



Sheffield Hallam University
Appeals and Complaints Policy for Applicants

1.	Definitions	3
2.	General principles	3
3.	Feedback	3
4.	Appeals.....	3
4.1.	General Principles	3
4.2.	Outcomes	3
5.	Complaints.....	4
5.1.	General principles.....	4
5.2.	Outcomes	5
6.	The Process.....	5
6.1.	Stage one:	5
6.2.	Stage two:.....	5
7.	Further information and Data Protection	6
7.1.	Further Information	6
7.2.	Data Protection	6

Appeals and Complaints Policy for Applicants

1. Definitions

- 1.1. An **applicant** is defined as someone who has submitted an application for a specific course at the University and has yet to fully enrol on that course. This is regardless of any other status they may hold within the University in relation to other courses.
- 1.2. In the context of this policy, **feedback** is defined as - communication by the University to an applicant, on request from the applicant, who has been unsuccessful in gaining an offer of a place.
- 1.3. In the context of this policy, a **complaint** is defined as - an expression of dissatisfaction about the way in which an application has been handled such as a procedural error, irregularity or maladministration in the admissions procedures or policies.
- 1.4. In the context of this policy, an **appeal** is defined as - a request for a formal review of the outcome of an admissions decision or the wording, terms or conditions of an offer.
- 1.5. In the context of this policy the Co-Director Student Recruitment, Access and Admissions or other roles may be substituted for an alternative suitable member of staff, should the individual be unavailable.

2. General principles

- 2.1. This policy relates to the appeals and complaints of applicants in relation to the outcome of a decision concerning their application to a course delivered by Sheffield Hallam University, fee status query or outcome from a criminal conviction declaration, suitability assessment or other relevant entry requirement.
- 2.2. This policy applies equally to all applicants irrespective of age, disability, gender reassignment, pregnancy or maternity, race, ethnic origin or national identity, religion or belief, sex or sexual orientation.
- 2.3. This policy is not applicable to complaints about issues over which the University has no control, such as but not limited to the length of time a DBS or Medical questionnaire takes to be processed by a third party.
- 2.4. Complaints relating to the activities of external bodies which have an interest or role in the University's admissions process, for example the Universities and Colleges Admissions Service (UCAS), research councils and sponsoring bodies, cannot be investigated by the University and must be submitted to the relevant body directly.
- 2.5. At Sheffield Hallam University we are committed to the provision of high quality, fair and transparent admissions procedures for all our applicants. We recognise, however, that there may be occasions when applicants will wish to ask why their application has been rejected or believe that they have cause for complaint.
- 2.6. Applicants are advised that there is no right of appeal against the academic or professional judgement of those making the decision on an application. However, should an applicant feel that they wish to make a complaint in relation to their application; a review of the outcome would form part of this process.
- 2.7. Should an appeal or complaint be upheld, and the outcome reviewed, the University may not be able to guarantee admissions in the academic session initially requested; in such circumstances, admission at an alternative point of entry or year may be offered at the University.

3. Feedback

- 3.1. We aim to provide the majority of unsuccessful applications with feedback at the point of decision making via UCAS or email, as appropriate.

4. Appeals

4.1. General Principles

- 4.1.1. The University will not normally alter a rejection decision should an applicant's actual performance be greater than was predicted or demonstrated at the time of their application.
- 4.1.2. Should a rejected applicant consider that either:
 - i. The University has not adhered to its own policies or procedures or is in breach of any national policies or relevant legal requirements: **OR**
 - ii. There is evidence of bias or prejudice against the applicant

Then they are eligible to make an appeal citing the specific policy/procedure or providing evidence in relation to the perceived bias or prejudice which has been shown.

4.2. Outcomes

- 4.2.1. Should the review establish that a decision to reject was made in breach of any University policy or procedure or of any national policies or relevant legal requirements or if there is evidence of bias or prejudice against the applicant the application would be reconsidered.
- 4.2.2. Should the reconsideration result in a decision to admit the application, subject to any conditions being met, but at such a time in the cycle that the original entry point is not possible, an alternative entry point or year will be offered.

- 4.2.3. Should the review determine that the original decision be upheld, the applicant will be informed accordingly with a statement as to why the appeal has been rejected.

5. Complaints

5.1. General principles

- 5.1.1. Applicants are advised that there is no right of appeal against the academic or professional judgement of those making the decision on an application. Because of the level of competition for places, there will inevitably be occasions when an applicant disagrees with a selection decision.
- 5.1.2. Providing that the decision can be shown to have been reached fairly and in accordance with the published selection criteria, the original decision will not be overturned.
- 5.1.3. Should an applicant believe that University and/or academic admissions principles and procedures have been inconsistently or incorrectly applied, these complaints procedures provide a mechanism for objective review for both undergraduate and postgraduate (taught and research based) applicants.
- 5.1.4. Complaints may be made by individual applicants; they may not be made by a representative, a parent, a school or any other third party unless defined as a nominated representative of the applicant.
- 5.1.5. This policy and associated procedure sets out how applicants may seek to have complaints addressed. It should be recognised that the vast majority of applicant complaints can be handled fairly, amicably, and to the satisfaction of all concerned without recourse to the formal complaints procedure.
- 5.1.6. In the first instance, applicants with a complaint should raise it informally with the Admissions.
- 5.1.7. Complaints raised with any other member of University staff will be forwarded on to Admissions to be dealt with under this policy.
- 5.1.8. If this course of action proves unsatisfactory, then the formal complaints procedure should be followed.
- 5.1.9. The University will seek to ensure that all complaints are treated seriously and constructively. It will also seek to ensure that complaints are dealt with promptly, with fairness and consistency and with due regard to the University's approach to Equality and Diversity.
- 5.1.10. If a complaint is upheld, the University will take such action or provide such remedy as may be appropriate and will do so promptly. If a complaint is not upheld, the reasons for the decision will be communicated to the applicant.
- 5.1.11. There will be no discrimination against any applicant who makes a complaint.
- 5.1.12. Applicants lodging a complaint and those, against whom complaints are made, may expect complaints to be dealt with confidentially and with respect for their privacy.
- 5.1.13. However, it may be necessary to disclose information to others in order to deal with the complaint and in these circumstances the parties concerned will be informed of such disclosure.
- 5.1.14. Applicants may be asked to provide further information that the University deems appropriate to the nature of the complaint and to assist in the review. Failure to provide such information requested may result in the review not being completed.
- 5.1.15. Anonymous and group complaints are not accepted.
- 5.1.16. The Applicant Appeals and Complaints Policy provides an informal and formal route for addressing individual issues; the formal route should only be implemented once the informal process has been exhausted.
- 5.1.17. Any correspondence with the complainant will make it clear which stage of the Appeals and Complaints Procedure is being applied.
- 5.1.18. The Head of Admissions will monitor formal complaints on an annual basis, and will be responsible for implementing, or recommending to the appropriate authority, changes to systems or procedures suggested by the nature and pattern of the complaints received.
- 5.1.19. Such records will contain:
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|------|-------------------------------------|------|----------------------|
| i. | name (anonymised), | vi. | summary of complaint |
| ii. | age, | | |
| iii. | gender and | vii. | Summary of outcome. |
| iv. | ethnicity (if known) of complainant | | |
| v. | programme of study applied for | | |
- 5.1.20. The outcome of such monitoring may also inform other processes or activities such as arrangements for interview or standard correspondence with applicants.
- 5.1.21. The Applicant Appeals and Complaints Policy and procedures may be invoked by any individual who has submitted a formal application for any programme of study with Sheffield Hallam University.

5.1.22. Advice about the Appeals and Complaints Policy and Procedures may be obtained from Admissions.

5.2. Outcomes

5.2.1. The review of a complaint will result in either the complaint being rejected or upheld wholly or in part.

5.2.2. Should a complaint be rejected the applicant will be informed accordingly with a statement as to why the complaint has been rejected.

5.2.3. If the review determines that the complaint be upheld in whole or in part, an apology will be issued to the applicant. Should the findings suggest that change to procedures or policies are appropriate, this will be stated in any correspondence to the applicant.

6. The Process

6.1. Stage one:

6.1.1. Most complaints can be resolved satisfactorily on an informal basis as per section 5.1, where this has not been the case, or an applicant wishes to log an appeal the following will apply.

6.1.2. The applicant should submit their appeal/complaint to applicantappeals@shu.ac.uk Should the complaint be against the Head of Admissions their line manager or suitable alternate member of staff shall undertake the management of the complaint.

6.1.3. The applicant must identify where:

- i. The application has been processed incorrectly: **OR**
- ii. The decision making can be shown to be biased, prejudiced or in breach of legislative or mandatory guidance

6.1.4. Appeals/complaints submitted to any other member of University staff or processing partner, will be forwarded on to the Head of Admissions to be dealt with under this policy.

6.1.5. The appeal must be made within 14 days of the actions (or lack of actions) that prompted the appeal/complaint, appeals/complaints submitted after this will not be considered.

6.1.6. The Head of Admissions shall respond to the appeal/complaint normally within twenty-one working days of a complaint being made and shall retain a record of the correspondence and any action taken.

6.1.7. If it proves impossible to respond fully within twenty-one working days, the appellants/complainant shall be informed of the timescale for the receipt of a full response.

6.1.8. If the appeal/complaint is about non-selection, the Head of Admissions must satisfy themselves that the application was considered fairly and that the decision did comply with the appropriate selection policy and was unbiased/unprejudiced.

6.1.9. Provided that they are satisfied that this is the case, a response explaining the context of the decision (e.g., demand for places) and the appropriate selection policy that has been applied is acceptable at this stage.

6.1.10. The response should also draw the applicant's attention to Stage two (section 6.2), in case they wish to pursue the matter further.

6.1.11. Similarly, if the Head of Admissions is satisfied that the Education (Fees and Awards) (England) Regulations 2007 (as amended) have been correctly applied, a response explaining these regulations is acceptable at this stage.

6.1.12. For all other appeals/complaints, the Head of Admissions must state the precise reasons.

6.2. Stage two:

6.2.1. If the applicant is dissatisfied with the response they receive from the Head of Admissions, they should submit, within ten working days of receiving the response, a written complaint to the Director of Student Recruitment and Admissions. Appeals/complaints submitted after this will not be considered.

6.2.2. Formal appeals/complaints raised with any other member of University staff will be forwarded on to the Director of Student Recruitment, Access, and Admissions to be dealt with under this policy.

6.2.2. The written complaint should set out briefly:

- i. the nature of the complaint/appeal; the informal steps already taken;
- ii. details of the response received;
- iii. a statement as to why the applicant remains dissatisfied
- iv. Without prejudice to any formal remedy which might be determined, the remedy which they are seeking.

6.2.3. A Director of Student Recruitment, Access, and Admissions shall acknowledge in writing receipt of a Stage Two appeal/complaint within five working days.

- 6.2.4. The Director of Student Recruitment, Access, and Admissions, in conjunction with the relevant University staff, will investigate the complaint. A copy of the investigation will be submitted to the appellant/complainant to confirm the details, who will be given five days in which to respond to any inaccuracies. The Director of Student Recruitment and Admissions, will then convene an appropriate panel to review the detailed investigation
- 6.2.5. Once an outcome has been achieved the Director of Student Recruitment, Access, and Admissions will then submit a written response to the appellant/complainant, normally within ten working days of the receipt of the appeal/complaint.
- 6.2.6. If it should prove impossible to respond fully within twenty-five working days, the applicant shall be informed in writing of the timescale for the receipt of a full response.
- 6.2.7. In the event of any concern that the applicant has been unfairly treated, the Head of Admissions will take the matter up with the relevant members of staff.
- 6.2.8. The Director of Student Recruitment, Access, and Admissions' decision following completion of this process will be considered as final.

7. Further information and Data Protection

7.1. Further Information

- 7.1.1. Further information about or clarification of these procedures is available by email via applicantappeals@shu.ac.uk

7.2. Data Protection

- 7.2.1. The information will be stored and processed in accordance with the University's registration under the Data Protection Act (1998).
- 7.2.2. The Head of Admissions will monitor formal complaints on an annual basis, and will be responsible for implementing, or recommending to the appropriate authority, changes to systems or procedures suggested by the nature and pattern of the complaints received.
- 7.2.3. Such records will contain:

<ul style="list-style-type: none"> i. name (anonymised), ii. age, iii. gender and iv. ethnicity (if known) of complainant 	<ul style="list-style-type: none"> v. programme of study applied for vi. summary of complaint vii. Summary of outcome.
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- 7.2.4. The outcome of such monitoring may also inform other processes or activities such as arrangements for interview or standard correspondence with applicants.
- 7.2.5. The personalised record of the complaint/appeal and any supporting papers will be destroyed one calendar year following resolution of the case. Aggregated and anonymised data will be reported on an annual basis to the appropriate University committees.