

# Student Casework

# **Admissions Appeals and Complaints Procedure**



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## 1. Introduction

- 1.1 The University of Bradford is committed to the fair and equitable treatment of all applicants and students.
- 1.2 The University recognises there may be occasions when applicants feel that the University has not adhered to the high standards it sets itself. This Admissions Appeals and Complaints Procedure, supports applicants in what to do if they feel that they have grounds for either an appeal or a complaint.
- 1.3 Allegations of racial, sexual and other forms of harassment are covered by the Personal Harassment and Bullying Procedures, a link to which can be found at: [Dignity and Respect Advice Service](#).

## 2. Scope

- 2.1 The following procedure relates solely to how an applicant can make an appeal or complaint against an aspect or a decision regarding their application to study a University of Bradford programme.
- 2.2 This procedure covers admissions appeals and complaints for all types of study programmes provided by the University of Bradford, including undergraduate, postgraduate taught, postgraduate research and degree apprenticeship programmes and those run by our Collaborative Partners.
- 2.3 This procedure covers all modes of study, including full-time, part-time and distance learning.
- 2.4 Anonymous complaints will not normally be dealt with under this procedure. This is because complaints require investigation to enable resolution. Where a complaint is made anonymously, it is unlikely to be possible to undertake a thorough investigation.

## 3. Appeals and complaints – general

- 3.1 If an applicant submits both an appeal and a complaint, the applicant's appeal will be considered first, as satisfactory resolution at this stage can often remove the need for a complaint to be made. On conclusion of the appeals process, the applicant will be asked if they still wish to make a complaint.
- 3.2 Applicants who have declared a mental health difficulty can access support to complete the Admissions Appeals and Complaints Form and gathering supporting evidence, by emailing: [mhadvice@bradford.ac.uk](mailto:mhadvice@bradford.ac.uk).
- 3.3 Where necessary, appropriate adjustments will be made to the process to accommodate the needs of disabled applicants, including those with mental

health issues. This includes the provision of these procedures in a format accessible to the applicant concerned.

- 3.4 Applicants may be able to seek independent advice and can contact the Citizens Advice consumer helpline on 0808 223 1133.
- 3.5 The procedure aims to be simple, clear and fair to all parties involved, complying with the principles of natural justice, namely:
  - a) The case will be dealt with in good faith and in an impartial and fair manner.
  - b) No one will be the judge of an issue which concerns their own cause.
  - c) Staff investigating the case will be impartial.
- 3.6 Applicants making an appeal or complaint will not suffer any disadvantage or recrimination as a result of doing so.
- 3.7 Appeals and complaints will be handled sensitively, courteously and confidentially. Mediation and informal resolution will be an option at any point and cases will be dealt with as quickly as possible to avoid issues becoming protracted.
- 3.8 Appeals and complaints will not be permitted from parents, sponsors or employers of applicants. However, in cases where an applicant is under the age of 18 or has a mental health issue or disability which might impinge on their ability to make an appeal or complaint, a third party may be nominated to progress the appeal for them. The applicant must confirm in writing that they authorise a third party to represent them. Please complete a Third Party Consent Form and submit this with the Admissions Appeals and Complaints Form.

## 4. Submission of appeals

- 4.1 An appeal can be made to request a reconsideration of an application decision, this is usually where the decision means a place on a programme of study has not been offered.
- 4.2 The appeal procedure should be followed if an applicant believes any of the following apply:
  - a) The decision reached in relation to their request to be admitted to study at the University of Bradford is incorrect.
  - b) The stated stage of entry to the programme of studies is incorrect.
  - c) The application has not been considered in line with relevant University Ordinances, Regulations and policies. For example, the Admissions

Policy, Applicant and Student Criminal Conviction Policy or Equality and Diversity Policies.

- 4.3 There are two stages to the appeals procedure:
- a) Stage 1 – Feedback, to explain how and why a decision has been made.
  - b) Stage 2 – Formal Appeal, where the appeal will be formally investigated and a formal response issued.

## 5. Stage 1: Feedback

- 5.1 If an applicant wishes to appeal an admissions decision in relation to a programme of study at the University of Bradford, they should request feedback from the Admissions Office via [admissions@bradford.ac.uk](mailto:admissions@bradford.ac.uk), within one calendar month of receiving the admission decision.
- 5.2 Feedback requests will be provided within two weeks after receipt of the request.
- 5.3 The request for feedback is not a request for a review of the decision.
- 5.4 If the applicant, after receiving feedback, remains unsatisfied they can submit a formal appeal.

## 6. Stage 2: Formal Appeal

- 6.1 If an applicant remains dissatisfied having received feedback regarding the admission decision, they can submit an appeal via Stage 2: Formal Appeal, by completing the Formal Appeal section of the Admissions Appeals and Complaints Form. Appeals will not be considered without formal feedback being received by the applicant.
- 6.2 Applicants must submit their appeal to the Student Casework Team within one calendar month of receiving feedback. Late appeals will not normally be considered, and if submitted must include a detailed explanation of the reason for late submission, supported by relevant evidence (for example, where the applicant was too unwell to be able to submit the appeal on time).
- 6.3 Applicants will not be permitted to register on their proposed programme of study until the outcome of the appeal is determined. If the appeal outcome permits the applicant to be accepted onto the programme of study, the applicant must also meet all other requirements for enrolment onto the programme.
- 6.4 Applicants will normally be expected to complete and submit an Admissions Appeals and Complaints Form, setting out the grounds for appeal, what they are dissatisfied with and what outcome or further action they are expecting.

6.5 Appeals may be made on one or more of the following grounds:

- a) There is substantial new evidence which may have affected the decision and which was not available at the time the original decision was made. There must be documentary evidence as to why this information was not presented at the time of the original application.
- b) There were demonstrable procedural irregularities in the conduct of the decision-making processes which are of such a nature as to cause reasonable doubt as to whether the outcome would have been different had they not occurred.
- c) There is evidence of an administrative error of such a nature as to cause reasonable doubt as to whether the University would have reached the same conclusion if it had not been made.

6.6 Appeals will not be considered on the following grounds:

- a) A challenge against an academic judgement made by an Admissions Tutor about the applicant's suitability for entry to a particular programme.
- b) On the grounds of non-fulfilment of any statutory or professional requirements for admission to certain programmes offered by the University.
- c) Where an applicant has not provided required documentation, or has provided required documentation later than requested.
- d) Where the application is likely to place the applicant and / or the University in breach of immigration regulations.
- e) The retrospective reporting of extenuating circumstances that might have been reasonably made known at the time of application / interview.
- f) Where an applicant for a Doctoral programme is rejected on the grounds that the University does not have specific expertise in a research area / topic to be able to supervise the student effectively.
- g) Where an applicant for a Doctoral programme is rejected on the grounds that the University does not have the capacity in a research area / topic to be able to supervise the student effectively.

6.7 Appeals will be acknowledged within one week of receipt and the investigation will normally be completed within one calendar month after receipt of the appeal. However, in exceptional circumstances this time period may need to be extended. In such cases the applicant will be notified that their case will

take longer than the normal timescales to investigate and an expected timescale to conclude the case will be provided.

- 6.8 Formal appeals will be investigated by an Investigating Officer, who will be a member of staff from the Student Casework Team. The Investigating Officer's decision will be approved by a Pro Vice-Chancellor (or nominee).
- 6.9 On conclusion of the process the University will issue an outcome letter to the applicant. This letter will detail why the applicant's appeal has been successful / unsuccessful. This outcome represents the University's final decision. There is no right of further appeal.
- 6.10 The Associate Director, Outreach, Recruitment and Admissions (or nominee) will also be informed of the outcome.
- 6.11 The remit of the Office of the Independent Adjudicator for Higher Education (OIA) does not apply to applicants. Therefore, there is no recourse to the OIA following this process.

## 7. Submission of complaints

- 7.1 The complaints procedure is intended to enable applicants to bring matters of concern to the attention of the University, and to facilitate the investigation of those concerns with the aim of ensuring a satisfactory resolution.
- 7.2 The complaint procedure should be followed if an applicant is dissatisfied with:
  - a) The admissions process.
  - b) The services offered.
  - c) The information provided by the University.
- 7.3 Grounds for a complaint may include (but are not limited to):
  - a) Issues relating to a fee waiver, bursary or scholarship scheme.
  - b) A procedural irregularity in the conduct of the admissions process.
  - c) Prejudice or bias on the part of a staff member, for example during an interview.
- 7.4 Complaints on the following grounds will not be considered:
  - a) A complaint against an external body (such as UCAS or a research council). These complaints must be submitted directly to the relevant body.
  - b) A complaint about a selection decision which disputes the academic or professional judgement of admissions staff.



- c) Where the decision not to offer a place arises from a failure on the part of an applicant to fulfil any academic or non-academic requirements for admission.
- d) Where an applicant for a Doctoral programme is rejected on the grounds that the University does not have specific expertise in a research area / topic to be able to supervise the student effectively.
- e) Where an applicant for a Doctoral programme is rejected on the grounds that the University does not have the capacity in a research area / topic to be able to supervise the student effectively.

7.5 There are two stages to the complaint procedure:

- a) Stage 1: Early Resolution, which emphasises a resolution at a local level where the issue arose.
- b) Stage 2: Formal Complaint, in which the complaint will be formally investigated and a formal response issued.

## 8. Stage 1: Early Resolution

- 8.1 It is anticipated that most complaints can be resolved informally, through early resolution. Applicants should raise their concern by email to [complaintsandappeals@bradford.ac.uk](mailto:complaintsandappeals@bradford.ac.uk). Applicants should identify the reasons for their dissatisfaction and the outcome they are seeking.
- 8.2 Applicants must submit their complaint within one calendar month of the issue being complained about. Late complaints will not normally be considered, and if submitted must include a detailed explanation of the reason for late submission, supported by relevant evidence (for example, where the applicant was too unwell to be able to submit the complaint on time).
- 8.3 Complaints will be acknowledged within one week of receipt and will be passed to an Investigating Officer, who will be a member of staff from the Outreach, Recruitment and Marketing Team, who is either directly involved (if this is appropriate) or who can best resolve it. This will ensure that the complaint has the best chance of being resolved quickly.
- 8.4 The member of staff investigating the complaint may need to seek information from other staff or undertake routine investigations. However, it is intended that the matter be resolved at this point and prompt action is expected of University staff.
- 8.5 Any staff member named in a complaint will be informed of the complaint and will have the right of reply as part of the process. We will share all documents

and evidence with the member of staff. The member of staff has the right to be supported by a friend, trade union representative, colleague, or other member of the University, throughout the process.

- 8.6 Information contained within the complaint will only be made available to those members of staff involved in its resolution.
- 8.7 Examples of potential outcomes at the Early Resolution stage include:
- a) Providing more information or an explanation to the applicant.
  - b) Giving an apology where it seems appropriate to do so.
  - c) Make a recommendation to improve procedures or processes.
  - d) Offer the applicant a practical remedy to put things right.
  - e) Being empathetic and understanding where there is no apparent solution.
  - f) Engaging mediation.
- 8.8 It is expected that consideration of complaints raised at the Early Resolution Stage will be completed within one calendar month of the issue being raised. Applicants will receive a response by email. In exceptional circumstances this time period may need to be extended. In such cases the applicant will be notified that their case will take longer than the normal timescales to investigate and an expected timescale to conclude the case will be provided.
- 8.9 At the conclusion of the investigation, the Investigating Officer will provide a written report to the Student Casework Team, detailing the scope, outcomes and reasons for the outcomes.
- 8.10 The Investigating Officer may find the complaint successful, partially successful or unsuccessful. Where a complaint is found to be successful or partially successful, the Investigating Officer will identify an appropriate course of action as a remedy in their report.
- 8.11 The Student Casework Team is responsible for the communication of the outcome of the investigation to the applicant. The applicant will be provided with a written response outlining the outcome, which will include a copy of the Investigating Officer's report.
- 8.12 If applicants remain dissatisfied after they receive the outcome, they can escalate their case to Stage 2: Formal Complaint.

## 9. Stage 2: Formal Complaint

- 9.1 If an applicant remains dissatisfied following completion of Stage 1: Early Resolution, they can submit a Stage 2: Formal Complaint, by completing the Formal Complaint section of the Admissions Appeals and Complaints Form.
- 9.2 Applicants must submit their formal complaint to the Student Casework Team, setting out why they are dissatisfied with the earlier decision and what outcome or further action they are expecting. No additional grounds may be cited, nor additional substantive points made at any later time in the consideration of the complaint.
- 9.3 Formal complaints must be submitted within one calendar month of being notified of the Stage 1 decision. Late complaints will not normally be considered, and if submitted must include a detailed explanation of the reason for late submission, supported by relevant evidence (for example, where the applicant was too unwell to be able to submit the complaint on time).
- 9.4 Formal complaints will be investigated by an Investigating Officer, who will be a member of staff from the Student Casework Team. The Investigating Officer's decision will be approved by a Pro Vice-Chancellor (or nominee).
- 9.5 Whilst investigating complaints, the investigator may seek guidance from Officers of the University with appropriate expertise.
- 9.6 The investigation will normally be completed within one calendar month after receipt of the complaint, however in exceptional circumstances this time period may need to be extended. In such cases the applicant will be notified that their case will take longer than the normal timescales to investigate and an expected timescale to conclude the case will be provided.
- 9.7 On conclusion of the process the University will issue an outcome letter to the applicant. This letter will detail why the applicant's complaint has been successful / unsuccessful. This outcome represents the University's final decision. There is no right of further appeal.
- 9.8 The Associate Director, Outreach, Recruitment and Admissions (or nominee) will also be informed of the outcome.
- 9.9 The remit of the Office of the Independent Adjudicator for Higher Education (OIA) does not apply to applicants. Therefore, there is no recourse to the OIA following this process.
- 9.10 Applicants who have exhausted the complaints procedure and remain dissatisfied with their complaint outcome, may be able to contact the Consumer and Markets Authority for independent advice and information - <https://www.gov.uk/government/collections/higher-education-consumer-law>

[advice-for-providers-and-students](#). You may be able to refer your complaint to an independent complaint scheme.

## 10. Collaborative partners – appeals and complaints

10.1 The following procedure outlines the appeals and complaints procedure in relation to a University of Bradford award delivered by a Collaborative Partner.

### Appeal - Stage 1: Feedback

10.2 An appeal can be made to request a reconsideration of an application decision, this is usually where the decision means a place on a programme of study has not been offered.

10.3 If an applicant wishes to appeal an admissions decision in relation to a University of Bradford award delivered by a Collaborative Partner, they should request feedback from the Collaborative Partner.

10.4 The request for feedback is not a request for a review of the decision.

10.5 If the applicant, after receiving feedback, remains unsatisfied then they can submit a formal appeal.

### Appeal - Stage 2: Formal Appeal

10.6 If an applicant remains dissatisfied having received feedback regarding the admission decision from the Collaborative Partner, they can submit an appeal to the University of Bradford's Student Casework Team, via a Stage 2: Formal Appeal. Please see Stage 2: Formal Appeal, Section 6.

### Complaint – Stage 1: Early Resolution

10.7 If an applicant is dissatisfied with an aspect of the admissions process which does not relate to a request of a reconsideration of an application decision, they should communicate this in writing, via email or letter to the Collaborative Partner where they have applied to study.

10.8 The complaint will be considered in accordance with the initial complaint procedure in operation at the Collaborative Partner.

10.9 If an applicant does not feel they have received a satisfactory outcome from the Collaborative Partner, following their initial complaint, they can submit a complaint to the University of Bradford's Student Casework Team, via a Stage 2: Formal Complaint. Please see Stage 2: Formal Complaint, Section 9.

## 11. Monitoring

- 11.1 The University regularly monitors the number and outcome of Appeals and Complaints and provides an annual report to Learning and Teaching Committee and Senate.
- 11.2 The annual report will make appropriate recommendations and changes to systems or procedures.
- 11.3 Trends and patterns identified by monitoring may also be used to inform other University processes, policies or activities.
- 11.4 Monitoring reports do not contain any personally identifiable information.

## **12. Document retention and disposal**

- 12.1 All notes of meetings, documents, evidence and agreed outcomes, regarding appeals or complaints, must be stored securely and in line with the University of Bradford Document Retention and Disposal Policy.

## **13. Related policies and standards**

- 13.1 This procedure has been developed in accordance with the following policies and standards:
- a) University of Bradford's policies:
    - Ordinances and Regulations
    - Admissions Policy
    - Applicant and Student Criminal Conviction Policy
    - Equality and Diversity Policies
  - b) UK Quality Code – Advice and Guidance:
    - Admissions, Recruitment and Widening Access
    - Concerns, Complaints and Appeals
    - Learning and Teaching
    - Research Degrees
  - c) AdvanceHE – Equitable Admissions for Underrepresented Groups
  - d) UK Higher Education Providers – Advice on Consumer Protection Law (May 2023)

## **14. Appendices**

Appendix A: Admissions and complaints procedure – applicant process flowchart