

Admissions Complaints and Appeals Procedure

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A Introduction

Complaints

Part C of the procedure described below shall be followed in cases where an undergraduate or postgraduate applicant to the University wishes to complain about the administration of the University's admissions policies and procedures. It shall not be used where a complaint relates to the service or procedures of the Universities and Colleges Admissions Service (UCAS), in which case UCAS' own complaints procedure should be followed.

The policies and procedures of relevance are:

- University Admissions Policy
- MBBS Admissions Policy
- School of Dental Sciences Admissions Policy
- English Language Policy
- Criminal Convictions Policy and Procedure

Appeals

Part D of the procedure shall be used in cases where an undergraduate or postgraduate applicant wishes to appeal against the decision of an undergraduate or postgraduate admissions selector.

Appeals against the decisions of admissions selectors may only be made on the following grounds:

- a) Failure to apply the relevant policy or procedures
- b) Bias or Prejudice.

Challenges to the academic judgement of admissions selectors may not form the basis of an admissible appeal.

B General Provisions

These provisions apply to both Part C and Part D.

Time Limits

Complaints received more than one month after the event in question shall not normally be investigated. Appeals received more than one month after the date of the letter notifying an applicant of a decision shall not normally be investigated. Complaints or appeals received after the normal time limit will be referred to the Academic Registrar who shall determine whether or not circumstances exist which make it reasonable for the complainant or appellant not to have made a submission within the normal time limit.

Complaints or appeals will be investigated as quickly as possible and will normally be determined within 30 calendar days from receipt of the complaint or appeal but circumstances may require a longer period. The Complainant shall be informed of the reasons should a longer period of investigation be required.

Anonymous Complaints

Complaints made anonymously will not normally be investigated. Exceptionally, however, an anonymous complaint may be considered when there is a compelling case supported by additional evidence.

Responsibilities of Complainant

Complaints or appeals shall be made in writing via email to the Head of Admissions, (hereafter referred to as the 'Admissions Officer'). They shall include the complainant's full name and UCAS Personal ID number (if applicable), and as much detail as possible about the grounds for complaint or appeal, including relevant names and dates. The complaint or appeal shall also include confirmation that the complainant or appellant consents to the matter being investigated with all relevant parties and to any information disclosed in the complaint or appeal being shared with those relevant parties.

Monitoring

The Admissions Officer shall keep a record of complaints and appeals received and investigated under this procedure and shall report annually to University Education Committee.

Confidentiality

All information obtained within the process of consideration of the complaint or appeal will be held in accordance with Data Protection legislation and the University's Privacy Notice.

<https://www.ncl.ac.uk/data.protection/>

All information which a complainant or appellant provides to the Admissions Officer, Complaints or Appeals Officer or any other officers dealing with the matter in the course of an investigation shall be treated as confidential, subject to the need to share it with relevant parties in the course of the investigation and subject to any requirements of the Data Protection Act. It is equally important that the Complainant also respects the need for confidentiality throughout the complaints process.

Applicants should avoid disclosing unnecessary personal information (e.g. medical conditions etc.) in their complaint unless they feel that it is relevant to the issues raised. Applicants must also avoid disclosing personal data of another person/s in their complaint or appeal unless they have been given permission by them to do so, and this is also submitted.

Relevant members of staff involved or investigated in the complaint or appeal will be informed of the outcome, in confidence. Senior members of staff may also receive a copy of the outcome, in confidence in order for the University to learn / act on issues identified from admissions complaints and appeals.

No applicant who complains about or appeals against the decision of an admissions selector shall be disadvantaged in any way in any future applications to the University as a result of the complaint or appeal.

C Complaints Procedure

1 Initial Investigation

- a) The Admissions Officer shall, wherever possible, attempt to resolve complaints quickly and informally.
- b) The Admissions Officer shall determine whether the complaint discloses sufficient grounds related to the administration of the University's admissions policies and procedures.²
- c) If it is decided that the complaint does not disclose sufficient grounds, the Admissions Officer shall explain the reason(s) for this decision in writing to the complainant.
- d) If it is decided that the complaint does disclose sufficient grounds, the Admissions Officer shall investigate it, consulting all relevant parties.

² If the Admissions Officer is the object of a complaint, the Academic Registrar shall make arrangements for a senior officer from another part of the University to undertake the Admissions Officer's role in relation to the complaint

- i) Once all the necessary information has been gathered, the Admissions Officer shall judge whether the complaint may be resolved at that point by conveying information gathered, or whether the matter needs to be considered at a higher level.
- ii) If it is judged that a resolution can be achieved, the Admissions Officer shall put the response in writing to the complainant. This will include a summary of the reasons for the decision.
- iii) If it is judged that the matter needs to be referred for consideration at a higher level, the Admissions Officer shall refer the matter to the Dean of Education of a Faculty other than the one to which the applicant has applied. The Dean shall act as Complaints Officer.

2 Investigation by the Complaints Officer

- a) The Complaints Officer shall be given administrative support by an administrative officer nominated by the Academic Registrar.
- b) The Complaints Officer shall investigate the complaint and may seek any further information that is deemed necessary to come to a decision.
- c) A record of all proceedings shall be maintained by the nominated administrative officer.
- d) The Complaints Officer shall determine the outcome of the complaint.
- e) The outcome may include:
 - (i) dismissal of the complaint or
 - (ii) finding the complaint justified
- f) If the outcome is (e ii) above, the Complaints Officer shall determine the University response.
- g) As soon as possible after completion of the investigation, the nominated administrative officer shall notify the complainant in writing of the outcome and consequential action, if any, to be taken. This will include a summary of the reasons for the decision.

D Appeals Procedure

1 Initial Investigation

- a) The Admissions Officer shall determine whether the appeal discloses a *prima facie* case on the specified grounds.
- b) If it is decided that it does not disclose a *prima facie* case, the Admissions Officer shall explain the reason(s) for this decision in writing to the appellant.
- c) If it is decided that the appeal does disclose a *prima facie* case on the specified grounds, the Admissions Officer shall investigate it, consulting all relevant parties.
 - i) Once all the necessary information has been gathered, the Admissions Officer shall judge whether the appeal may be resolved at that point by conveying information gathered, or whether the matter needs to be considered at a higher level.
 - ii) If it is judged that a resolution can be achieved, the Admissions Officer shall put the response in writing to the appellant.
 - iii) If it is judged that the matter needs to be referred for consideration at a higher level, the Admissions Officer shall refer the matter to the Dean of Undergraduate/Postgraduate Studies of a Faculty other than the one to which the applicant has applied. The Dean shall act as Appeals Officer.

2 Investigation by the Appeals Officer

- a) The Appeals Officer shall be given administrative support by an administrative officer nominated by the Academic Registrar.
- b) The Appeals Officer shall investigate the appeal and may seek any further information that is deemed necessary to come to a decision.
- c) A record of all proceedings shall be maintained by the nominated administrative officer.
- d) Exceptionally, and, where deemed appropriate by the Appeals Officer, the appellant and any other relevant parties may be invited to a hearing. Any person invited to attend a hearing by the Appeals Officer may be accompanied by a friend or representative. The nominated administrative officer shall provide the appellant, as soon as is reasonably practicable, with relevant case papers. The conduct of the hearing shall be for the Appeals Officer to decide.
- e) The Appeals Officer shall determine the outcome of the appeal.
- f) The outcome may include:
 - (i) dismissal of the appeal or
 - (ii) finding the appeal justified
- g) If the outcome is (f ii) above, the Appeals Officer shall determine the University response.
- h) As soon as possible after completion of the investigation, the nominated administrative officer shall notify the appellant in writing of the outcome and consequential action, if any, to be taken. This will include a summary of reasons for the decision.

E Application for Review of Outcome

- a) An application for review of the outcome of a complaint or appeal shall be admissible only on the ground of procedural irregularity on the part of the Admissions Officer or Complaints or Appeals Officer.
- b) A person wishing to apply for a review of the outcome of a complaint or appeal shall do so by application to the Academic Registrar within 14 days of notification of the outcome of the investigation: (lucy.backhurst@newcastle.ac.uk). The Academic Registrar may dismiss an application which does not provide a *prima facie* case on the specified ground.
- c) If the Academic Registrar, having reviewed the original complaint or appeal file and sought any evidence as appears to be necessary to reach a decision, considers there to be grounds for review, the matter shall be referred to the Pro-Vice-Chancellor (Education).
- d) The Pro-Vice-Chancellor shall determine the outcome of the review which shall be final. There shall be no further opportunities for review within the University.
- e) Consideration of an application for review of the outcome of a complaint or appeal will normally be determined within 30 calendar days from receipt of the request for review but circumstances may require a longer period. The complainant shall be informed of the reasons should a longer period of investigation be required.

Queries about this Policy

Any queries about the policy and procedures set out in this document should be directed to:

Undergraduate – ug-admissions@newcastle.ac.uk

Postgraduate – pg-admissions@newcastle.ac.uk

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