



**UNIVERSITY
ACADEMY 92**
MANCHESTER

ADMISSIONS COMPLAINTS AND APPEALS POLICY

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Admissions Complaints and Appeals Policy
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1.1	28 th July 2021	Updating of job titles, business areas and addition of 'apprentices' into policy body.	Student Administration Assistant

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1 Purpose

- 1.1 University Academy 92 (UA92) seeks at all times to provide its applicants with a high-quality application experience. We recognise, however, that there may be occasions when applicants are dissatisfied with a particular service or aspect of their experience with UA92 and want to make a complaint or may wish to appeal against an admissions decision.
- 1.2 In all cases, applicants are strongly encouraged to informally address any complaints as soon as possible after the problem arises with a member of staff in the relevant department.
- 1.3 This policy and procedure set out how complaints and appeals against admissions decisions will be managed and the responsibility of all parties.
- 1.4 The objective of the admissions complaints and appeals policy and procedure is, to the fullest extent reasonably possible, to establish the relevant facts related to a complaint or appeal, and so enable a reasonable and just resolution, which is both relevant and proportionate, and is underpinned by the following overriding principles:
 - i. UA92 will deal with all admissions complaints and appeals confidentially so far as it is able, and expects all parties involved to honour this approach;
 - ii. All parties will treat each other with respect, act without bias or prejudice and in a sensitive, fair and prompt manner;
 - iii. No applicants will be disadvantaged for making an admissions complaint or an appeal against an admissions decision in good faith, and all reasonable admissions complaints and appeals will be taken seriously and dealt with according to the agreed procedure.
 - iv. The procedure will be clear, transparent and fair to all parties;
 - v. Any decisions reached will use the balance of probabilities as the standard of proof;
 - vi. UA92 will be accountable and will apologise if mistakes have been made or it has fallen short of reasonable expectations. Where necessary, action will be taken to prevent such circumstances re-occurring.
 - vii. This policy has been compiled with reference to SPA Good Practice Statement <https://www.spa.ac.uk/sites/default/files/Good-practice-complaints-and-appeals.pdf>
- 1.5 A UA92 Complaints Panel will meet on an annual basis to review all admissions complaints and appeals received. This panel will agree an annual report, which includes recommendations for action or amendments to this policy and procedure by UA92 to improve its applicant experience in

light of admissions complaints received and their outcome. It will also capture learning to enable action to be taken to remedy any inconsistency which is identified. The Academic Committee of UA92 will receive this report and is responsible to both Lancaster University and UA92 for monitoring admissions complaints and appeals.

2 Scope

Admissions Complaints

2.1 What is and what is not an admissions complaint?

For the purposes of this policy and procedure, a complaint is defined as: *‘a specific concern related to a procedural error, irregularity or maladministration in the admissions procedures or policies’.*

2.2 What can and cannot be complained about?

2.2.1 Admissions complaints may be lodged against:

- i. Action/conduct of a member of UA92 staff; and/or
- ii. UA92 academic, administrative or support services

2.2.2 An admissions complaint may be made about any stage of the admissions process, where there are adequate grounds for doing so. The Procedure may not be used simply because an applicant has been unsuccessful with their application at any of the stages.

2.2.3 Where complaints are raised against a member of UA92 staff, any investigations will be conducted by an individual from UA92 who is independent of the situation. UA92 will ensure that support is in place to support both the applicant and the member of staff through the process.

2.2.4 UA92 may terminate consideration of an admissions complaint if it considers it to be without foundation or made in bad faith. In such instances the member of staff dealing with the admissions complaint will write to the applicant to explain why consideration of the matter is being terminated.

2.2.5 On occasions, an admissions complaint may fall within a number of different procedures. Where that is the case, and with the agreement of the applicant, we may decide to deal with it collaboratively across different procedures. Depending on the nature of the admissions complaints, it may be appropriate to suspend one procedure pending the completion of another. This will be discussed with the applicant at the relevant time.

2.2.6 All action under this Policy and Procedure will normally cease on receipt of formal correspondence from a solicitor on behalf of the student, or on the

instigation of legal proceedings against UA92 in relation to the matters complained about.

2.2.7 Claims for financial compensation will not be entered into.

Admissions Appeals

2.3 What is and what is not an admissions appeal?

For the purposes of this policy and procedure, an appeal is defined as “a request for a formal review of an admissions decision or the wording/terms/conditions of an offer”.

2.4 What can and cannot be appealed?

2.4.1 Applicants may not appeal against academic or professional judgement.

2.4.2 Applicants may appeal against an admission decision only if the appeal relates to:

- i. Procedural irregularity;
- ii. Emergence of new information – information has emerged which, for good reason, was not available at the time of the application. The reasons why this information was not available at the time of application must be given;
- iii. Evidence of discrimination or bias.

2.4.3 Before submitting an appeal, applicants are encouraged to seek feedback on their application via admissions@ua92.ac.uk

2.5 Who may initiate an admissions complaint or appeal?

The Admissions Complaints and Appeals Procedure may be initiated by any individual who has submitted an application to at UA92.

2.6 Third parties acting for an applicant

Admissions complaints and Appeals made on behalf of the applicant by parents, representatives, school or another third party will only be considered in exceptional cases where there are clear reasons for doing so and with the express written authorisation from the applicant. Admissions complaints and Appeals that are made anonymously cannot be dealt with under this Admissions Complaints and Appeals Procedure.

2.7 Right to be accompanied and/or represented

An applicant has the right to be accompanied and supported at any meeting by one person, and may be represented where they have expressly authorised a third party in writing to act on their behalf. The applicant should provide a minimum of 48 hours advance notice to UA92 that they intend to be accompanied or represented.

2.8 Anonymous complaints

UA92 will not usually accept anonymous admissions complaints. This is because it is difficult for us to investigate the complaint properly, and for us to report the outcome, when we do not know the applicant's identity. In exceptional circumstances, we may consider an anonymous complaint but only where a compelling case is made as to why the complaint should be investigated anonymously. Evidence must be provided to support any request for anonymity.

2.9 What are the relevant time limits?

UA92 wants to resolve admissions complaints or appeals quickly but recognise that this is not always possible and sometimes we may be unable to complete our investigations in line with the indicative timeframes. Where there is a delay, we will write to applicants with an explanation and inform them of the timeframe in which the procedure will be completed. We will provide progress updates to applicants as appropriate.

2.9.1 Time limits for making an admissions complaint

All complaints must be submitted to us within one month of the date of the final element of the event(s) which are the subject of the complaint.

2.9.2 Time limits for making an appeal

Appeals should be made within one month of receiving the decision on an application.

2.9.3 Extending time limits

UA92 will not routinely extend time limits for making complaints and appeals. Where an applicant has exceptional reasons for a late complaint or appeal, at its discretion UA92 may extend a time limit for submission. Any request for an extension of normal time limits must be supported by evidence to support the reasons for making a late admissions complaint or appeal and passed to the Director of Student Life.

2.9.4 Indicative time limits for the consideration of a complaint

UA92 will make every reasonable effort to complete the complaints procedure in a timely manner. We aim to consider complaints within the following time limits:

- i. **Stage 1:** informal resolution: we aim to complete this stage and notify the outcome within 20 working days of receiving the complaint or appeal;
- ii. **Stage 2:** formal investigation: we aim to complete this stage and notify the outcome within 36 working days of the date we receive the written complaint or appeal.

2.9.5 Indicative time limits for the consideration of an appeal

We aim to complete this stage and notify the outcome within 20 working days of receiving the appeal.

2.10 Applicants with additional support needs

Where practical, reasonable adjustments will be made in the procedure as necessary to meet requirements related to protected characteristics or where the applicants have additional support needs. This could include extending deadlines or providing

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documents in a different format. Applicants should discuss these matters with UA92 when making their complaint or appeal or at any time during the consideration of their complaint or appeal to enable us to make any reasonable adjustments.

2.11 In this procedure, any reference to named members of UA92 staff also includes reference to her/his nominee and named staff may delegate their responsibilities to other appropriate members of staff without invalidating the procedure. The identity of nominees or members of staff to whom responsibilities are delegated will be notified to the student or apprentice.

2.12 Advice on how to use this procedure is available from the UA92 Complaints Co-ordinator via complaints@ua92.ac.uk.

2.13 The UA92 Complaints Co-ordinator will oversee this procedure and provide advice to all parties, both applicants and those subject to complaints, on the procedure. The Complaints Co-ordinator is not, however, an advocate for either party.

2.14 Should an applicant wish to register a complaint against the Complaints Co-ordinator, it should be sent to the UA92 Director of Student Affairs, UA92 Players and Media Centre, Lancashire County Cricket Club, Talbot Road, Manchester, M16 0PX.

2.15 Record keeping

UA92 will keep a record of admissions complaints and appeals made and evidence collated as part of the investigation into the complaint. Applicants are advised to also keep their own records. Records will be retained in line with the UA92 Retention Policy.

3 The Admissions Complaints Procedure

3.1 UA92 uses a two-stage complaints procedure; Stage 1: Informal Stage; Stage 2: Formal Stage.

Stage 1: Informal (verbal)

3.2 In the interest of providing the best possible service to applicants, UA92 emphasises the importance of seeking a resolution to a complaint through informal discussion with UA92 at the earliest opportunity to avoid a protracted investigation. UA92 will aim to successfully resolve disputes informally.

3.3 Informal complaints may be made verbally to the appropriate member of Admissions staff, normally within five working days of the event or incident to which they relate and no more than ten working days. This would enable the Admissions staff to quickly gather information about the event or incident.

3.4 The relevant member of staff will endeavour to assist the applicant making the informal complaint and if at all possible find a swift resolution to this.

Stage 2: Formal (written)

3.5 In order for the complaint to be considered formally, the applicant must put the complaint in writing either using the Formal Complaint Form or by letter and send it to the UA92 Complaints Co-ordinator within one month of the completion of Stage 1.

3.6 The complaint must include the following information:

- Full name;
- UCAS number (if the applicant has applied through UCAS);
- Application number (if different from UCAS number);
- Email address;
- The course applied for;
- Details of admissions complaint being made;
- Steps taken to resolve the admissions complaint so far.

3.7 The admissions complaint should be written clearly and tell us what the issues are and how the admissions complaint could be resolved satisfactorily. Where appropriate, the applicant should attach any supporting documentation/evidence that is relevant to their complaint. Evidence might include, but not be limited to relevant emails, photographs and/or independent statements from witnesses.

3.8 The UA92 Complaints Co-ordinator will consider the admissions complaint and make a decision as to whether it can be considered under this procedure, was submitted within the published deadlines and in the required format.

3.9 Where UA92 cannot consider the admissions complaint, the Complaints Co-ordinator will either:

- i. Refer the applicant to an alternate more appropriate procedure;
- ii. Enter into a discussion with the applicant, and other parties as appropriate, as to how best to take forward the concerns (e.g. in cases where the concerns involve a number of elements which cross UA92 procedures); or
- iii. Provide an explanation to the applicant as to why no action can be taken.

3.10 Applicants have the right to challenge the decision and, in these cases, the decision will be reviewed by the Director of Student Life.

3.11 If the admissions complaint has been deemed within the scope of this procedure, the admissions complaint will be referred to a nominated Complaints Investigator within the appropriate Academic or Professional Service or other relevant body for investigation.

3.12 The applicant shall receive a written acknowledgement from the Complaints Co-ordinator as promptly as is practical, and normally within two working days. The acknowledgement will give an indication of the timescale for a response to be provided and who is investigating the admissions complaint.

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3.13 The Complaints Investigator will instigate whatever investigation is considered appropriate and proportionate in order to establish the facts of the case, supported by the Complaints Officer. This may include meeting with the applicant, or other individuals who can provide evidence to inform the investigation. Investigations, unless otherwise agreed by both UA92 and the student or apprentice, will normally take no longer than 36 working days.

3.14 Following investigation, the Complaints Investigator will assimilate the information and will produce a written decision notice, based on the balance of probability as the standard of proof, and will either uphold or dismiss the complaint, in whole or in part and agree actions/remedies accordingly.

3.15 The applicant will receive the written decision from UA92 which will address the points they have made and gives reasons for the conclusions reached.

3.16 UA92 will take liability for any mistakes on its part.

3.17 Where recommendations are made as a consequence of the complaint, the student will be entitled to know what these may be and how UA92 intends to take them forward.

4 The Admissions Appeals procedure

4.1 Applicants wishing to appeal must do so in writing to the Head of Recruitment and Admissions.

4.2 The applicant must provide the following information:

- Full Name;
- UCAS number (if the applicant has applied through UCAS);
- Application number (if different from UCAS number);
- The Course applied for;
- The grounds for their admissions appeal.

4.3 The applicant will receive a letter acknowledging receipt of the appeal within 5 working days.

4.4 If the Registrar and Secretary considers there are no grounds for appeal they will inform the applicant in writing within 10 working days.

4.5 If the Registrar and Secretary considers there are valid grounds for appeal, an investigation will follow.

4.6 The applicant will be informed in writing of the outcome of the investigation within 20 working days or inform the applicant of the reason for any delay and when they can expect a decision. The applicant will receive the written decision from UA92 which will address the points they have made and gives reasons for the conclusions reached.

4.7 The decision of the Registrar and Secretary will be final and there is no further right of appeal.

4.8 UA92 will take liability for any mistakes on its part. Where applicable and following a finding in favour of the applicant, UA92 commits to reversing admissions decisions where feasible to do so.

4.8 For any further advice and support regarding this policy, please contact admissions@ua92.ac.uk

5 Related documentation: detail any 'policies' which relate to this 'policy'.

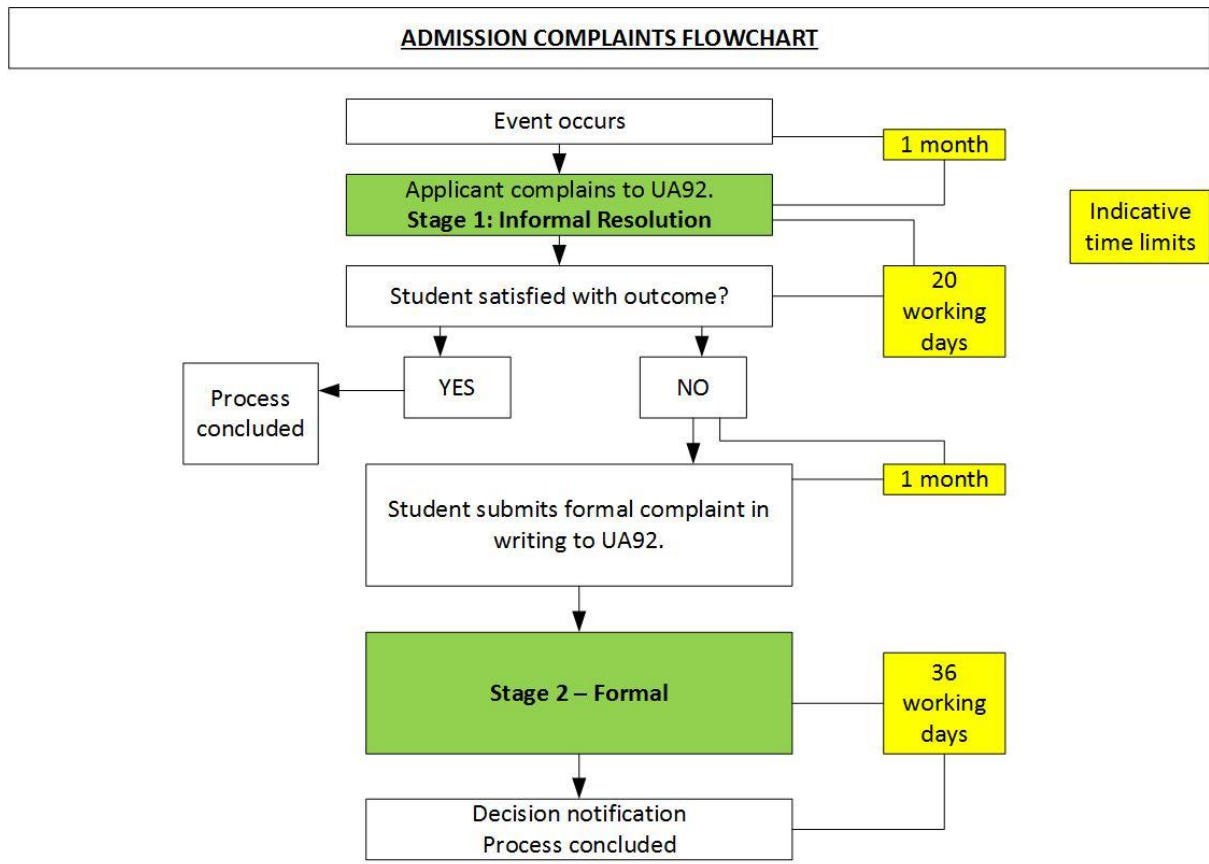
- UA92's Bullying, Harassment and Sexual Misconduct Policy
- UA92's Student Complaints Policy and Procedure.

6 Appendices

6.1 Flowchart of the UA92 Admissions Complaints procedure

6.2 Flowchart of the UA92 Admissions Appeals procedure

6.1 Flowchart of the UA92 Admissions Complaints



6.2 Flowchart of the UA92 Admissions Appeals procedure

