



Institute  
and Faculty  
of Actuaries

# Mitigating Circumstances Policy

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# Mitigating Circumstances Policy

## Introduction

The Institute and Faculty of Actuaries (IFoA) is committed to providing a fair and transparent route to achieving our qualifications.

This procedure is intended to provide candidates of the IFoA assessments with a formal means for applying for mitigating circumstances to be taken into account in relation to their performance in an assessment.

This policy applies to all candidates of the IFoA assessments. Where there is a discrepancy between this policy and other regulations or handbooks in respect of procedures for the consideration of mitigating circumstances relating to assessments, this policy takes precedence.

The Head of Quality and Assessment is authorised to consider and make judgement in any cases of doubt or where clarification is needed concerning these regulations.

The IFoA aims to:

- Treat all candidates equally and fairly in the consideration of their mitigating circumstances.
- Provide candidates with a consistent experience of the mitigating circumstances process.
- Fulfil its commitment to delivering a seamless candidate service.
- Deal with any requests in a timely manner.

## Definition of Mitigating Circumstances

The IFoA considers a mitigating circumstance to be a recognisably unexpected serious or major event which is beyond the candidate's control that might have a significant and adverse effect on their performance in an IFoA assessment.

On-going conditions and other disabilities that affect candidates do not fall in this definition. The IFoA offers access arrangements for mitigating the effect on individuals of such on-going conditions. Where allowance has been made for a continuing condition, a further allowance should not be made through the consideration of mitigating circumstances except as described below.

Some candidates affected by 'on-going' conditions may encounter specific difficulties related to their condition that impact upon an assessment. Such circumstances may be legitimately considered as meeting the definition of mitigating circumstances above. For example, a candidate who suffers from MS, rheumatoid arthritis, or Crohn's disease, may or may not need constant 'reasonable adjustments' in assessments, but if they had a 'flare-up' around the time of an assessment they may also need to be considered under these mitigating circumstances procedures. In such situations the decision-making body considering the claim for mitigating circumstances will need to receive information concerning any 'reasonable adjustments' that are in place. The important principle is that no candidate should receive a double compensation through both an on-going 'reasonable adjustment' and an allowance through mitigating circumstances.

## Criteria for Submitting a Claim

The claim submitted should demonstrate that it meets all of the following criteria:

**Beyond the control of the candidate:** The candidate must demonstrate that they could not have done anything to prevent the circumstance arising, that they were unforeseen and unpreventable.

**Effect on assessment:** the claim must demonstrate a significant impact on the candidate's ability to complete the assessment. It must make clear the duration of the circumstances and have appropriate documentary evidence to support the claim.

**Have timely relevance:** typically the circumstance must have occurred on the day the assessment was sat or the week leading up to it. Where the event falls before this time the candidate should be able to demonstrate that the impact it had can be linked to the assessment being claimed for.

## Submitting an Application

Applications for mitigating circumstances must be completed on the form provided on the website and submitted to the Education Services team within seven calendar days from the assessment date. If the candidate is applying for more than one assessment in their application it is seven days from the date of the last assessment taken. Applications received after this deadline will not usually be considered by the Mitigating Circumstances review panel.

Candidates must provide documentary evidence with their submission. This can be submitted along with the completed application form within seven calendar days from the assessment date. If the candidate is unable to get the evidence together within 7 calendar days then they must submit the application form and then they can submit the evidence separately, within 28 calendar days of the assessment. If they are applying for more than one assessment in their application it is 28 calendar days from the date of the last assessment taken.

Candidates should include as much detail as possible in their application to explain how their assessment performance was affected. The Mitigating Circumstances review panel will only be able to consider the information and supporting evidence which candidates provide and will not generally ask for further evidence.

It is assumed that candidates have determined that they are well enough to take the exam at the scheduled time. Applications will not be accepted where the candidate has sat the exam against medical advice.

Only evidence written in English can be considered. It is the candidate's responsibility to obtain and submit a verified translation if the original evidence is in another language whilst adhering to the deadlines laid out above.

Applicants will receive a confirmation email informing them of receipt.

## Guidance on Evidence Required to Support Mitigating Circumstances

The following table provides examples of the kinds of circumstances that would normally be considered acceptable mitigating circumstances, with information on what evidence would be required in each case. This list of required evidence is provided as a guide and is not exhaustive; each application will be assessed on its own merits taking into account the specific circumstances and the evidence presented in each case.

The IFoA recognises that it can be difficult to disclose sensitive, personal information to other parties. As such, please note that all documentation provided in support of an application will be treated sensitively, and will remain confidential to the relevant Mitigating Circumstances Panel. The information presented will be subject to the IFoA's data retention schedule for assessments.

Circumstance	What is likely to be accepted and what evidence is required?
Serious Illness	Confirmation of the illness, the impact the illness has had on the affected assessment(s) and the dates concerned. There should be a confirmed diagnosis by a registered doctor specifying the nature of the illness. If currently undergoing assessment and no diagnosis has been reached then documentation by a registered doctor specifying symptoms will be considered. Letters stating that the candidate informed them that they were unwell will not be accepted. Minor illnesses such as colds, sore throats, headaches, digestive problems etc. would not normally be acceptable grounds.
Long-standing medical condition or disability	Diagnosed condition that is normally supported through reasonable adjustments (access arrangements) that flares up unexpectedly close to the assessment, and the reasonable adjustments are not sufficient to make it possible to attempt the assessment. Or a previously undiagnosed/recently diagnosed condition that adjustments have not yet been put in place to make it possible to undertake the assessment. This will normally only be permitted for the first assessment period after the diagnosis as it is expected that support would be sought for future assessment periods. There should be a confirmed diagnosis by a registered doctor specifying the nature of the illness. Letters stating that the candidate informed them that they were unwell will not be accepted.

Circumstance	What is likely to be accepted and what evidence is required?
Hospitalisation	<p>Confirmation of the illness, the impact the illness has had on the affected assessment(s) and the dates concerned. This should be provided on <b>an original medical certificate/letter</b>.</p>
<p>Serious illness (as described above) or death of a member of the candidate's immediate family (e.g. parent, sibling, child, grandparent, spouse, guardian)</p>	<p>Where a candidate's immediate family member has a serious illness, independent confirmation of both the illness and how the illness affected the candidates assessment(s) should be provided. A diagnosis of the family member is not required, specifying symptoms will be considered. It is more important that the IFoA receive independent confirmation of the effect of the situation on the assessment(s).</p> <p>A medical report from a qualified medical practitioner or a copy of a death certificate, coroner's report, letter from medical professional. Accompanied if necessary by formal documentation confirming relationship with deceased.</p> <p>Whilst a death certificate is a sensitive and often difficult document to obtain it is required to prevent fraudulent claims. Other relationships may be considered subject to there being sufficient evidence of the closeness and impact.</p>
<p>Severe adverse personal/family difficulties</p>	<p>Confirmation of the circumstances, the impact that these had on the affected assessment(s) and the dates concerned. This can include a whole range of issues, such as separation from spouse/partner, conflict with others, caring duties that couldn't be done by anyone else, etc.</p> <p>Examination stress is a common experience and not normally considered a personal mitigating circumstance as some level of sleep disturbance or feeling nauseous can be usual (unless in a serious form which can be documented either by a counsellor or doctor).</p> <p>A report from a suitable qualified professional such as a GP or counsellor.</p>

Circumstance	What is likely to be accepted and what evidence is required?
Pregnancy-related illness	The requirements for illness, hospitalisation etc. should be followed if there is a specific incident during pregnancy.
Exam Centre related issue	<p>If the candidate experienced disruption that caused significant impact to the candidate's exam performance such as:</p> <ul style="list-style-type: none"> <li>• Significant noise.</li> <li>• Disruption during the examination.</li> <li>• Significant environmental impact, e.g. heating/lighting.</li> </ul>
IFoA online platform	<p>Candidates who experience a significant issue that occurred with our online examination platform will need to fill out an Online Exam Incident form within seven calendar days of the assessment date. Evidence should be kept in the event this is requested by the IFoA e.g.</p> <ul style="list-style-type: none"> <li>• Time/impact as a result of the issue with the online platform.</li> <li>• Any correspondence between the candidate and the IFoA flagging the issue.</li> </ul> <p>The IFoA will contact you within 7 calendar days of receiving this form to advise if a Mitigating Circumstances application is appropriate.</p>
Victim of crime	Police report (including a crime reference number). If the incident has resulted in the candidate seeking medical attention then the requirements for illness should be followed.
Legal proceedings requiring attendance at court as a witness or jury service	Documentary evidence from the court or a solicitor including the dates of the legal proceedings and the requirement for the candidate to attend.
Road Traffic Incident	<p>If the candidate has been involved in a road traffic incident, either as a passenger or as the driver, evidence must be provided detailing the time and place that the incident occurred including:</p> <ul style="list-style-type: none"> <li>• A police report (including a crime reference number); <i>or</i></li> <li>• Insurance reference number/record of the event.</li> </ul>

## Circumstances that would not meet the Definition of Mitigating Circumstances

The following are examples of the kind of circumstances that are not likely to be considered acceptable. This list is not exhaustive.

<b>Circumstance</b>
<b>Medical Circumstances</b> Medical circumstances that do not relate directly to the assessment date in question or cannot be attributed to having an effect on the assessment. Minor illnesses that could be treated with over the counter remedies (e.g. colds, coughs, sore throats etc.)
<b>Transport issues</b> It is the candidate's responsibility to arrive at the assessment on time, irrespective of the form of transport used or relied upon. Exceptions to this might be industrial action or other significant disruption that is beyond the candidate's control. Evidence of any significant disruption would be required.
<b>Holidays/Family Events</b> All holidays and vacations should take place at a time that will not impact on the candidate's availability to study or undertake or prepare for an assessment(s).
<b>Misreading the examination timetable</b> It is the candidate's responsibility to ensure that they have an accurate understanding of the location, time and duration of all formal assessments.
<b>Paid employment or voluntary work</b> It is the candidate's responsibility to manage other commitments so that they do not adversely interfere with their studies.
<b>IT and/or computer failure</b> It is the candidate's responsibility to ensure that all work which is electronically stored, generated and/or submitted is sufficiently backed up and the correct piece of work is submitted.
<b>Foreseeable/preventable circumstances</b> Where the circumstances are within the candidate's control.
<b>Scheduling of assessments/deadline</b> Deadlines or exams being close together.

## Review Panel and Exam Results

A Mitigating Circumstances Review Panel (the 'Panel') will consider applications for mitigating circumstances. The Panel will consist of five members (three Executive staff of the IFoA and both the Chair and Deputy Chair of the Board of Examiners).

The Panel will meet to review applications before the release of final marks:

- Generally, applicants who have achieved the pass mark or above for the subject will automatically be awarded the initial exam mark regardless of any mitigating circumstances.

For example, if a candidate achieves a mark of 65 and the pass mark is 60 then no further consideration will be given to the candidate's individual mark. This is based on the fact that the candidate has already achieved a pass.

- Only candidates who have applied for mitigating circumstances and are within three marks of the pass mark will be considered further. The Panel reviews each case individually and considers the severity, duration and timing of the circumstances, and whether an allocation of extra marks would allow the candidate to reach the pass level. If this is the case, then the candidate will be awarded a mark equal to the pass mark.
- Candidates who are more than three marks away from the pass mark and have applied for mitigating circumstances will not be considered, as the initial result is too far away from the pass mark to be mitigated. The original mark awarded will remain.
- Candidates should be aware that only factors deemed to have a serious effect on performance (as outlined above) will result in changes to marks. The Panel has limited options when they receive an application. This is because the Panel's responsibility is to review what they see; they cannot accurately or fairly award marks for a level of performance that they do not see.

## **Outcome**

The final result awarded is therefore a reflection of the mitigating circumstances process as stated in this Policy. It is assumed that candidates' mitigating circumstances will be taken into account as part of the results process as long as the criteria outlined in this Policy have been met.

This process will be undertaken during the timescales normally set for the release of final marks. Should the Panel seek further information from the applicant, or the relevant examining team, and a delay is expected then the applicant will be informed accordingly and another due date for release of their results given.

Candidates who have been considered at the mitigating circumstances panel will be informed within five working days of the results being released as to the outcome of their application.

The decision of the Panel is final and no further correspondence will be entered into. If a candidate wishes to pursue the matter and can evidence that a procedural irregularity has occurred during the mitigating circumstances process they can consider applying through the appeals process.

### **Document control**

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Approving Committee: Education Committee

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