



POLICY FOR COMPLAINING ABOUT THE MANNER IN WHICH AN APPLICATION WAS HANDLED AND / OR FOR APPEALING AGAINST THE OUTCOME OF AN APPLICATION FOR ALL COURSES OF STUDY AT UNION SCHOOL OF THEOLOGY

CONTENTS

- 1. DEFINITION OF COMPLAINT AND APPEAL**
- 2. PRINCIPLES OF POLICY**
- 3. ACCEPTABLE GROUNDS FOR COMPLAINT**
- 4. UNACCEPTABLE GROUNDS**
- 5. PROCEDURE: HOW TO MAKE A COMPLAINT**
- 6. PROCEDURE: HOW TO SEEK A REVIEW OF THE DECISION**
- 7. RESPONSIBILITIES, POLICY APPROVAL AND UPDATING**
- 8. POLICY COMMUNICATION**

1. DEFINITION OF COMPLAINT AND APPEAL

A complaint is an expression of dissatisfaction with either the service we have provided or the lack of a service. It must relate to services that you were led to believe would be provided.

An appeal is a request for a review of the decision to refuse your application and is usually referred to here as a review. However, such a review may not question the academic judgement of academic staff.

2. PRINCIPLES OF POLICY

2.1 We aim to respond to any enquiry or complaint confidentially, fairly and promptly and in accordance with UST's Diversity and Equal Opportunities Policies. Staff undertake to be courteous to the complainant, responding positively and, wherever possible, offering constructive solutions.

2.2 All complaints will be managed in a sensitive way and with due regard to data protection issues. Whilst it is understood that complainants may wish some evidence (e.g. a witness statement or medical evidence) to remain confidential, this may not always be possible without hampering a thorough investigation of the facts. In these circumstances, therefore, the School will discuss with the complainant the best way to approach the submission of evidence before releasing all or some of the evidence to the investigating officer or any others involved in the investigation.

2.3 Parties may also choose to be accompanied by or represented at any meetings by a supportive friend. This must be someone independent of the circumstances that gave rise to the meeting and therefore not be the person offering them pastoral support through the process.

2.4 A formal detailed record will be kept of all formal investigations, appeals or reviews by the UST Complaints and Appeals Officer. These will be kept for three years after a student graduates.

2.5 Informal complaints will be acknowledged within 7 calendar days and investigated, wherever possible within 14 calendar days of receiving all the relevant information and the Provost notified.

2.6 Formal written complaints should be recorded, acknowledged within 7 calendar days and investigated, wherever possible, within 30 calendar days of receiving all the relevant information, and the Provost notified. The complainant will be informed in the event of any unavoidable delay and its reason given, for example staff unavailability.

2.7 The processing of the formal complaint and any review should take no longer than 90 calendar days. This requires the student to meet any UST deadlines for the submission of material. If there are good reasons for extending the timeframe, the complainant will be notified of any delays and

regularly informed of progress and the complainant shall similarly notify the School.

2.8 All Complaints procedures should be available to all, monitored regularly, and reviewed and evaluated periodically.

2.9 Any person dissatisfied with UST services should be encouraged to make this known at the place and time of their dissatisfaction to the person directly involved.

2.10 The first person to be advised of the complaint should report the issue to the Complaints and Appeals Officer, and if appropriate, aim to resolve the difficulty, ensuring that the relevant UST policies and procedures are followed. If it is not appropriate for the member of staff to deal with the complaint, the Complaints and Appeals Officer should refer it as soon as possible to the appropriate person, usually a Programme Leader.

2.11 Complaints involving more than one issue may, in some cases, require the resolution of one complaint/appeal before dealing with another. This may necessitate having a discussion with the complainant regarding the best way to resolve the whole situation satisfactorily.

2.12 No-one will be disadvantaged by making a complaint.

2.13 The complainant will always be informed of the outcome of an investigation or appeal in writing and with reasons given for the decision which has been reached. The complainant will be informed at the same time of any further appeal processes which may still be available to them.

2.14 Any further appeal will be heard by someone who was not involved in the original investigation and will occur according to the timescales given. You will be informed in the event that there is going to be any unavoidable delay.

2.15 The complaint may be withdrawn without prejudice at any time during the process. (The School must be informed in writing. Any decision made by the School at the previous stage in the procedure will then be upheld and become the final outcome.)

2.16 The School reserves the right not to investigate any formal complaint, review or appeal which it considers to be frivolous or vexatious and which does not constitute acceptable grounds under 3.1.

2.17 All Complaints procedures should be available to all, monitored regularly, and reviewed and evaluated periodically.

3. ACCEPTABLE GROUNDS FOR COMPLAINT

3.1 For Making a Complaint about how your application was handled:

- a. the decision made contradicts the published entry criteria;
- b. there was discrimination on grounds of race, gender, religion, sexual orientation, disability, nationality, class or other non-academic grounds;
- c. there was an administrative error in the handling of the application;

3.2 **For Requesting a Review:** The only grounds for requesting a review of the decision to deny your application is if there were mitigating circumstances the School was unaware of.

4. UNACCEPTABLE GROUNDS

There is no right of appeal for applications where:

- a. the dispute concerns academic judgement;
- b. the dispute concerns a decision already accepted by the applicant;
- c. the request would contravene government regulations or any contract with external organisations, such as validating university;
- d. the application was for a previous academic year.

5. PROCEDURE: HOW TO MAKE A COMPLAINT

5.1 Informal Complaint

- a. If you should have a complaint about *the way your application was handled*, you should contact the UST admissions staff. In the first instance this will be dealt with informally by contacting and communicating with the relevant staff who dealt with the application. They will endeavour to deal with your concerns promptly, fairly and

impartially. You will be informed of the outcome as quickly as possible and we hope that you will feel that your concern has been addressed and resolved satisfactorily.

- b. However, you must respond within 4 weeks of the incident which gave rise to complaint or the date that you received the result of your application.

5.2 Formal Complaint

If you are still unhappy *about the way your application was handled*, or if you prefer, you may wish to make a formal complaint, within 7 calendar days of receiving our response to your informal complaint or within 4 weeks of the incident which gave rise to the complaint or the date that you received the result of your application. To make a complaint you must:

- a. Complete the *formal complaint about applications form*, which can be found as an appendix to this document and on the UST website: www.ust.ac.uk
- b. Please express your concerns clearly and succinctly and provide evidence to substantiate the issues raised wherever possible. Such evidence may include independent medical evidence, reports by professionals, financial information or witness statements.
- c. The completed and *signed* form, together with all your supporting evidence, should be given to the Complaints and Appeals Officer ann.cartwright@ust.ac.uk (paper or electronic copies are acceptable).
- d. All complaints will be managed in a confidential and sensitive way. Whilst it is understood that you may wish some evidence (e.g. a witness statement or medical evidence) to remain confidential, this may not always be possible without hampering a thorough investigation of the facts. In these circumstances therefore the School will discuss with the student the best way to approach the submission of evidence before releasing all or some of the evidence to the investigating officer or any others involved in the investigation.
- e. If a complaint involves more than one issue which do not fall neatly into one category of complaint/appeal, the School will discuss with you the best way to proceed in order to resolve all the issues as quickly and fairly

as possible. This may, in some cases, involve resolving one complaint/appeal before dealing with another.

- f. On receipt of the complaint by the Complaints and Appeals Officer, they will arrange a formal investigation. This would normally be led by the Programme Leader of the programme to which you were applying. Should your complaint be directly against him or her, then the complaint will be investigated by another Programme Leader. The formal investigation will take place, after which you will be informed in writing of the outcome and the reasons for the decision. We aim to respond within no longer than 4 weeks of receiving all relevant information.

6. PROCEDURE: HOW TO SEEK A REVIEW OF THE DECISION

6.1 Informal Appeal

If you feel the UST did not take into account certain mitigating circumstances of which it was unaware when dealing with your application, you may wish to *seek a review of the decision to refuse your admissions' application*. In the first instance this will be dealt with informally by contacting and communicating with the relevant academic staff who will endeavour to deal with your concerns promptly, fairly and impartially. You will be informed of the outcome as quickly as possible and we hope that you will feel that your concern has been addressed and resolved satisfactorily. However, you must respond within 4 weeks of the incident which gave rise to the complaint or the date that you received the result of your application.

6.2 Formal Review

- a. If you are still unhappy *about the decision to refuse your application*, or you prefer, you may wish to lodge a formal review. This must be done within 14 calendar days of receiving our response to any informal appeal you have made or within 4 weeks of the date that you received the result of your application.
- b. You will need to submit a signed and completed *Formal Review form* to the Recruitment and Training Administrator of the relevant

programme. This form is attached as an appendix to this document and it can also be found on the UST website: www.ust.ac.uk.

- c. Explain on the form how or why you feel your appeal for a review fulfils one of the above grounds. Disagreement with the outcome is not sufficient grounds for a review of the decision.
- d. Provide any additional supporting evidence with, where appropriate, an explanation of why this was not submitted with the original application. Without a reasonable explanation, further evidence will not be accepted.
- e. Following the receipt of the specific written complaint the Complaints and Review Officer will investigate and determine whether you have any valid grounds for a review. This will usually be done within 7 working days.
- f. Should there be proven grounds, The Complaints and Review Officer will arrange for a committee of academic and administrative staff to consider the review usually within 30 calendar days of agreeing that there is a valid case to answer.
- g. Minutes will be taken.
- h. You will be informed and given the reasons should there prove to be any unavoidable delay.
- i. You will be informed of the outcome of the review in writing, and with the reasons given and, at the same time, be informed of any further appeal process which may still be available to you.
- j. If the original decision is upheld you will be informed in writing of the outcome and the reasons for the decision, usually within 3 working days of the committee reaching their decision.
- k. If mitigating circumstances have been proven, undergraduate applicants may be invited for a second interview with a different member of academic staff.
- l. If mitigating circumstances have been proven, Postgraduate applicants may be required to submit a first or second document critique for assessment by a different member of academic staff. They may also be required to come for an interview with a member of the Postgraduate

team. An example of a mitigating circumstance might be personal health or family bereavement.

7. RESPONSIBILITIES, POLICY APPROVAL AND UPDATING

7.1 The Provost, Academic Dean, Programme Leaders and Admissions staff have overall responsibility for the admissions policy, including its approval and annual review.

7.2 The Programme Leaders and Admissions staff have responsibility for overseeing the admissions process.

7.3 This document, as well as all other policy, procedure and guidance documents relating to students studying at UST will be available to all, monitored regularly and reviewed and evaluated periodically.

8. POLICY COMMUNICATION

8.1 This document can be found in the full School 'Policy and Procedures' document which is located in the student area on the Union Cloud VLE and on the UST website: www.ust.ac.uk

8.2 Every effort will be made to respond to any request to provide this policy in a different format.

8.3 This policy will be included in staff induction.

FORMAL COMPLAINT ABOUT APPLICATIONS FORM

Name:		Address:	c Board January 2018 V1.1
Preferred email contact details:			
Do you have a disability or specific learning difficult you would like us to be aware of when considering your appeal?	Yes/No (circle). If yes, please give details of adjustments that will assist you.		
Course:		Level:	
Complaint relates to:	<input type="checkbox"/> Admissions <input type="checkbox"/> UST did not follow its own procedures properly <input type="checkbox"/> UST investigation was not conducted fairly <input type="checkbox"/> Conduct of a School staff member <input type="checkbox"/> Conduct of a School student <input type="checkbox"/> Other (please state)		
Informal Complaint: Have you raised the concerns informally in the first instance? If yes, please say who with and when:	Yes/No (circle) When and with whom (if applicable)		

<p>Have you also submitted any other complaint or appeal at the same time as this complaint?</p>	<p>Yes/No (circle) When and with whom (if applicable)</p>
<p>Brief outline of the complaint: Outline a factual statement of the circumstances of the complaint. Be specific, regarding Who? What? When? And Where?</p>	
<p>List any documents you are attaching to support your complaint e.g. medical or financial evidence, witness statement, etc.</p>	

<p>What are you looking for as an outcome (remedy)? (A requested remedy will be considered but cannot be guaranteed.)</p>			
<p>Do you have any suggestions for change so that this situation could be avoided in the future?</p>		<p>Yes please</p>	<p>No thanks</p>
<p>Do you have anyone to support you with this complaint? Please speak with your personal tutor or a friend/other staff member about this so that they can support you.</p>			
<p>Signed (Student)</p>		<p>Date:</p>	

NEXT STEP

1. Have you completed all sections of this form?

2. Have you included all supporting documents (if appropriate)?
3. Have you checked the UST '**Guidance on How to make a complaint/appeal**' document (above). This document tells you:
 - a. Which procedure will be used to judge your complaint
 - b. The permissible grounds for your complaint
 - c. Any time limits relevant to your complaint
4. You should pass this completed and signed form on to the Complaints and Appeals Officer – ann.cartwright@ust.ac.uk