



Admissions Appeals and Complaints Policy Procedure

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1. Introduction

New City College (the College) is dedicated to consistent, fair and professional practice, in order to safeguard applicants' interests. In the event that an individual is dissatisfied with their experience of the Selection and Admission process, the College is committed to the fair and professional handling of appeals and complaints.

This document combines information and good practice from several external sources:

- The UK Quality Code for Higher Education, developed by the Quality Assurance Agency for Higher Education (QAA).
- Supporting Professionalism in Admissions (SPA).
- Competition and Markets Authority (CMA) advice to HE.

In most cases, applicant dissatisfaction and disputes are successfully resolved informally. The Admissions team are available throughout the academic year to speak to applicants about any concerns or questions they may have regarding their application. Should it be necessary to submit a formal appeal or complaint, the applicant will not experience any prejudice of opinion by the College. Neither will the submission of an appeal or complaint adversely affect any later dealings with the applicant, including any new applications made in future years.

2. Scope

This document is applicable to all prospective students and applicants to the College, regardless of whether they have applied for a Further Education (FE) course or a Higher Education (HE) course.

Where a course is offered in partnership with an external awarding body, the College remains ultimately responsible and liable for the admission of its students.

3. Definitions

3.1 An appeal is a request for a formal review of an admission decision or the wording/conditions of an offer. An appeal can only be lodged after the application decision has been made.

3.2 A complaint is a specific concern relating to a procedural error, irregularity or maladministration in the selection and admissions procedures or policy. It may also include an expression of dissatisfaction about the College's action, or lack of action, or about the standard of service provided by the College. A complaint can be lodged at any stage of the admissions process.

4. Prior to Submitting an Appeal or Making a Complaint

- 4.1 Applicants are encouraged to seek feedback on an admissions decision before lodging an appeal. This can be done in writing, or via email. In either case, the communication must include the applicant's name, Student Reference or UCAS Personal ID number and the course they applied for. Requests submitted via email will only be accepted if they are sent from the email address given on the original course application form. Feedback requests should be posted to the Admissions office at the main Ardsley Green campus or emailed to complaints@ncclondon.ac.uk
- 4.2 Applicants are encouraged to raise any complaint informally with the member of staff directly concerned in the first instance. This can be facilitated by Admissions if required.
- 4.3 The informal stage is encouraged but not compulsory. Applicants making an informal complaint will be made aware of the formal process through referral to this document. Staff may refer an individual straight to the formal process if they feel it would be inappropriate to continue informally. Applicants have the right to progress to the formal stage if they are dissatisfied with the outcome of the informal stage or if the staff contact is unable to resolve the dispute.
- 4.4 A brief record of any informal dispute will be kept by the member of staff concerned. Should the case be brought up later in a formal dispute, this record may contribute to the resolution of the dispute.
- 4.5 Applicants wishing to seek independent advice can contact the Citizens Advice consumer helpline on 03454 04 05 06.

5. Grounds for Appeal of an Admission Decision

- 5.1 Applicants wishing to appeal an admission decision must be able to meet one or more of the following grounds:
 - 5.1.1 The applicant assessment and selection procedures have not been properly carried out. This will be when an applicant has evidence that there has been a material administrative error, or that the selection and admissions process was not conducted fairly or in accordance with publicised policy, or that some other material irregularity has occurred.

- 5.1.2 The applicant has further evidence relevant to their application which was not available when the admission decision was made. This can include the following instances:
- a. The applicant has a medical certificate or other documentary evidence supporting a claim that his/her performance during the selection process (test, interview, assessment, audition) was adversely affected by illness.
 - b. Information omitted from the original application, the absence of which led to the application being rejected, e.g. missing qualifications.
 - c. Information concerning an applicant's learning difficulty or disability, which was not known at the point the application was submitted, e.g. a dyslexia diagnosis.
- 5.2 Applicants **do not** have a right of appeal against the academic judgement and assessment of that applicant's eligibility for their chosen programme of study. The terms "academic judgement" and "assessment" include judging the merits of an applicant's performance during an interview, assessment or audition, and determining academic suitability for a programme through the submission of an alternative assessment.

6. Grounds for Complaint

- 6.1 In order to have grounds for a complaint, an applicant must have evidence that a procedural error, irregularity or maladministration in the selection and admissions procedure or policy has occurred.
- 6.2 Applicants wishing to express dissatisfaction about the College's action, or lack of action, or about the standard of service provided, may also have grounds to use the College's Complaints and Compliments Procedures.

7. Who May Submit an Appeal or Complaint

- 7.1 In order to submit an appeal or a formal complaint, the applicant should personally communicate with the Admissions office either in writing or via email, identifying himself/herself and providing an address for reply.
- The letter must include:
- The programme and year of application.
 - The precise admission decision which the applicant contests or the details of the complaint the applicant wishes to submit.

- The precise and total grounds on which the application for review is requested or the precise and total grounds for complaint.
- Medical certificate or other documentary evidence.

- 7.2 The College will accept third party representation on behalf of applicants who are minors at the time of submitting their application. Third party representation will also be accepted on behalf of applicants who have a learning difficulty or disability. In either case, the third party must not be a member of the legal profession. Applicants may use the "Nominated Name" section of their UCAS application to give a third-party permission to speak on their behalf. Alternatively, authorisation of third-party representation should be submitted to the Admissions office in writing or via email, stating the applicant's name, Student Reference or UCAS Personal ID number, and the name and contact details of the nominated representative. Communications made by email will only be accepted from the email address given on the original course application form.
- 7.3 Applicants wishing to lodge an appeal or complaint (informal or formal) in person are welcome to have a guest accompany them. However, the guest must not do anything that would prejudice the applicant's case and must not be a member of the legal profession.
- 7.4 Applicants are encouraged to discuss their situation with peers, parents, advisors, colleagues and teachers. Separate advice before and during the dispute will help applicants to reach an informed opinion.
- 7.5 The College will not usually investigate anonymous complaints or accusations, however, there may be exceptional circumstances, such as in the case of an accusation of fraud against another applicant, where it may be appropriate to conduct an investigation. In such circumstances, the applicant concerned will be made fully aware of the appeal, complaint or accusation and will be given the opportunity of self-presentation.

8. Deadline for Submitting an Appeal or Complaint

- 8.1 Applicants (or their nominated representative) have 15 working days after the occurrence (e.g. decision, interview, open event) in which to lodge a dispute. Disputes lodged after this deadline will not be considered.

9. Procedure for Appealing

- 9.1 In order to appeal an admission decision the applicant, or the applicant's duly appointed representative, should personally communicate with the Admissions office either in writing or via email, identifying himself/herself and/or the applicant and providing an address for reply. The letter must include:
- The programme and year of application.
 - The applicant's Student Reference or UCAS Personal ID Number.
 - The precise admission decision which the applicant contests.
 - The precise and total grounds on which the application for review is requested.
 - Medical certificate or other documentary evidence.
- 9.2 A letter or email stating the applicant's intention to appeal an admission decision, and containing the information requested in 9.1 above, must be received by (or on behalf of) the Admissions office no later than 15 working days after notification of the decision. The notification date is defined as the date the decision is published on UCAS Track or, for non UCAS applicants, the date the offer/rejection letter is posted to the applicant. The Admissions office will acknowledge the application within two working days of receipt of the letter or email.
- 9.3 The Admissions office will establish whether the application meets the grounds for appeal. An applicant who does not specify grounds as stated in paragraph 5.1 above cannot be considered. The Admissions office will write to the appellant accordingly, notifying them that no grounds for appeal have been established, in which case the appeal will be rejected and the original application decision will stand.
- 9.4 If the application demonstrates that it meets one or more of the grounds stated in 5.1, the appeal will be upheld and the application decision will be reviewed.
- 9.5 The decision of the reviewer shall be either:
- 9.5.1 The review finds in favour of the applicant. In such cases, every effort will be made to reverse and rectify any error made by the College. The Admissions office will contact UCAS to amend the decision if appropriate. Where the College is not liable (i.e. new information not available when the original decision was made), the applicant will be helped wherever possible. Such arrangements may include a deferred place for the following year, or a different suitable course.

or

- 9.5.2 The review upholds the original application decision. No further action in respect of the application decision will be taken.
- 9.6 The applicant will receive notification of the outcome of their appeal within 15 working days of receipt of their letter or email. Notification will be sent by the Admissions office. The outcome notification will detail the reasons behind the decision reached and any available next steps for the applicant.
- 9.7 Review of an appeal decision
- 9.7.1 A review of an appeal decision is only possible on the grounds that proper procedures were not followed during the appeal decision. This will be when the applicant has evidence that the reviewer took irrelevant matters into account, or failed to take relevant matters into account.
- 9.7.2 An applicant (or their duly appointed representative) wishing to request a review shall communicate with the Admissions office either in writing or via email, identifying himself/herself and/or the applicant and providing an address for reply. The letter must include:
- The programme and year of application.
 - The applicant's Student Reference or UCAS Personal ID Number.
 - The review decision which the applicant contests.
 - The new decision which the applicant seeks to achieve.
 - The grounds on which an appeal is being lodged against a review decision.
 - The precise and total grounds on which the original application for review was requested.
 - Medical certificate or other documentary evidence.
- 9.7.3 This letter or email must reach the Admissions office no later than 15 working days after the date of the letter conveying the decision of the original appeal.
- 9.7.4 The Admissions office will establish whether the application meets the grounds for appeal. The individual evaluating the application will not be the same person who assessed the initial appeal application. A letter which does not specify grounds as stated in paragraph 9.8.1 above cannot be considered. The Admissions office will write to the

appellant accordingly, notifying them that no grounds for further review have been established, in which case the application for a review will be rejected and the original application decision will stand.

9.7.5 If the application demonstrates that it meets the grounds stated in 5.1, the appeal will be upheld and the application decision will be reviewed.

9.7.6 The decision shall be either:

9.7.7 The review finds in favour of the applicant. In such cases the application and relevant documents will be referred back to the original reviewer to reconsider in light of specified grounds.

or

9.7.8. The original appeal decision is upheld. No further action in respect of the application decision will be taken.

9.8. The outcome of the review will be communicated to the appellant by the Admissions office within 15 working days of the decision being made.

10. Procedure for Lodging a Complaint

10.1 In order to lodge a formal complaint the prospective student or applicant, or their duly appointed representative, should communicate with the Admissions office either in writing or via email, identifying himself/herself, and/or the applicant, and providing an address for reply.

The letter must include:

- The programme and year of application.
- The applicant's Student Reference or UCAS Personal ID Number.
- The precise and total grounds on which the complaint is made.
- The details of the complaint.
- Any documentary evidence.

10.2 A letter or email containing the information requested in 10.1 above, must be received, by (or on behalf of) the Admissions office, no later than 15 working days after the occurrence. The Admissions office will acknowledge the application within 2 working days of receipt of the letter or email.

10.3 The Admissions office will establish whether the application meets the grounds for complaint. A letter which does not specify grounds as

stated in paragraph section 6.1 above cannot be considered. The Admissions office will write to the complainant accordingly, notifying them that no grounds for complaint have been established, in which case the complaint will be rejected and no further action will be taken.

10.4 If the complaint demonstrates that it meets one or more of the grounds stated in section 6.1, the complaint will be investigated. The investigator and procedure assigned to the complaint will vary according to the nature of the complaint.

10.4.1 Complaints regarding processes or services managed and performed by Admissions will be referred to the Admissions Manager, unless the Admissions Manager is the subject of the complaint, in which case it will be referred to the Group Executive Director– Marketing, Liaison and Recruitment.

10.4.2 Complaints regarding processes or procedures performed or managed by the curriculum team will be referred to the relevant Deputy Curriculum Director or Group Curriculum Director.

10.4.3 Complaints regarding pre-application marketing and publicity will be referred to the Group Executive Director – Marketing, Liaison and Recruitment.

10.4.4 Complaints concerning the service provided by the Learning Support Service will be referred to the relevant Head of Learning Support and Learner Progress.

10.4.5 Complaints concerning Student Services will be referred to the relevant Group Executive Director.

10.4.6 Complaints received from, or on behalf of, prospective students in relation to any other service within the College will be referred to the relevant service manager or head of service.

10.5 The decision of the complaint investigator shall be either:

10.5.1 The investigator finds in favour of the complainant and the complaint is upheld. In such cases, every effort will be made to reverse and rectify any error made by the College. The Admissions office will contact UCAS to amend the application decision if appropriate.

or

10.5.2 The investigator finds in favour of the College. No further action in respect of the complaint will be taken.

10.6 The complaint investigator will communicate their decision to the Admissions office, who will respond to the complainant with written notification of the outcome of their complaint within 15 working days of receipt of their letter or email. The outcome notification will detail the reasons behind the decision reached and any available next steps for the applicant.

10.7 Requesting a review of the complaint

10.7.1 An appeal against a complaint outcome is only possible on the grounds that proper procedures were not followed by the investigator or that the investigator's conclusions indicate perversity or eccentricity of judgement. This will be when the complainant has evidence that the reviewer took irrelevant matters into account, or failed to take relevant matters into account.

10.7.2 An applicant (or their duly appointed representative) wishing to lodge such an appeal shall communicate with the Admissions office either in writing or via email, identifying himself/herself and/or the applicant and providing an address for reply. The letter must include:

- The programme and year of application.
- The applicant's Student Reference or UCAS Personal ID Number.
- The complaint decision which the complainant contests.
- The grounds on which the review of the complaint is being requested.
- The precise and total grounds on which the original complaint was made and the details of the original complaint.
- Any documentary evidence.

10.7.3 This letter or email must reach the Admissions office no later than 15 working days after the date of the letter conveying the decision of the original appeal.

10.7.4 The Admissions office will establish whether the request meets the grounds for review. The individual evaluating the request will not be the same person who assessed the initial complaint. A letter which does not specify grounds as stated in paragraph 10.7.1 above cannot be considered. The Admissions office will write to the complainant accordingly, notifying them that no grounds for review have been

established, in which case the application for a review will be rejected and the original complaint outcome will stand.

10.7.5 If the request demonstrates that it meets one or more of the grounds stated in 10.7.1, the request will be upheld and the complaint investigation will be reviewed.

10.7.6 The decision shall be either:

1. Uphold the original outcome and/or remedy in whole or in part;
2. Change the original outcome and/or remedy in whole or in part.

At the end of the Review process the Admissions office will inform the complainant of the outcome, in writing and with reasons, within 15 working days of the decision being made.

11. External Sources of Support

11.1 Independent advice and support can be sought from Citizens Advice (England, Wales and Scotland) consumer helpline on 03454 04 05 06.

11.2 Applicants who have exhausted all means of redress stated within this document, but remain unhappy with their appeal or complaint outcome, may wish to contact the Consumer and Markets Authority for independent advice and information <https://www.gov.uk/government/collections/higher-educationconsumer-law-advice-for-providers-and-students>. You may be able to refer your complaint to an independent complaint scheme.

12. Contact Details

Prospective students and applicants may find the following contact details useful when seeking a resolution to their appeal or complaint:

- Admissions: 01708 462833, customerservice.hfe@ncclondon.ac.uk
- Student Services: 01708 462718, studentservices_hfe@ncclondon.ac.uk

13. Handling Data

13.1 The College is fully compliant with General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018. Of particular relevance to this document is the principle that data will not be kept for longer than is necessary for its purpose.

- 13.2 The Admissions office will hold physical applicant files for one year after the closure of the current admissions cycle. Records and documents concerning closed appeals and complaints relating to that file will be kept for the same period of time. Any individual wishing to refer their complaint to an independent complaint scheme is advised to do so prior to the destruction of their physical file, and to advise the College accordingly.
- 13.3 Storage and retention of electronic data is governed by the College's Data Protection Policy.

14. Monitoring and Review

- 14.1 The Admissions office keep statistics relating to the volume, outcome and length of processing of all appeals and complaints. These statistics are reported to the Group Executive Director - Marketing, Liaison and Recruitment, who presents them to the College Senior Management Team (SMT). The SLT use the statistics to implement improvements to student recruitment and admission practices.
- 14.2 This policy document is subject to regular review by the Admissions Manager and the Group Executive Director - Marketing, Liaison and Recruitment.