

# **MB ChB PROGRAMME, DIVISION OF MEDICAL EDUCATION, SCHOOL OF MEDICAL SCIENCES**

## **THE MB ChB MITIGATING CIRCUMSTANCES PANEL**

### **1. Functions of the MB ChB Mitigating Circumstances Panel (MCP)**

The overall function of the MB ChB Mitigating Circumstances Panel (MCP) is to determine whether evidence of sufficient mitigating circumstances that adversely affect the ability of a student to complete an assessment or the results they obtain for an assessment has been established. Recommendations from the MB ChB MCP will be forwarded to the relevant Board of Examiners.

As the MB ChB is a professional Programme, the remedies available to the MB ChB MPC in respect of mitigating circumstances in which students are required to pass all elements of the Programme in order to progress to graduate are very restricted. Please note, only mitigation for students who are 'Unsatisfactory' in an assessment will be considered.

### **2. Membership of the MB ChB MCP**

The MB ChB MCP will consist of a pool of ten to twelve personnel drawn from University of Manchester staff and non-University of Manchester staff working in the NHS (with an honorary contract with the University of Manchester). This pool of members will be approved by the Board of Examiners and chaired by a member of an MB ChB Board of Examiners. The MB ChB MCP acts as a sub-group of the Board of Examiners and therefore reports to it.

For each meeting a panel of five members will be drawn from the pool, constituted as follows:

A non-voting Chair;

A Year 1 or Year 2 representative;

A Year 3, 4 or 5 representative;

Two other members, drawn from the pool specified above.

NB: One of the Committee should be a registered medical practitioner.

The Chair will remain consistent across all panel meetings, where possible. In his/her absence, a Deputy Chair will act as Chair of the Committee. Both the Chair and the Deputy Chair will be nominated by the Head of the MB ChB. A quorum of a minimum of five members will be required and in such cases where only four members are present, the Chair will also have a vote.

### **3. Procedure for submitting mitigating circumstances**

(a) 'Notification of Mitigating Circumstances' form

A student who believes that circumstances or events beyond their control have adversely affected their ability to perform to their full potential, resulted in an assessment being submitted late or in being unable to attend an assessment must submit a 'Notification of Mitigating Circumstances' form on-line through MedLea to the Assessment Office. It is the sole responsibility of the student to submit this form and it must be submitted as soon as the circumstances or events become known to them and before the assessment takes place. If the events or circumstances take place on the day of the assessment then mitigation must be submitted within one working day.

The Programme insists upon time specific, appropriate, independent, third party corroborating evidence/ documentation to be submitted at the same time as the 'Notification of Mitigating Circumstances' form. If evidence is not available at the time the form is submitted it should be submitted as soon as possible afterwards.

The Mitigating Circumstances Panel should be satisfied that any evidence is sufficiently independent and contemporaneous to confirm the veracity and impact of the circumstances that the student is describing. Any evidence should allow for a Mitigating Circumstances Panel to verify that it is accurate, for example, provided on letter headed paper, written in English (or certifiably translated), clearly states the name and signature of the author of the material, include relevant dates, have the students name visible etc. These (i.e. the form and supporting documentation) should be submitted on-line through MedLea, <https://www.medlea.manchester.ac.uk/forms/addSubmissionMenu.aspx?back=2613589>.

If supporting documentation is of a confidential nature it may be submitted as a hard copy in a sealed envelope to the Programme's reception, Stopford Building. Please write your student ID number, year of study and the assessments you are submitting the mitigation in respect to.

**NB: In accordance with GMC recommendations, the Programme does NOT accept GP certification where the GP is a relative of the student concerned.**

(b) Mitigating circumstances please also see the University Policy on Mitigating Circumstances - <http://documents.manchester.ac.uk/display.aspx?DocID=4271>)

Grounds for mitigation are **unforeseeable** or **unpreventable** circumstances that could have, or did have, **a significant adverse effect** on the academic performance of a student. Possible mitigating circumstances include

- significant illness or injury;
- the death or critical illness of a close family member/ dependent;
- significant family crises or major financial problems leading to acute stress;
- absence for public service eg. jury service.

Circumstances that will *not* normally be regarded as grounds for mitigation include

- holidays, moving house and events that were planned or could reasonably have been expected;
- assessments that are scheduled close together;
- misreading the timetable or misunderstanding the requirements for assessments;
- inadequate planning and time management;
- failure, loss or theft of a computer or printer that prevents submission of work on time: students should back up work regularly and not leave completion so late that they cannot find another computer or printer;
- consequences of paid employment (except in some special cases for part-time students);
- exam stress or panic attacks not diagnosed as illness or supported by medical evidence; and
- disruption in an examination room during the course of an assessment which has not been recorded by the invigilators.

Events may arise during pregnancy that may constitute mitigating circumstances, and these need to be judged on an individual basis. Note that U.K. legislation does not allow a woman to work in the first two weeks following the birth.

Absence from the University during the semester for any period of no more than five consecutive working days will not normally be regarded as grounds for mitigation.

(c) Meeting with PBL or SWAPS Tutor/ Hospital Dean

Students are strongly advised to meet with a PBL or SWAPS Tutor (in Year 1 and Year 2) or their Hospital Dean (in Years 3, 4 and 5) to discuss their situation. The PBL/SWAPS Tutor or Hospital Dean may wish to submit details of their discussion with students to the MB ChB Programme and this will be considered as part of the student's case.

(d) MB ChB MCP

The MB ChB MCP will meet after the results have been processed but not formally ratified at the Examinations Board. The MB ChB MCP will consider at its meeting only those cases where a student submitting mitigating circumstances has failed an assessment. Students will not be invited to meet the panel and their identity will remain anonymous throughout the discussion and will only be referred to by their registration number. For administrative purposes, the identity of the student will only be known to the Assessment Manager who will act as Secretary to the meeting.

The MB ChB MCP will determine in the first instance, whether there is substantiated evidence of circumstances eligible for mitigation. If the evidence is not substantiated, it is dismissed at this point. Where there is substantiating evidence, the MCP will then assess whether the circumstances have had an adverse effect on the student's performance. It may judge that the effect would have been negligible (for example in the case of a minor illness or a minor disturbance in an examination room), in which case mitigation is dismissed; or, it may judge that the effect would have been significant, in which case mitigation is approved. Mitigation may be approved for i) a specific assessment, ii) for more general impairment over a number of assessments, or iii) for both.

If the MB ChB MCP confirms that the circumstances were unforeseeable and unpreventable and that the effect on the student's academic performance would have been significant, the student would not forfeit any re-assessment opportunity under the Programme regulations. Under no circumstances will actual marks awarded for an assessment be changed. Furthermore, as the MB ChB is a professional Programme, the sanctions available to the Panel in respect of mitigating circumstances are very restricted since all students must pass **all** elements of the Programme in order to progress or graduate.

The recommendations regarding mitigation together with the formal minutes from the Panel will be submitted to the Board of Examiners for consideration.

(e) The Board of Examiners

The Board of Examiners will determine the academic progression of a student on the basis of their results and any recommendations from the MCP and in accordance with University of Manchester degree regulations, full details of which will be outlined in the MB ChB Programme Handbook.

Shortly after the meeting of the Board of Examiners, the Assessment Manager will formally write to any student whose mitigation was presented to the Board of Examiners informing them of the Board's decision.

Any student who faces exclusion, as a result of the Board of Examiners' decision, will be seen by the Academic Lead for Student Welfare and Professionalism Support or a senior academic member of staff.

(f) Appeals

**A student has the right of appeal under University of Manchester Regulation XIX Academic Appeals against any decision that is reached by the Board of Examiners.**

This appeal must be made in writing via the appropriate form found at the following web link: <http://www.staffnet.manchester.ac.uk/bmh/about-fbmh/our-structure/pss-functions/student-experience/appeals-complaints-fitness-to-practise/> and submitted to the Faculty of Biology, Medicine and Health Administration within 20 working days of receipt of the letter from the Board of Examiners.

(g) Submissions not considered by the MB ChB MCP

The MB ChB MCP will not have considered any cases where a student has passed all their assessments. Students are provided with details of who to contact to discuss their circumstances with. In addition, if it is felt that student's circumstances suggest that they could benefit from the support available they will be referred to the Programme's Student Welfare and Professionalism Support team, the Occupational Health Service, the University Disability Advisory and Support Service, or/and the University Counselling Service. The student will be advised prior to this taking place.