

## Mitigating circumstances policy

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## **1.0 Purpose**

Mitigating circumstances are things that might happen, which a trainee could not have reasonably expected to happen, and that may compromise the trainee's ability to undergo assessment by a required deadline. These assessments may include, but are not limited to examinations, research, quality improvement and audit project work. Assessments may also include coursework required for competency and progression evaluations such as in training evaluation report (ITER) forms and evidence of video consultation analysis.

The purpose of the policy is to define:

- To whom the policy applies
- What constitutes a mitigating circumstance
- What mitigating circumstances are likely to be accepted by the Irish College of GPs (hereafter referred to as "College" or "the College")
- How requests for mitigating circumstances should be submitted by trainees
- How mitigating circumstances are considered
- What outcomes the trainee can expect

## **2.0 Scope**

### **2.1 Persons to whom the policy applies**

This policy applies to all trainees enrolled in the College's national GP Training Programme.

### **2.2 Persons to whom the policy does not apply**

The policy does not apply to doctors or other healthcare professionals undertaking education offered by the College in the context of continuing professional development, nor does it apply to GP trainees taking additional courses or diplomas outside of the scope of the national Training Programme.



### **2.3 Assessments to which the policy applies**

The policy applies to summative assessments; that is, assessments which are graded against a standard or benchmark, have defined deadlines, and directly affect trainee progression.

Examples of summative assessments include:

- Audit, research and quality improvement coursework
- CPR certification
- Coursework required for specific competency and progression meetings; examples may include interim in-training evaluation reports (ITER) and written video consultation analysis

The policy relates to mitigating circumstances occurring at a specific time, affecting specific assessments at a prescribed time. Where a trainee experiences repeated difficulty in completing coursework, training activities or assessments over time, the Trainee Support policy and procedure will usually be more applicable.

The policy does not apply to long-term health conditions or disabilities and how these conditions may affect trainee assessment. Trainees should inform the College of long-term health conditions or disabilities at the outset of training or upon diagnosis such that reasonable adjustments may be made to allow the trainee to undergo assessment.

### **2.4 Assessments to which the policy does not apply**

This policy does not apply to component modules of the MICGP examination. The reader is referred to the MICGP exam regulations.

### **3.0 Policy statement**

In general, an application for mitigation should be exceptional and a last resort. Trainees should take all measures possible to complete assessments by the required deadline. Assessment is an important part of training and professional development, and trainees should seek to actively manage coursework and assessments such that they are completed on time. Mitigation is not a way of managing the daily pressures of training, nor is it a way of retaking an assessment should the trainee not be satisfied with the outcome of that assessment. Trainees are advised to read this policy and its accompanying guidance early in their training journey such that they are aware of the necessary steps to follow should mitigating circumstances arise.

#### **3.1 Grounds for mitigation**

Grounds for mitigation are unforeseeable and unavoidable circumstances that have had, or could have, a significant impact on a trainee's ability to undertake an assessment. This may occur at the time of an assessment or immediately before an assessment.

For the avoidance of doubt:

- Unforeseeable: the trainee could not have reasonably predicted or anticipated the event
- Unavoidable: the trainee could not have reasonably avoided or prevented the event from occurring

#### **3.2 Examples of mitigating circumstances**

##### *3.2.1 Circumstances normally accepted*

This is a non-exhaustive list of mitigating circumstances which, with the appropriate documentation, are likely to be accepted:

- Serious short-term illness or injury
- Serious worsening of an ongoing illness or disability, including mental health conditions where there has not been sufficient time to put reasonable adjustments in place
- Recent diagnosis of a long-term illness where there has not been sufficient time to put reasonable adjustments in place
- Serious complications of a pregnancy
- Symptoms of a notifiable infectious disease
- Death or significant illness of a significant person, family member or dependant
- Having been the victim of a violent crime (e.g. assault, mugging, sexual assault, rape, domestic violence)
- Accommodation crises such as eviction or the trainee's home becoming uninhabitable (e.g. fire, flooding)

- A technical problem that prevents the trainee from accessing online assessment at a defined time (e.g. equipment failure)
- Absence for public service or for professional emergencies (e.g. declaration of a major disaster or health emergency)
- A court appearance

### *3.2.2 Circumstances which may be accepted*

This is a non-exhaustive list of mitigating circumstances which, with the appropriate documentation, may be accepted:

- Serious illness of and care for a significant person, family member or dependent
- Unexpected caring responsibilities for a significant person, family member or dependant
- Long-term medical or mental health conditions not previously disclosed
- Familial breakdown (e.g. divorce or separation)
- Serious financial difficulties
- Private or public transport failure leading to delays of more than one hour *en route* to an exam centre
- Moderate illness due to pregnancy
- Victim of nonviolent crime (e.g. burglary)
- Experience of discrimination or hate crime relating to a protected characteristic (e.g. ethnicity, sexual orientation, religious belief, etc.)

### *3.2.3 Circumstances which are generally not agreed*

This is a non-exhaustive list of circumstances which are unlikely to be accepted as mitigation:

- General assessment related anxiety or stress
- Poor time management
- Failure to back up documents (e.g. research projects, audit reports)
- Submitting an incorrect or old file version of an assessment
- Having more than one exam on the same day
- Stable long-term medical and mental health conditions, e.g. dyslexia (trainees should apply for reasonable adjustments)
- Conditions where reasonable adjustments have already been made
- Nondisclosure of a disability, medical condition or mental health condition to the training programme or employer
- Claims where the trainee declined reasonable adjustments
- Booked holidays and trips abroad
- General domestic and family problems
- General financial problems
- Moving house

- General housing problems
- Minor private or public transport failures
- Missed trains, buses resulting in a delay of less than one hour *en route* to an assessment
- Bad weather (unless exceptional or severe conditions)
- Planned pregnancy or maternity without complications (though reasonable adjustments may be requested)
- Minor illnesses and injuries (e.g. coughs, colds, headaches, hay fever)
- Conditions which have not been diagnosed by a registered medical practitioner or where there is no evidence of symptoms
- Hospital tests or outpatient visits (unless these cannot be rescheduled)
- Victim of petty theft e.g. pickpocketing, bicycle theft
- General work commitments
- Extracurricular activities (e.g. sport, arts and theatre)

### **3.3 Time frames and deadlines**

There is a defined “window” within which the trainee can apply for mitigation. In general, applications made for mitigation outside this window will not be accepted.

The window for application is related to the date of the assessment. The deadlines for application are:

- No more than five working days before the date of the assessment deadline
- No more than five working days after the assessment deadline

Applications should be submitted as soon as possible within the timeframe above once a potential mitigating circumstance is identified by the trainee.

### **3.4 Applying for mitigating circumstances**

An application for mitigation is accepted only through the completion of the standard application form by the trainee via their ePortfolio.

In the application, the trainee indicates:

- the affected assessment
- the submission deadline
- the nature of the mitigating circumstance
- their preferred resolution

The trainee also submits documentary evidence as detailed below.



### 3.5 Documentary evidence

All claims must be accompanied by independent documentary evidence. The original document should be submitted. The document must be official; an example might be a signed letter on official letterhead which includes the dates during which the circumstances occurred and the contact details of the person supplying the evidence for verification purposes where required.

In limited circumstances, the trainee may self-certify. Examples may include an illness of short duration where medical certification could not be obtained (e.g. influenza) or an acute worsening of a long-term condition (e.g. migraine, epileptic seizure, hypoglycaemia). In such cases, the trainee should give a clear description of the impact the circumstances had on their ability to complete the assessment.

The College reserves the right to verify the authenticity of all submitted documentation as a part of a mitigating circumstances claim. If a trainee is found to have submitted a document which is not authentic, normal disciplinary procedures will apply.

Documents which are likely to be accepted as evidence include:

- A letter from a doctor or medical practitioner
- An obituary or death certificate
- Written evidence from a care provider stating that a usual service was not available
- A written statement of support from an academic supervisor (e.g. a GP trainer)
- A solicitor's letter or court order
- A letter from a social worker, care or support worker
- An eviction notice
- Written corroboration of a crime affecting the trainee from an Garda Síochána
- An insurance reference number in case of a road traffic accident
- Public transport tickets and proof of a delay affecting that means of transport on the day of assessment
- A letter from a hospital stating that an outpatient visit, or test cannot be rescheduled
- Relevant financial documentation and / or confirmation of financial support (non-relevant information may be redacted prior to submission)

### 3.6 Confidentiality

The submitted mitigating circumstances form and documentary evidence will need to be considered by the responsible body (see below). Communication to any other parties from the responsible body must only describe the form of mitigation which has been agreed and must not disclose any details of the circumstance itself. Information and documentation submitted to the College are managed in accordance with the principles outlined in the General Data Protection Regulation and the Data Protection Act 2018.

### **3.7 Submission of claims**

Claims are submitted to the director of the scheme (or his / her delegate) on which the trainee is enrolled using a standard template. The validity of the claim is then evaluated by the scheme director. Where necessary, the matter may be referred to the Regional Programme Director or to the GP Training Directorate for decision.

### **3.8 Decisions**

#### *3.8.1 Possible outcomes*

Claims for mitigation will prompt one of two outcomes following evaluation:

- Accept: the claim is accepted as having affected the relevant assessment
- Reject: the claim is not accepted as having affected the relevant assessment

#### *3.8.2 Accepted claims*

Where a claim is accepted, one of two measures can be applied:

- Defer

This will allow the responsible body to offer the trainee a further opportunity to undertake the affected assessment at the next available assessment point, where possible. The subsequent assessment will receive an uncapped mark.

- Allow a late submission

Where the claim was submitted to mitigate for the late submission of a piece of coursework (e.g. a research report or audit report), it will now be accepted as though “on time” and will receive an uncapped mark.

#### *3.8.3 Rejected claims*

An application may be rejected if it:

- does not meet the definition of mitigating circumstances
- is not accompanied by the appropriate supporting documentation
- is submitted outside the accepted window



Where a claim is rejected, no mitigation is applied to the assessment in question and the trainee or candidate should proceed with that assessment. If the assessment has already been completed by the trainee or candidate, the assessment is marked as usual.

#### *3.8.4 Communication of decisions*

In each case, the trainee or candidate is informed of the decision in writing.

#### *3.8.5 Reviews*

Where a claim is rejected, the trainee will have one further opportunity to re-submit the claim for review within five working days. This must be based on, and accompanied by, new evidence that was not made available to Scheme Director (or his/her delegate) during the initial submission along with an explanation as to why the evidence was not previously provided.

#### *3.8.6 Record keeping*

A full written record of all mitigating circumstances claims is recorded using a standardised form and stored on the trainee's file in accordance with the College's data management policies.

## 4.0 Roles and responsibilities

It is the duty of the trainee to submit requests for mitigating circumstances within the timeframe specified.

It is the duty of the Scheme Director (or his/her delegate) to consider requests for mitigation and make recommendations in accordance with this policy.

## 5.0 Definitions

### **Mitigating circumstances**

Unforeseeable and unavoidable circumstances that had, or could have, a significant impact on a trainee's ability to undertake an assessment.

### **Summative assessment**

Assessments which are graded against a standard or benchmark, have defined deadlines, and are used to assess trainee learning, knowledge, proficiency or success at the conclusion of an instructional period. Are often high stakes. Also referred to as assessment of learning.

### **Formative assessment**

A wide variety of methods that teachers use to conduct in-process evaluations of student comprehension, learning needs, and academic progress during a lesson, unit, or course. Also referred to as assessment for learning.

### **Coursework**

Work that is assigned or performed as part of a course of study. May contribute to a final mark or grade.

### **Deadline**

The latest date or time by which something should be completed and submitted.

### **Documentary evidence**

Evidence which is submitted in written rather than oral form.

## 6.0 Contact

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