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*This document is part of the Academic Regulations, Policies and Procedures, which govern the University's academic provision. Each document has a unique document number to indicate which section of the series it belongs to.*

## 3C – Admissions Appeals and Complaints Policy and Procedure

### 1. SCOPE AND PURPOSE

- 1.1 This policy and procedure is for applicants who wish to make an Appeal or Complaint in relation to an application onto a programme of study delivered at Bournemouth University or at Partner Institutions under a franchise arrangement<sup>1</sup>.
- 1.2 For the purposes of this policy, references to students includes apprentices.
- 1.3 Appeals or Complaints in relation to an application onto validated programmes of study at a Partner Institution must be made in accordance with the Policy and Procedures of the relevant institution<sup>1</sup>.
- 1.4 This policy and procedure is written in accordance with the guidelines set by the Competition and Markets Authority (<https://www.gov.uk/government/publications/higher-education-consumer-law-advice-for-providers>), the UK Quality Code for Higher Education (<http://www.qaa.ac.uk/quality-code>) and the Office of the Independent Adjudicator (<https://www.oiahe.org.uk>)

### 2. KEY RESPONSIBILITIES

Position	Role
Admissions Team refers to: Admissions Manager, Admissions Team Leader, Admissions Coordinator (UG/PGT UK) International Admissions Manager, International Team Leader (UG/PGT Non-UK)	Reviews applicant appeals or complaints at the Formal Stage of the procedure for undergraduate and postgraduate taught programmes.
Head of Doctoral College (PGR UK and non-UK)	Reviews applicant appeals or complaints at the Formal Stage of the procedure for postgraduate research programmes.
Academic Quality	Reviews applicant appeals or complaints at the Review Stage of the procedure.

### 3. ACCESSING OTHER RELEVANT BU DOCUMENTS

- 3.1 All documents can be accessed [here](#)
- 3B - Admissions Policy: Taught Programmes (excluding apprenticeships)
  - 3B – Admissions Policy: Apprenticeships

<sup>1</sup> If a programme is franchised or validated, this will be set out in the programme information available on the BU website.

- *3B - Recruitment, Selection and Admission (Postgraduate Research Degrees): Policy and Procedure*
- *3D – Admissions Policy and Procedure for Applicants with a Disability, Medical Condition or Other Support Need*
- *3E - Admissions Policy and Procedure for Applicants with a Criminal Record*

3.2 Other documents with direct relevance to this are:

- [Equality and Diversity Policy](#)

## 4 Policy

- 4.1 As part of its commitment to ensuring the standard and quality of its programmes, services and facilities, the University has established this policy and procedure to deal with appeals and complaints relating to Recruitment, Selection and Admissions. It is intended to enable applicants to make an appeal on a decision under permitted grounds, or to bring matters of concern about their experience to the attention of the University, and enable investigation of those concerns with the aim of satisfactory resolution. Bournemouth University welcomes complaints as they provide welcome feedback to help improve services for applicants.
- 4.2 Bournemouth University's policies and procedures for the recruitment and admission of students have been designed to be fair, clear and explicit and to meet the University's Widening Access and Participation Strategy.
- 4.3 If an appeal also embodies a complaint, if practicable, both will be dealt with concurrently. If this does not prove possible, the complaint will be resolved before the appeal is considered.
- 4.4 All appeals and complaints will be considered with the highest level of confidentiality that can be maintained whilst still allowing for consultation with appropriate persons required to investigate the appeal or complaint; with the proviso that any individual against whom a complaint is made has a right to be informed of the complaint.
- 4.5 The University takes all appeals and complaints seriously and deals with them without recrimination. Submission of an appeal or complaint will not prejudice any opinion of the applicant by the University. If, however, an appeal or complaint is shown to be frivolous, vexatious or motivated by malice, action may be taken against the appellant or complainant. See section 4.19 for further details.
- 4.6 The Student Agreement and the policies and procedures outlines expectations and responsibilities for dealing with applications (see [Important Information for Students](#)).
- 4.7 All University staff have access to and are required to comply with, the University's policies and procedures, as are staff at Partner Institutions during the course of recruiting to, and delivering, a University franchised or validated programme. Bournemouth University is committed to Equal Opportunities and to widening participation.
- 4.8 The University is committed to both the elimination of unlawful discrimination and the positive promotion and celebration of Equality and Diversity throughout all aspects of its work. In accordance with its Equality and Diversity Policy, the University will **not** tolerate unfair or unlawful treatment on the grounds of age, disability, gender reassignment, marital status, pregnancy, maternity/paternity, race (colour, ethnic or national origin), religion or belief, sex, sexual orientation, trade union membership activity or political belief in accordance with its policies on equality and diversity and relevant legislation.
- 4.9 Reasonable efforts will be made to deal promptly and efficiently with all appeals and complaints, to investigate them thoroughly and objectively and to seek to resolve them satisfactorily. Complaints will be dealt with positively and constructively. If a complaint is upheld, the University will seek to provide a reasonable and appropriate response and will correct any mistakes or misunderstandings and will take any other action as appropriate. If a complaint is not upheld then reasons for the decision will be given.
- 4.10 The time limits set out in this policy and procedure will normally be followed. However, if for good reason, this is not possible all parties will be informed of the reasons for delay and kept informed of progress.

- 4.11 The Admissions Appeals and Complaints Policy and Procedure is an internal policy and is not a legal process. BU does not normally use legal professionals in the handling of cases, and does not expect that applicants will need to do so either. If an applicant would like another person to support or represent them in relation to an appeal or complaint, they will need to provide clear evidence of their authority to be involved and explain the extent of that authority, in particular whether they are authorised to make representations and take decisions on the applicant's behalf.
- 4.12 This policy and procedure does not cover matters if other separate codes of practice/policy and procedures apply. Specifically:
- if a complaint relates to allegations of harassment by a member of the University Community it will be dealt with in accordance with the *Dignity and Respect (Harassment) Policy and Procedure*;
  - if a complaint relates to allegations of misconduct of a member of the University community it will be dealt with in accordance with the procedures laid out in the appropriate disciplinary policy.
- 4.13 Matters raised under the Admissions Appeals and Complaints Policy and Procedure have two stages, a Formal Stage, and a Review Stage. It is hoped that most matters can be resolved informally and applicants are encouraged to have a discussion with the relevant member of admissions staff prior to proceeding to the Formal stage. Only if the Formal Stage has been pursued and the applicant remains dissatisfied should the matter proceed to the Review Stage.
- 4.14 For the University to be able to effectively investigate an appeal or complaint, the applicant must provide evidence which should be as detailed as possible. Evidence will vary according to the nature of the appeal/complaint but typically might include:
- programme, and/or BU documentation sent to the applicant(s) or made available on the BU website;
  - e-mails and/or letters from BU staff sent to the applicant;
  - statements from witnesses to the situation upon which the appeal/complaint is based

In exceptional circumstances and where the appeal or complaint is of a more general nature, specific documented evidence to support the appeal/complaint may not be available. In this situation the applicant(s) should make clear reference to the nature of the appeal or complaint, what occurred and who was involved.

- 4.15 If there is little or no evidence to support a complaint it may be difficult to investigate it fully and reach a satisfactory conclusion.
- 4.16 **Anonymous appeals or complaints:** It may not be possible to investigate or act on anonymous appeal or complaint and we will only do so in exceptional circumstances.
- 4.17 **Third Party involvement:** We will not investigate an appeal or complaint made on your behalf by a third party unless you have appointed the third party as your representative to manage the matter on your behalf. The University (BU) recognises that applicants may wish to be advised, supported or represented by a third party during formal University processes and anyone involved in an appeal or complaint can be supported or represented by a third party (but not normally a legal advisor) at each stage.
- 4.18 **Complaints to the Office of the Vice-Chancellor:** A complaint received by the Vice-Chancellor or another member of the Office of the Vice-Chancellor, will be acknowledged and referred to the relevant Officer of the University who will ensure that it is dealt with under this policy and procedure. If the applicant has not sought to resolve the complaint at the Formal Stage, the applicant will be advised to pursue the issues raised with the Admissions Team as appropriate before further action is taken.
- 4.19 **Vexatious or malicious complaints:** The University may consider taking action under the appropriate procedures if a complaint is found to be vexatious or malicious. A vexatious or malicious complaint is defined as a complaint which is patently unsustainable, having been put forward so as to abuse the process of the *Admissions Appeals and Complaints Policy and Procedure* or, for example, to attempt to defame the name or character of another person<sup>2</sup>.
- 4.20 **Appeals or complaints made by applicants under the age of 18:** If an appeal or complaint made by an applicant who is under the age of 18 proceeds to the Review Stage, unless the applicant expressly

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<sup>2</sup> Refer to the *Unacceptable Behaviour: Policy and Procedure*

requests us not to, the University will notify the applicant's parent/guardian in writing, and keep them informed of the progress of the appeal or complaint. The University will permit the applicant's parent/guardian to act on the applicant's behalf.

- 4.21 **Nominees:** Unless the context indicates otherwise, under these regulations an Officer of the University may act through their properly appointed nominee.
- 4.22 **Access to Information:** Students pursuing a matter through this policy and procedure will be entitled to apply for access to personal data in accordance with the policies and procedures of the University under the provisions of the General Data Protection Regulation (GDPR) 2018 and other legislation. Applications should be made in writing to the Information Office. Further information about access to information can be found at [Access to information](#).

## 5 Definitions and Timescales

- 5.1 An **appeal** is defined as a request for a formal review of an admissions decision or the wording, terms or conditions of an offer.
- 5.2 **Grounds for Appeal:** Appeals against an admissions decision will be considered if:
- there is evidence that the University has failed to comply with its policies or procedures as published on our website within the Admissions section at [www.bournemouth.ac.uk/students/help-advice/important-information](http://www.bournemouth.ac.uk/students/help-advice/important-information), or
  - there is pertinent new information available which was not included in the original application or provided to the University in writing before the decision was sent.
- Appeals against an admissions decision will not be considered if:
- the decision has been made on academic grounds, such as failure to meet entry requirements (actual or predicted), or failing to successfully complete an additional selection measure such as a portfolio review or interview;
  - the University has decided that reasonable adjustments cannot be made to accommodate an applicant's significant health-related issue;
  - the decision has been made on immigration grounds, such as when the University is not able to issue a Confirmation of Acceptance for Studies (CAS) to an overseas applicant and therefore is not able to comply with its responsibilities as a licensed student sponsor
  - the decision has been made to charge overseas tuition fees in accordance with the Education (Fees and Awards) Regulations 2007 and guidance provided by the UK Council for International Student Affairs.
- 5.3 It is expected that, except in exceptional and fully documented circumstances, appeals will only be considered if they are received **within 10 working days** of notification of the University's decision.
- 5.4 A **complaint** is defined as an expression of dissatisfaction about a University action or lack of action, or about the standards of service by or on behalf of the University.
- 5.5 It is expected that, except in exceptional and fully documented circumstances, an applicant or student who wishes to make a complaint will invoke the Formal Stage **within one calendar month** of the incident that is the cause for complaint.

## 6 Procedure

### Formal Stage

- 6.1 Applicants wishing to submit an admissions appeal or complaint should do so via the website at [www.bournemouth.ac.uk/contact](http://www.bournemouth.ac.uk/contact).
- 6.2 The Admissions Team will investigate the appeal or complaint and aim to respond in writing **within 10 working days** from receipt. They will inform the applicant about any delay and keep them informed of progress.

- 6.3 The Admissions Team will consider whether the appeal or complaint falls within the scope of this policy and procedure. If an appeal/complaint is not held admissible, the applicant will be informed in writing and provided with the reasons for this decision.
- 6.4 If the appeal or complaint falls within the scope of the policy, the Admissions Team will attempt resolution at this stage by corresponding, discussing or meeting with the parties as appropriate.
- 6.5 If additional information is requested, the applicant must provide it **within 10 working days** or request additional time and provide an explanation of the reason for the delay. The Admissions Team has reasonable discretion when considering such requests and will inform the applicant whether an extension is granted or not.
- 6.6 If the applicant is not satisfied after receiving the Formal Stage response, they may ask for a formal review **within 10 working days** of the response. The Admissions Team will refer the applicant's appeal/complaint to Academic Quality under the Review Stage.

### Review Stage

- 6.7 If the applicant is not satisfied with the outcome of the Formal Stage, they may invoke the Review Stage. The request for review must be emailed to Academic Quality ([appeals@bournemouth.ac.uk](mailto:appeals@bournemouth.ac.uk)) **within 10 working days** from the date of the Formal Stage response.
- 6.8 The submission must clearly outline the reason for the appeal or complaint and the form of resolution or redress that the applicant is seeking. The applicant should also specify what action they have taken to date to attempt resolution and provide copies of all correspondence exchanged during the Formal Stage.
- 6.9 Academic Quality will consider whether the appeal or complaint falls within the scope of the *Admissions Appeals and Complaints Policy and Procedure*. If an appeal or complaint is not held admissible, the applicant will be informed in writing and provided with the reasons for this decision.
- 6.10 If the appeal or complaint falls within the scope of the policy, Academic Quality will attempt resolution at this stage by corresponding, discussing or meeting with the parties as appropriate. If additional information is requested, the applicant must provide it **within 10 working days** or request additional time and provide an explanation of the reason for the delay. Academic Quality has reasonable discretion when considering such requests and will inform the applicant whether an extension is granted or not. Only issues raised at the Formal Stage will be considered at the Review Stage. Any new issues will not be considered.
- 6.11 The Review Stage will normally be completed with a response in writing **within 20 working days** of receiving the submission and all accompanying information. This timescale may need to be extended during peak times. If the **20 working days** deadline cannot be met all parties will be informed of the reason for delay and kept informed of progress. The decision of the Review Stage is final and no further appeal or complaint is permitted

### OIA

- 6.12 A request to the Office of the Independent Adjudicator (OIA) to review an admissions appeal or complaint can be made by a former student of BU who is applying for re-admission, and the appeal or complaint is directly connected to their time as a student. More information about making an appeal or complaint to the OIA, what it can and can't look at and what it can do to put things right if something has gone wrong is available here: <https://www.oiahe.org.uk/students>.

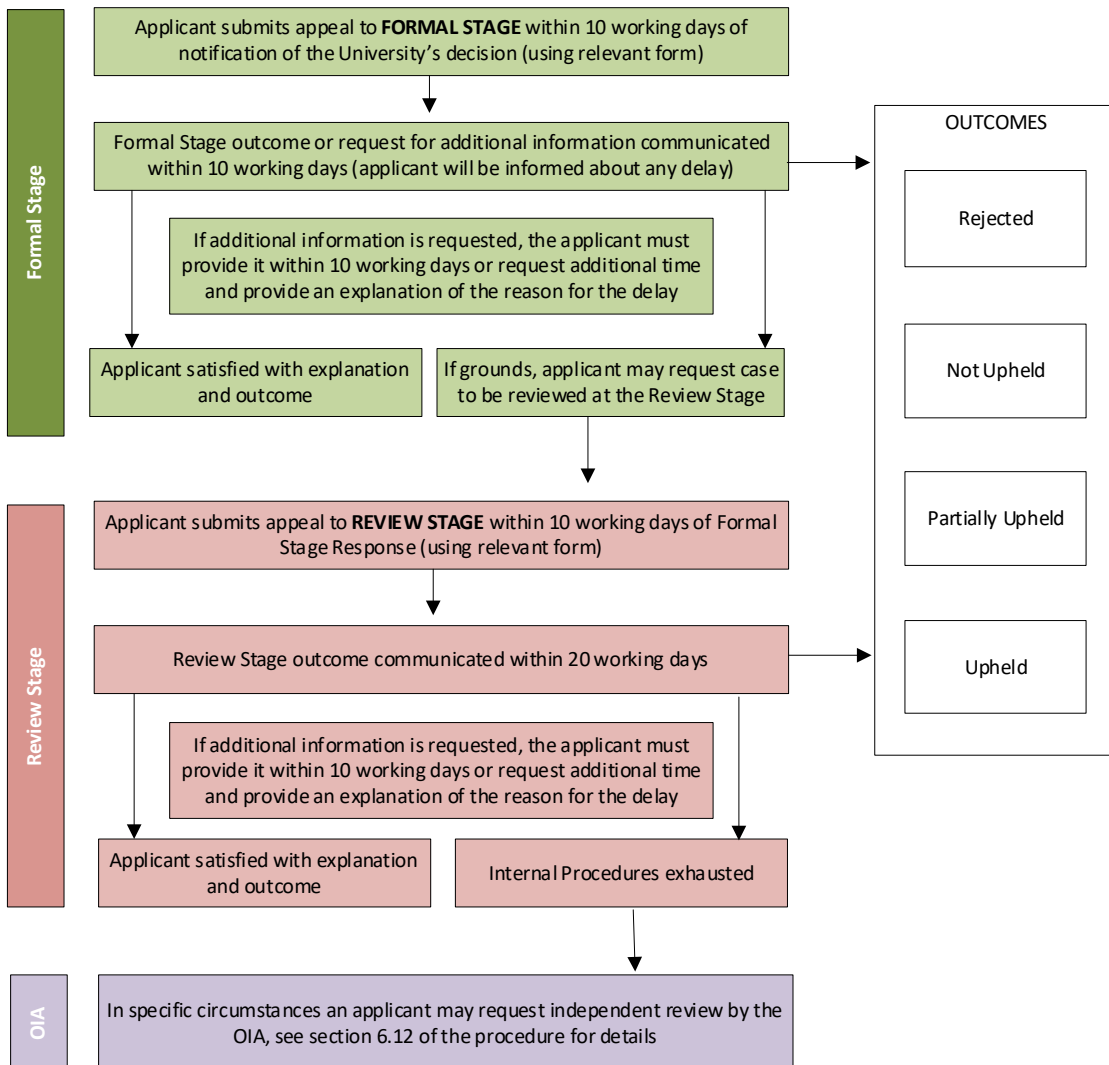
## General

### 7 REFERENCES AND FURTHER INFORMATION

- 7.1 Contact details for further admissions information, policies or procedures:  
Admissions Manager  
Tel: + 44 (0) 1202 965356  
Email: [ukadmissions@bournemouth.ac.uk](mailto:ukadmissions@bournemouth.ac.uk)
- 7.2 This policy was reviewed according to the University's [Equality Analysis Procedure](#) in March 2021.

## Appendices

### APPENDIX 1A – Timeframe for submission and outcome of Admissions Appeals



**APPENDIX 1B – Timeframe for submission and outcome of Admissions Complaints**

