

Owner: Head of Admissions
Version number: 5.1
Effective date: August 2020
Date of last review: July 2019
Date due for review: 2020/2021

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.

3T - Admissions Appeals and Complaints Policy

1. SCOPE AND PURPOSE

- 1.1 This policy 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 arrangement¹.
- 1.2 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 institution¹.
- 1.3 This Policy 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>) and the UK Quality Code for Higher Education (<http://www.qaa.ac.uk/quality-code>)

2. KEY RESPONSIBILITIES

Position	Role
Admissions Manager Refers to: Head of Admissions and Admissions Team Leader if UG/PGT and UK International Admissions Manager if UG/PGT and non-UK Doctoral College Academic Manager if PGR (UK and non-UK)	Reviews applicant appeals or complaints at the local stage of the procedure for undergraduate and postgraduate taught programmes.
Academic Quality	Reviews applicant appeals or complaints at the central stage of the procedure.

3. LINKS TO OTHER BU DOCUMENTS

Other documents with direct links to this one are:

- [3B - Admissions: Policy \(Taught Programmes\)](#)
- [3B - Recruitment, Selection and Admission \(Postgraduate Research Degrees\): Policy and Procedure](#)
- [3D - Fraudulent Applications: Policy](#)
- [3E - Admissions Policy for Applicants with a Criminal Record](#)
- [3H - English Language: Policy](#)
- [3J - Academic Progression \(International Admissions\): Policy](#)

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

- [3L - Fee Status: Policy](#)
- [11L - Third Party Involvement: Procedure](#)
- [Equality and Diversity Policy](#)

Policy

4. INTRODUCTION AND CONTEXT

- 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 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 7.5 for further details.
- 4.6 The Student Agreement and the policies and procedures outlines expectations and responsibilities for students and staff when dealing with applications. (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 for both students and staff 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, gender expression and identity, marital status, race (colour, ethnic or national origin), religion or belief, 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 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* is an internal policy and is not a legal process. The University advises students to use the services of the [SUBU Advice](#) team who are independent from the University and have a full understanding of the university's processes and procedures. BU does not normally use legal professionals in the handling of cases, and does not expect that students will need to do so either. The engagement of legal professionals by students is normally not permitted. See *11L - Third Party Involvement: Procedure* for more information about third party representation in appeals and complaints.
- 4.12 For the purposes of this document, an appeal is defined as a request for a formal review of an admissions decision or the wording, terms or conditions of an offer. A complaint is defined as a specific concern related to a procedural error, irregularity or maladministration in the admissions procedures or policies.

5. Admissions Appeals

5.1 **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, 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 a Tier 4 applicant and therefore is not able to comply with its responsibilities as a Tier 4 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.

- 5.2 Applicants wishing to submit an admissions appeal should do so via the website at www.bournemouth.ac.uk/contact **within 10 working days** of notification of the University's decision.
- 5.3 The Admissions Manager will investigate the appeal and aim to respond in writing **within 10 working days** from receiving the appeal. They will inform the applicant about any delay and keep them informed of progress.
- 5.4 If the applicant is not satisfied after receiving this response, they may ask for a formal review **within 10 working days** of the response from the Admissions Manager who will refer the applicant's appeal to Academic Quality.
- 5.5 Academic Quality will review the formal appeal to ensure that the University's procedures have been followed and that all pertinent information has been taken into account. The review will normally be completed with a response in writing **within 10 working days** of receiving the submission and all accompanying information. This timescale may need to be extended during peak times. If the **10 working days** deadline cannot be met all parties will be informed of the reason for delay and kept informed of progress.

6. Admissions Complaints

- 6.1 The University defines a complaint as an expression of dissatisfaction by one or more applicants about a University's action or lack of action, or about the standards of service by or on behalf of the University.
- 6.2 This policy is designed for complaints relating to Recruitment, Selection and Admission to the University and the process of decision making during which an application did not follow the University's prescribed procedures.
- 6.3 This policy 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.
- 6.4 Complaints submitted under the *Admissions Appeals and Complaints Policy* have two stages, a Local Stage, and a Central Review Stage. It is hoped that most complaints 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 Central Review stage. Only if this Local Stage has been pursued and the complainant remains dissatisfied should the complaint proceed to the Central Review Stage.
- 6.5 **Nominees:** Unless the context indicates otherwise, under these regulations an Officer of the University may act through their properly appointed nominee.
- 6.6 **Access to Information:** Students pursuing a complaint through this policy 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 Officer, Legal Services, Melbury House, 1-3 Oxford Road, Bournemouth, Dorset BH8 8ES. Further information about access to information can be found at [Access to information](#).

7. PROTOCOL

- 7.1 **Anonymous Complaints:** It may not be possible to investigate or act on anonymous complaints and we will only do so in exceptional circumstances.
- 7.2 **Third Party involvement in Complaints:** We will not investigate a complaint made on your behalf by a third party unless you have appointed the third party as your representative to manage the complaint on your behalf. The University (BU) recognises that students may wish to be advised, supported or represented by a third party during formal University processes and anyone involved in a complaint can be supported or represented by a third party (but not normally a legal advisor) at each stage. See *11L - Third Party Involvement: Procedure* for more information.
- 7.3 **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. If the complainant has not sought to resolve the complaint at the Local Stage, the complainant will be advised to pursue the issues raised with the Admissions Manager as appropriate before further action is taken.
- 7.4 **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* or, for example, to attempt to defame the name or character of another person².

7.5 **Complaints Made by Applicants Under the Age of 18:** If a complaint made by a student who is under the age of 18 proceeds to the Central Review Stage, unless the student expressly requests us not to, the University will notify the student's parent/guardian in writing, and keep them informed of the progress of the complaint. The University will permit the student's parent/guardian to act on the student's behalf as described in *11L - Third party involvement: Procedure*.

7.6 **Complaints about the Students' Union:** Complaints about the Students' Union's members of staff or services are dealt with through the Students' Union's own complaints procedures (available from the Students' Union Advice Centre or online at [Complaints about SUBU](#)).

8. LOCAL STAGE

8.1 Applicants wishing to submit an admissions complaint should do so via the website at www.bournemouth.ac.uk/contact **within 10 working days** of notification of the University's decision

8.2 It is expected that, except in exceptional and fully documented circumstances, an applicant or student who wishes to make a complaint will invoke the Local Stage **within one calendar month** of the incident that is the cause for complaint.

8.3 For the University to be able to effectively investigate a complaint, the complainant must provide evidence which should be as detailed as possible. Evidence will vary according to the nature of the 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 complaint is based.

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

8.4 If there is little or no evidence to support a complaint it may be difficult to investigate it fully and reach a satisfactory conclusion

8.5 The Admissions Manager will investigate the complaint and provide a response, normally **within 20 working days** of receipt. This timescale may need to be extended during University peak times. The University will tell you about any delay and keep you informed of progress.

9. CENTRAL REVIEW STAGE

9.1 If the complainant is not satisfied with the outcome of the Local Stage, they may invoke the Central Review Stage. The request for review must be emailed to Academic Quality (appeals@bournemouth.ac.uk) **within 10 working days** from the date of the Local Stage response.

9.2 The submission must clearly outline the reason for the complaint and the form of resolution or redress that the complainant is seeking. The complainant should also specify what action they have taken to date to attempt resolution and provide copies of all correspondence exchanged during the Local Stage.

² Refer to the Unacceptable Behaviour: Policy and Procedure

- 9.3 Submissions will normally be acknowledged **within 5 working days** of receipt.
- 9.4 Academic Quality will consider whether the complaint falls within the scope of the *Admissions Appeals and Complaints Policy*. If a complaint is not held admissible, the applicant will be informed in writing and provided with the reasons for this decision.
- 9.5 If the 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 complainant 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 confirm to the complainant whether an extension is granted. Only issues raised at the Local Stage will be considered at the Central Review Stage. Any new issues will not be considered.
- 9.6 The Central 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.
- 9.7 The decision of Academic Quality is final and no further complaint is permitted. However, students who register on a course and are then required to leave BU because of an irregularity in their application or whose complaint relates to the information the university supplied prior to admission may submit a complaint to the Office of the Independent Adjudicator (see www.oiahe.org.uk). The OIA may also review a complaint from a former student who has either withdrawn from a programme of study or has been required to leave and later applies for re-admission.

General

10. FURTHER INFORMATION

- 10.1 This policy was reviewed according to the University's [Equality Analysis Procedure](#) in July 2019.