional circumstances;
- (4) To consider any other relevant matters referred to the Committee;
- (5) To have regard at all times to principles of equity, fairness and transparency and to bear in mind relevant Equal Opportunities, confidentiality and data protection policies and legislation.

27. Review of Mitigating Circumstances Decisions

- 27.1. Students may request reviews of decision by a senior officer of the University of decisions made in line with this policy: extenuating circumstances claims, interruption of studies applications, applications for adjustments to time limits, applications to change mode of study, and Special Cases decisions.
- 27.2. A request for a review may only be made on one or more of the following grounds:
 - 27.2.1. irregularities in the conduct of the appropriate procedure, which are of such a nature as to cause reasonable doubt whether the same decision would have been reached had they not occurred;
 - 27.2.2. the existence of relevant evidence and there are compelling reasons why this evidence was not provided earlier in the procedure;
 - 27.2.3. the decision was not reasonable given the circumstances of the case.
- 27.3. A request for review of the decision shall be sent to the Academic Office on the Review of Mitigating Circumstances Decisions Form and must be received not later than 21 days after the notification of the decision.
- 27.4. Simple notice of a desire to request a review by a student within the above deadline shall not be deemed to constitute a formal request for review and shall not be accepted.
- 27.5. The student shall provide full details of the grounds on which the request for a review is being made.
- 27.6. A request for review received after the above deadline will be deemed to be out of time and will not be considered unless there is independent evidence to show compelling reasons as to why the request for review was not submitted in a timely manner.
- 27.7. Where a request for review is deemed out of time, the University will issue a Completion of Procedures Letter on request, noting the reason why the request for review was not considered and advising the student that they may be able to take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 27.8. A suitable senior officer shall review the request to ascertain if the request for review has been made on permissible grounds and if a clear case has been made. They may refuse any request which is not based on the grounds stated above or in which it is apparent that no clear case to review the outcome has been made. If the request for review is rejected on these grounds, the student shall be informed of this by means of a Completion of Procedures Letter and that the original outcome stands. The student will be advised that they may be able to take their case to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 27.9. If it is determined that the request has been made on permissible grounds and that a clear case for reviewing the decision has been made, the senior officer shall consider the request on the grounds indicated by the student.
- 27.10. In reaching a decision on the request, the senior officer shall base their decision on the evidence of the student's submission together with any further evidence which they consider relevant.
- 27.11. The senior officer shall be empowered to take one of the following decisions:
 - 27.11.1. to confirm the original decision;
 - 27.11.2. to overturn the original decision and issue an alternative decision.

- 27.12. The decision of the senior officer or nominee shall be final, and the matter shall, therefore, be regarded as closed. There shall be no discussion of the decision of the senior officer with the student or any other person.
- 27.13. If the decision is approved, the decision of the senior officer shall be communicated to the student by means of a Completion of Procedures Letter, normally within 28 days of receipt of the request for review and the student will be advised that they may be able to take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
- 27.14. If the decision is overturned, the student shall be informed of the decision by means of a revised Outcome Letter (which may take the form of an electronic communication). There shall be no right to request a further review of the decision as set out in the revised Outcome Letter. On receipt of the revised Outcome Letter, if the student is dissatisfied with the outcome, the student may request a Completion of Procedures Letter be issued which will advise the student that they may be able to take their complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.

28. Completion of Procedures and Independent Review

- 28.1. Complaints to the Office of the Independent Adjudicator (OIA) for Higher Education must be made within 12 months of the effective date of the Completion of Procedures Letter. The effective date of a Completion of Procedures Letter will normally be the date on which it is issued. Where a request for review is deemed out of time or where a Completion of Procedures Letter is requested more than 30 days after the notification of the final decision, the effective date of any Completion of Procedures Letter will normally be the date upon which the final decision was made. Full details of the procedure will be available from the OIA website: www.oiahe.org.uk.

29. Confidentiality parameters

- 29.1. The University will be mindful of its obligations under relevant data protection regulations and the Equality Act 2010 in relation to any information shared about the complaint.
- 29.2. All parties will be reminded of the confidentiality associated with the procedures outlined above. Information associated with the case will be disclosed to as few people as possible.

30. Standard time-lines

- 30.1. Throughout the policy standard time-lines are mentioned for key stages of the process. The University will wherever possible seek to adhere to the time limits outlined within these procedures, but in cases where there are special circumstances which require variance from specified time limits, the student and any other relevant parties will be advised of the reasons for this. Processes may need to be suspended.

| Key stage | Standard time-line |
|----------------------------------|---|
| Completion of the formal process | 40 days |
| Review of outcome request | Within 21 days of the date of the notification of the outcome |

| Key stage | Standard time-line |
|---|--|
| Completion of the review of outcome process | Within 28 days of the review of outcome request being received |

31. Monitoring

- 31.1. A student case overview report will be submitted annually to Senate and the relevant Council Committee by the Associate Pro Vice-Chancellor (Academic Experience). This report will also monitor the effectiveness of the policy.

32. Resource implications

| Implication | Detail |
|-------------|--|
| Finance | <i>Training for all University members of staff involved in mitigating circumstances procedures (e.g. Case Officers, Special Cases Committee, staff providing support to students, Senior Officers, minute takers)</i> |
| Staff | <i>No additional resource anticipated.</i> |
| Assets | <i>There are no identified asset costs.</i> |
| Partners | <i>Consideration will be given to the application of this policy across the dual-sector group.</i> |
| Timescales | <i>Once approved the policy will be implemented immediately. The policy will be regularly monitored to ensure ongoing compliance with relevant legislation.</i> |
| Leadership | <i>APVC (Academic Experience)</i> |

33. Impact Assessment

| Implication | Impact considered (Yes/No) | Impact Identified |
|------------------------------------|----------------------------|--|
| Legal | Yes | <i>The policy conforms with:</i> <ul style="list-style-type: none"> • <i>Contract and consumer law</i> • <i>The Human Rights Act 1998</i> • <i>The Equality Act 2010</i> • <i>Natural Justice (fairness)</i> • <i>Data Protection Act 2018 (and GDPR)</i> |
| Contribution to the Strategic Plan | Yes | <i>The policy aligns with the values expressed in the Strategic Plan.</i> |
| Risk analysis | Yes | <i>Policy compliance mitigates against complaints to the OIA and complaints to the ICO.</i> |
| Equality | Yes | <i>The policy will ensure adherence to provisions of the Equality Act.</i> |

| | | |
|-----------------------------------|------------|---|
| Welsh language | Yes | <i>The policy aligns with principles expressed by the Welsh Language Act.</i> |
| Environmental and sustainability | Yes | <i>None identified.</i> |
| Communication / Media / Marketing | Yes | <i>The policy will be made available to staff and students via Website.</i> |

34. Policy author:

34.1. Dr Kyle Erickson, Director of Academic Experience

35. Document version control

| Version No. | Reason for change | Author | Date of Change |
|-------------|-------------------|--------|----------------|
| 0.1 | Draft policy | KE | 14.10.2019 |
| 0.2 | Approved policy | KE | 16.10.2019 |

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