

Applicant Complaints and Appeals Policy

1. Introduction

- 1.1 Oak Hill College is committed to the provision of fair, transparent and professional practices in the admission of students. We recognise, however, that there may be occasions when an applicant feels dissatisfied with the conduct of our admissions process or with its outcome.
- 1.2 The policy below explains how an applicant may complain about any aspect of the admissions process or appeal a decision made on their application.
- 1.3 The College has developed this policy in accordance with the QAA Quality Code for Higher Education (Chapter B2: Recruitment, Selection and Admission to Higher Education and Chapter B9: Academic Appeals and Student Complaints) and the SPA Good Practice Statement: Applicant Complaints and Appeals. A related policy is the College's Admissions Policy which is available on the Oak Hill College website.
- 1.4 There is a separate complaints and appeals policy for current Oak Hill College students.

2. Definitions

- 2.1 For the purposes of this policy, the following definitions are used.
- 2.2 An **applicant** is any person who has submitted an application form to study at the College on a full or part time programme or as a Flexible Learner and who has not yet started their programme or module.
- 2.3 A **complaint** is a specific concern related to a procedural error, irregularity or maladministration in the College's admissions process. For example, an applicant may feel that they have not been treated courteously by a staff member, that they were given misleading information, or that there has been an unacceptable delay in the handling of their application.
- 2.4 An **appeal** is a request for a formal review of an admissions decision or the wording, terms or conditions of an offer. For example, an applicant may wish to appeal the College's decision to reject their application. An applicant who feels that the wrong decision was made on their application should submit an appeal and not a complaint if they would like the decision to be reviewed.
- 2.5 The policy concerns the **admissions process** only. The admissions process is defined as procedures and decisions relating to the selection of candidates for entry to the College.

3. General Principles

- 3.1 Most issues can be resolved informally without an applicant having to submit a formal complaint or appeal. We therefore encourage applicants to contact the Admissions Office promptly if they wish to discuss the reason for a particular decision or query any aspect of the handling of their application.
- 3.2 The College will ensure that complaints and appeals are treated seriously and handled in a way that is fair, efficient and sensitive to the concerns of applicants.
- 3.3 Complaints and appeals will be investigated with due regard to the confidentiality of all parties. It may be necessary to disclose information to other staff in order to investigate a complaint or appeal; in such circumstances, the parties concerned will be informed of such disclosure. 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.
- 3.4 Submission of a complaint or appeal will not prejudice the College's opinion of the applicant or be used to adversely affect any later dealings the College has with the applicant (including any new applications made in future years, or any interactions with them as a student, should they subsequently enrol).
- 3.5 Complaints and appeals submitted by third parties without the explicit written permission of the applicant will not be considered. We must have written permission from the applicant to discuss their application with a third party.
- 3.6 Anonymous complaints will not be considered under this procedure.
- 3.7 While complaints and appeals are investigated using a common procedure set out below, the applicant must specify whether they are submitting a complaint or an appeal.
- 3.8 Grounds for a complaint may include (but are not limited to):
 - A procedural irregularity in the conduct of the admissions process;
 - Concern regarding a member of staff's behaviour during the admissions process;
 - The information provided by the College.
- 3.9 Appeals may be made on one or more of the following grounds:
 - An application was not appropriately considered in accordance with the College's Admissions Policy and other published procedures;
 - The College did not take account of all the information provided in the application;
 - There is substantial new information which may have affected the decision and which was not available at the time the original decision was made. Please note that while the College will not consider new information about an applicant's qualifications or circumstances if this should have been made available as part of the original application, new information may be accepted in cases where there has been a misinterpretation of the information contained within the original application or where medical or other mitigating circumstances can be shown to have affected the quality or completeness of the original application.
- 3.10 A complaint or appeal may not be based on:
 - Failure on the applicant's part to complete their application form in full, including providing details of all qualifications achieved;

- An applicant's disagreement with or failure to fulfil the College's standard entry requirements (such as English language requirements) or standard offer conditions (such as submitting a satisfactory Financial Assurances Form);
- Disputing the academic judgment¹ of College staff regarding the applicant's suitability for entry to a particular programme;
- Feedback from a third party, such as a referee;
- The College's judgment on any activity carried out by an applicant in their work or social life deemed to be inappropriate by the College. This includes but is not limited to: bringing the College into disrepute or conduct/criminal convictions which breach legal regulations.

3.11 If a complaint or appeal is upheld, the College will take appropriate action to correct errors within a timely period.

3.12 The College ensures that staff working in recruitment, selection and admissions roles are familiar with this policy and their responsibilities under it.

4. Procedure

4.1 The College operates a two-stage process for applicant complaints and appeals. Where possible, we prefer to resolve complaints and appeals informally in the first instance.

Stage 1 – Informal Feedback

4.2 An applicant who is unhappy with an admissions decision or with the way their application has been handled is encouraged to initially raise the matter with the Admissions Office via admissions@oakhill.ac.uk. This gives the Admissions Office the opportunity to, as appropriate, provide feedback, explain procedures or allay concerns and agree a satisfactory resolution with the applicant. The Admissions Office will respond to a request for informal feedback within 5 working days of receipt of the email.

4.3 If this informal stage does not resolve the matter and the applicant remains dissatisfied, the applicant may then follow the formal complaints or appeals procedure (Stage 2).

Stage 2 – Formal Complaint or Appeal

4.4 Where informal resolution is not reached or where Stage 1 is not suitable due to the complexity or seriousness of the complaint/appeal, a formal complaint or appeal should be submitted to the Director of Operations and Finance using the Applicant Complaints and Appeals Form (which can be found at the end of this document). The Director of Operations and Finance will have had no prior decision-making role in the case and will therefore review all cases impartially.

¹ The Office of the Independent Adjudicator for Higher Education (OIA) defines academic judgment as "a judgment that is made about a matter where only the opinion of an academic expert is sufficient. A decision about assessment, a degree classification, fitness to practice, research methodology or course content or outcomes will normally involve academic judgment. The following areas do not involve academic judgment: decisions about the fairness of procedures, whether they have been correctly interpreted, how a provider has communicated with a student . . . [and] whether there is evidence of bias or maladministration."

- 4.5 Complaints/appeals should be submitted within 28 working days of the issue which is being complained about or the last date of College communication about the issue, whichever is later. The following information should be included with the submission:
- The nature of, and reasons for, the complaint/appeal, giving as much detail as possible;
 - Any steps the applicant has already taken to resolve the matter;
 - Details of any response the applicant has received to date and a statement as to why the response is unsatisfactory;
 - An indication of the outcome being sought.
- 4.6 The Director of Operations and Finance will acknowledge receipt of the complaint/appeal within 5 working days.
- 4.7 The Director of Operations and Finance will lead an investigation to determine the merits of the complaint/appeal, with input from the Admissions Office or other parts of the College as appropriate. As part of the investigation, the Director of Operations and Finance may request additional information from the applicant.
- 4.8 A response will be provided in writing within 15 working days of receipt of the Applicant Complaints and Appeals Form. If, for any reason, it should prove impossible to review the case and respond fully within 15 working days, the Director of Operations and Finance will write to inform the applicant of the progress being made in consideration of the complaint/appeal and timescale for a full response.
- 4.9 The possible outcomes of the investigation are:
- The Director of Operations and Finance may uphold the complaint/appeal and take appropriate action to correct errors and/or provide appropriate redress.
 - The Director of Operations and Finance may reject the complaint/appeal and will communicate the reasons for this decision.
- 4.10 Reasonable action resulting from a complaint which is upheld could, for example, include an apology or an undertaking to revise procedures.
- 4.11 Reasonable action resulting from an appeal which is upheld would be a reconsideration of the application. This reconsideration may entail the applicant being asked to produce written work such as an essay. In such circumstances, the College may not be able to guarantee admission in the academic year the applicant initially applied for.
- 4.12 The decision reached by the Director of Operations and Finance is final and there is no further right of appeal.
- 4.13 As the remit of the Office of the Independent Adjudicator for Higher Education (OIA) does not apply to applicants, there is no recourse to the OIA following this process. However, an applicant who is not satisfied after exhausting the College's processes may be able to take the matter to local authority Trading Standards Services or the Competition and Markets Authority.

5. Retention of Records

- 5.1 A record of an individual complaint or appeal will be retained by the Director of Operations and Finance for as long as a dispute may persist. The information will be stored and processed in accordance with the Data Protection Act 2018 and the College's Student Enquirers Privacy Notice.

- 5.2 The case file relating to an individual complaint or appeal will not form part of any subsequent student record.
- 5.3 The Director of Operations and Finance will be responsible for ensuring a case file is destroyed one calendar year following conclusion of the complaint or appeal.
- 5.4 The College will carry out an annual review of the number, type and outcomes of complaints and appeals to help improve the admissions process for future applicants. No personal data will be used in this analysis.

6. Contact Information

Informal feedback: Admissions Office
admissions@oakhill.ac.uk

Formal complaint or appeal: Director of Operations and Finance
Oak Hill College
Chase Side
London
N14 4PS
director-operations-finance@oakhill.ac.uk

Competition and Markets Authority: <https://www.gov.uk/government/organisations/competition-and-markets-authority>

Applicant Complaints and Appeals Form

This form is only for the submission of a formal complaint or appeal in accordance with Oak Hill College’s Applicant Complaints and Appeals Policy, which can be found in the ‘policies’ section of the college website. Please read this policy before submitting the form as we may be unable to consider an inappropriate or incomplete submission.

If you have any queries concerning the completion or submission of this form, please contact the Director of Operations and Finance at director-operations-finance@oakhill.ac.uk.

The form and any supporting documentation should be submitted to the Director of Operations and Finance at the following address: Director of Operations and Finance, Oak Hill College, Chase Side, London N14 4PS. Alternatively the form and any supporting documentation may be emailed to director-operations-finance@oakhill.ac.uk.

1. Personal details

This section is for the personal and contact details of the person making the complaint/appeal

Title:	First name:	Surname:
Address:		Postcode:
Mobile number:	Alternative phone number:	
Email address:	<i>Delete as appropriate: Home/work/other</i>	

2. Applicant information

*This section is for the details of the applicant concerned in the complaint/appeal. If the person submitting the complaint/appeal is not the same as the applicant, please note that we will be unable to process the case without written evidence of the applicant’s full consent. **The applicant will also need to sign this form.***

Title:	First name:	Surname:
Programme applied for:		Date of birth:
Stream applied for (if applicable):		Mode of study applied for:

Please select **one** of the following:

- I am the applicant concerned in this complaint/appeal
- I am not the applicant concerned in this complaint/appeal, but have enclosed their written consent

3. Complaint or appeal?

Please select **one** of the following, noting the definitions of a complaint and an appeal found in the Applicant Complaints and Appeals Policy:

I wish to make a formal **complaint**

I wish to make a formal **appeal**

4. Details of complaint/appeal

Please provide details of your complaint or appeal. You may continue on separate sheets if necessary.

5. Enclosures

Are you enclosing any additional documentation?

Yes / No

If **yes**, please list the documents attached.

6. Previous action

Have you already discussed the complaint or appeal informally with a member of College staff?

Yes / No

If **yes**, please provide details.

7. Desired resolution

If you have any specific resolution in mind, please indicate your desired outcome(s) below. Please note any expression of preferred outcome will not prejudice the College's consideration of your complaint or appeal.

8. Declaration

I confirm that the above details and any attached documentation is a true reflection of events to the best of my knowledge and that it does not contain any false or fraudulent information.

I agree to the investigating officer on behalf of Oak Hill College sharing details of this case, including information from my application, with other persons as part of any investigation and to retain a record of that investigation, in accordance with Oak Hill College's Applicant Complaints and Appeals Policy.

Applicant's signature: _____ Date: _____

Signature of person making the complaint/ appeal: _____ Date: _____
(if not the applicant)