

## **University of Bradford**

### **Regulations Governing Appeals and Complaints by Applicants against an aspect of their Admission Process**

**(Undergraduate/ Postgraduate Taught/  
Postgraduate Research)**

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## 1. Introduction

The University of Bradford is committed to the fair and equitable treatment of all applicants and students. Applicants making an appeal or complaint will not suffer any disadvantage or recrimination as a result of doing so. The following regulations relate solely to the conduct of appeals and complaints made by applicants against an aspect of a decision regarding their application to study a University of Bradford programme. These regulations also relate to University of Bradford programmes run by our Partner Institutions.

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:

<http://www.brad.ac.uk/equality/policies/DignityandRespectPolicy2012.pdf>

The regulations have been developed in accordance with the QAA Quality Code Chapters B9: Academic Appeals and Student Complaints; B2: Recruitment, Selection and Admission to Higher Education and B11: Research Degrees. In addition they have been developed in accordance with the SPA Good Practice Statement: Applicant Complaints and Appeals.

## 2. General Principles

The following policy outlines the procedures for initiating an appeal or complaint specifically relating to programme applications and admission to the University of Bradford.

The following information should be considered to ensure that the correct procedure, dependent on the nature of the case, is used.

### 2.1 Appeals

An appeal (see section 3) is a request for a reconsideration of an application decision, usually where the decision results in a place on a programme of study not being offered. This procedure should be followed if an applicant believes that;

- the decision reached in relation to their request to be admitted to study at the University of Study is incorrect; or
- the stated stage of entry to the programme of studies is incorrect; or
- the application has not been considered in line with the University Admissions Policy including English Language), the University Ordinance and Regulations, The University Criminal Convictions Policy or the Equal Opportunities Policy.

For an appeal to be considered it must fulfil the criteria listed in section 3.4.

## **2.2 Complaints**

A complaint (see Sections 4, 5 and 6) may be made if an applicant believes they have legitimate grounds to be dissatisfied with the process followed during the admissions process. If upheld, a complaint outcome will include an apology and/or an undertaking to revise procedures but will not necessarily include a reconsideration of the decision.

In the event that an applicant submits both an appeal and a complaint, the applicants appeal will be first addressed, 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.

Applicants who have declared a mental health difficulty will be offered the support of the Mental Health Advisor [disabilities@bradford.ac.uk](mailto:disabilities@bradford.ac.uk) in completing the Appeal/Complaint Form and gathering supporting evidence. Where appropriate, applicants will be advised to seek assistance in completing the Form from the Disabilities Office.

## **3 Appeals Procedure**

### **3.1 General**

The appeals process will be conducted as quickly as is reasonably practicable, without compromising the robustness of the investigation into the particular circumstances of the appeal. It is expected that the deadlines documented below will normally be adhered to, however in exceptional circumstances this time period may need to be extended. In such cases the student/applicant will be notified that their case will take longer than the advertised timescales to investigate.

Appeals 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, a third party may be nominated to progress the appeal for them. In all such cases the University will ensure that sensitive personal data is only released to the third party with the express permission of the applicant concerned.

Where necessary, appropriate adjustments will be made to the process to accommodate the needs of disabled applicants and/or applicants with mental health issues; this includes the provision of these procedures in a format accessible to the applicant concerned.

## 3.2 Stage 1 - Feedback

If an applicant has concerns about the way in which the admissions decision in relation to their application to study at the University was made, or the way their application has been handled, they are advised to request feedback from the Admissions Office via [admissions@bradford.ac.uk](mailto:admissions@bradford.ac.uk). Feedback is available to explain how and why a decision has been made. The request for feedback is not a request for a review of the decision. If the applicant, after receiving feedback, remains unsatisfied then they can submit a formal appeal.

## 3.3 Submission of Appeal. Stage 2: Formal Consideration

If an applicant remains dissatisfied having received feedback regarding the decision relating to their Admission to the University of Bradford they can submit an appeal via Stage 2: Formal Consideration. Details relating to the submission of an Appeal via Stage 2: Formal Consideration can be found below.

Applicants must submit their appeal to the Complaints and Appeals Office within 21 working days of being notified of their admissions decision. Late appeals will not normally be considered, and if submitted must include a detailed explanation of the reason for late submission.

Applicants will normally be expected to complete and submit an 'Admissions/Compliance with UK Visas and Immigration Regulations (Tier 4)' Appeal Form and a Letter of Appeal setting out, in writing and in full, the grounds for and the nature of the appeal; no additional grounds may be cited nor additional substantive points made at any later time in the consideration of the appeal.

## 3.4 Grounds of Appeal

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

3.4.1 That 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.

3.4.2 That 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;

3.4.3 That 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;

3.4.4 That there is evidence of prejudice or bias on the part of one or more members of University of Bradford staff, or those staff members at a Partner Institution delivering a programme leading to a University of Bradford award.

### **3.5 Consideration of Appeals**

3.5.1 An applicant wishing to make an appeal must do so in writing to be received within 21 working days of the receipt of the decision.

3.5.2 Appeals against an admissions decision will be investigated by the Complaints and Appeals Office on behalf of the Deputy Vice-Chancellor, Academic Development. The Deputy Vice-Chancellor, Academic Development will assess the case proposed by the Complaints and Appeals Office and determine the appropriate outcome.

3.5.3 The outcome will be notified to the applicant as soon as possible, normally within 15 working days after receipt of the appeal. The outcome of the appeal represents the University's final decision. There is no right of further appeal.

Appeals will not be considered on the following grounds:

3.5.4 A challenge against an academic judgement made by an Admissions Tutor about the applicant's suitability for entry to a particular programme.

3.5.5 On the grounds of non-fulfilment of any statutory or professional requirements for admission to certain programmes offered by the University.

3.5.6 In instances where an applicant has not provided required documentation, or provided required documentation later than requested.

3.5.7 In instances 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.

3.5.8 In instances 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.

### **3.6 Outcome Letter**

Upon receipt of an appeal the Complaints and Appeals Office will conduct an investigation into the case. The Complaints and Appeals Office will present the case to the Deputy Vice-Chancellor, Academic Development and request that he/she assesses the information provided.

On conclusion of the process the University will issue an Outcome Letter to the applicant. This letter will detail why the applicants appeal has been successful/unsuccessful.

Applicants will not be permitted to register upon their proposed programme of study until the outcome of the appeal is determined. Also that the determination permits the student to be accepted onto the programme of study and that the applicant meets all the requirements for enrolment onto the programme.

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.

### **3.7 Partner Institutions**

All requests for feedback regarding applications to study a programme leading to a University of Bradford Award at a Partner Institutions should be submitted to the Partner Institution.

Those applying to study a programme leading to a University of Bradford award, who wish to submit an Appeal via Stage 2: Formal Consideration, should follow the process outlined in Sections 3.3 – 3.7 of these Regulations.

## **4. Complaints Procedure**

### **4.1 General**

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.

A complaint relates to:

- the admissions process;
- the services offered; or
- the information provided by the University.

The procedure aims to be simple, clear and fair to all parties involved, with mediation and informal resolution an option at any point. Complaints will be handled sensitively, courteously and confidentially. All complaints will be dealt with as quickly as possible to avoid issues becoming protracted.

The principles of natural justice will be complied with, namely:

- the complaint will be dealt with in good faith and in an impartial and fair manner;
- no one will be the judge of an issue which concerns their own cause;
- persons investigating and/or hearing the complaint will be impartial;

- the details of the complaint will be available to all parties in advance of any hearing;
- all parties will be given the opportunity to present their views in writing, and at any hearing that might be called;
- all parties will be informed of the investigation and/or hearing and the reasons for any decisions made.

Any staff member named in a complaint will be informed of the substance of the complaint and will have the right of reply as part of the process. Information contained within the complaint will be made available only to those members of staff involved in its resolution. The Dean of School and/or Director of the relevant Professional Service will also be informed of the complaint, and of the outcome.

Complaints require investigation to enable resolution; where a complaint is made anonymously, it is unlikely to be possible to undertake such an investigation. For practical reasons therefore, normally no action will be taken in the event of a complaint being made anonymously.

## **4.2 Grounds for Complaint**

Grounds for a complaint may include (but are not limited to):

- 4.2.1 Issues relating to a fee waiver, bursary or scholarship scheme;
- 4.2.2 A procedural irregularity in the conduct of the admissions process;
- 4.2.3 Prejudice or bias on the part of a staff member.

Complaints on the following grounds will not be considered:

- 4.2.5 A complaint against an external body (such as UCAS or a research council). These complaints must be submitted directly to the relevant body.
- 4.2.6 A complaint about a selection decision which disputes the academic or professional judgement of admissions staff.
- 4.2.7 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.
- 4.2.8 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.
- 4.2.9 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.

**Applicants applying to study a University of Bradford programme delivered at a Partner Institution should refer to Section 6 of the Regulations.**

## **5 Applicants Applying to Study a Programme at the University of Bradford**

### **5.1 Submission of Complaint**

Applicants must submit their Complaint as outlined below. Complaints submitted outside the timescales stated below will not normally be considered. Complaints outside the specified timescales will only be considered in exceptional circumstances with good cause. Complaints submitted outside the timescales below must include a detailed explanation of the reason for late submission.

Applicants will normally be expected to complete and submit an 'Admissions/Compliance with the UK Visas and Immigration Regulations (Tier 4)' Complaints Form and a Letter of Complaint setting out, in writing and in full, the grounds for and the nature of the complaint. No additional grounds may be cited nor additional substantive points made at any later time in the consideration of the complaint.

### **5.2 Stage 1: Local Resolution**

Where possible the University aims to resolve complaints quickly and at the local level. Other than in exceptional and fully documented circumstances, an applicant who wishes to make a complaint should invoke the Stage 1 of the procedure within **one calendar month** of the incident which is the cause of the complaint.

Applicants should identify the reasons for their dissatisfaction and the outcome they are seeking. They should communicate this in writing, via email or letter to the Head of Admissions.

Applicants will normally receive a written or email acknowledgment within 10 working days of the University receiving their complaints, and a full response, in writing or by email, within one calendar month. This timescale may need extending during the University vacations. In such instances the applicant will be advised of this.

All notes of meetings regarding the case held between the Head of Admissions and staff or applicants must be stored securely; along with any agreed outcomes. If the issue cannot be resolved via this method a formal complaint may follow<sup>1</sup>.

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<sup>1</sup> Storage of notes/information must be in line with the *University of Bradford Document Retention and Disposal Policy*.

### **5.3 Stage 2: Formal Consideration**

If a complainant does not feel they have received a satisfactory outcome following the completion of Stage 1, they are entitled to place a formal complaint in writing to the Complaints & Appeals Manager, as outlined below.

The complaint must be received within one calendar month of receipt of the Outcome Letter from the Head of Admissions or within **one calendar month** of the incident which is the cause of the complaint.

Formal complaints will be acknowledged within seven working days of receipt and every effort will be made to undertake a timely investigation. It is anticipated that all complaints submitted for consideration in the Formal Stage should be resolved within **three calendar months** from the date the 'Admissions/Compliance with UK Visas and Immigration Regulations (Tier 4)' Complaint Form is received by the University. In certain complex cases this deadline may need to be extended. In such instances the complainant will be informed of the reason for the delay and likely timescales.

Whilst investigating complaints against Admissions decisions the Complaints and Appeals Manager may seek guidance from Officers of the University with appropriate expertise.

The decision of the Complaints and Appeals Manager is final and is not subject to any further University of Bradford complaints processes.

### **5.4 Outcome Letter**

On conclusion of the process the University will issue an Outcome Letter to the applicant. This letter will detail the outcome of the complaint and the reasons for the decision.

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, for applicants, following this process.

## **6 Applications to study a programme leading to a University of Bradford Award delivered by a Partner Institution**

### **6.1 Submission of Complaint**

Applicants must submit their Complaint as outlined below. Complaints submitted outside the times stated below will not normally be considered. Complaints received outside the specified timescales will only be considered in exceptional circumstances with good cause. Late complaints must include a detailed explanation of the reason for late submission.

Applicants will normally be expected to submit the 'Admissions/Compliance with UK Visa and Immigration Regulations (Tier 4)' Complaints Form and a Letter of Complaint setting out, in writing and in full, the grounds for and the nature of the complaint. No additional grounds may be cited nor additional

substantive points made at any later time in the consideration of the complaint.

## **6.2 Stage 1: Local Resolution**

Applicants should identify the reasons for their dissatisfaction and the outcome they are seeking. They should communicate this in writing, via email or letter to the Partner Institution considering their application to study.

The complaint will be considered in accordance with the University of Bradford Complaints Procedure or that in operation at the Partner Institution.

## **6.3 Stage 2: Formal Consideration**

If a complainant does not feel they have received a satisfactory outcome following the completion of Stage 1, they are entitled to place a formal complaint in writing to the Complaints & Appeals Manager at the University of Bradford, as outlined below.

The complaint must be received within one calendar month of receipt of the Outcome Letter from the Head of Admissions or within **one calendar month** of the incident which is the cause of the complaint.

Formal complaints will be acknowledged within seven working days of receipt and every effort will be made to investigate them quickly and efficiently. It is anticipated that all complaints submitted for consideration in the Formal Stage should be resolved within **three calendar months** from the date the 'Admissions/Compliance with UK Visas and Immigration Regulations (Tier 4)' Complaint Form is received by the University. In certain complex cases this deadline may need to be extended. In such instances the complainant will be informed of the reason for the delay and likely timescales.

Whilst investigating complaints against Admissions decisions the Complaints and Appeals Manager may seek guidance from Officers of the University with appropriate expertise.

The decision of the Complaints and Appeals Manager is final and is not subject to any further University of Bradford complaints processes.

## **6.4 Outcome Letter**

On conclusion of the process the University will issue an Outcome Letter to the applicant. This letter will detail the outcome of the complaint and the reasons for the decision.

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, for applicants, following this process.

## 7. Correspondence Details

Full contact details (including full name, programme details and application number) must be included in all correspondence.

### 7.1 Feedback<sup>2</sup>:

Request for feedback on an admissions decision should be made in writing to [Admissions@bradford.ac.uk](mailto:Admissions@bradford.ac.uk)

### 7.2 Appeals:

Appeals should be made in writing to;

Complaints and Appeals Officer  
Student and Academic Services  
University of Bradford  
Bradford , BD7 1DP

Email: [complaintsandappeals@bradford.ac.uk](mailto:complaintsandappeals@bradford.ac.uk)

### 7.3 Complaints:

7.3.1 Stage 1 complaints, in the first instance, should be discussed with;

Head of Admissions  
University of Bradford  
Bradford, BD7 1DP

[ao-managers@bradford.ac.uk](mailto:ao-managers@bradford.ac.uk)

Requests for consideration of a complaint at Stage 1 for those applying to study a programme leading to a University of Bradford award delivered by a Partner Institution should submit their complaint to the Partner Institution.

7.3.2 If you are dissatisfied with the outcome of your complaint, then a Formal complaint can be made in writing to;

Complaints and Appeals Office  
Student and Academic Services  
University of Bradford  
Bradford, BD7 1DP

Email: [complaintsandappeals@bradford.ac.uk](mailto:complaintsandappeals@bradford.ac.uk)

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<sup>2</sup> All requests for feedback regarding applications to study a programme leading to a University of Bradford Award at a Partner Institutions should be submitted to the Partner Institution.

No applicant will be disadvantaged in any way by making an appeal or complaint.

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