

LAMDA

Admissions Appeals and
Complaints:
Policy and Procedures

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Admissions Appeals and Complaints Policy

1. General principles

LAMDA is committed to fairness and transparency, and we recognise that there will be occasions where an applicant may wish to lodge an appeal or complaint against the admissions process. This policy sets out the procedures by which an applicant may lodge a formal appeal or complaint against a decision regarding admission to a course.

Some issues may be able to be resolved via an informal query, and applicants are welcome to explore their concern informally with LAMDA admissions staff in the first instance. However, the following procedures are designed to be followed where an applicant wishes to pursue a formal appeal or complaint.

For informal queries about issues concerning an admissions decision, applicants should contact the Admissions team at admissions@lamda.ac.uk

The formal appeal and complaint procedure contains two stages:

- Formal stage
- Request for review stage

2. Discrimination: Declaration of intent

No applicant will be treated less favourably or with discrimination as a result of lodging an appeal or complaint under these procedures. However, where LAMDA deems that an appeal or complaint has been made in bad faith, or is frivolous or vexatious, we reserve the right to terminate consideration of the appeal or complaint immediately. Applicants will be informed in writing of the decision to terminate consideration of an appeal or complaint, including the reasons why.

3. Confidentiality and Data Protection

Any appeal and/or complaint received under these procedures will be treated confidentially, and only personnel requisite to the consideration and/or resolution of the complaint or appeal will be made party to it. Your personal information will be processed in accordance with the Data Protection Act 1998, and the General Data Protection Regulations (GDPR), and LAMDA's own policies on data protection and data processing. We will only share your data with third parties in accordance with our policy on data protection where the law either requires or allows us to do so or where we have your express consent. LAMDA's policy on data protection (LAMDA Privacy Notice) is available here <https://ww2.lamda.ac.uk/policies-procedures>.

4. Definitions

Appeals

An appeal is defined as a request for a formal review and reconsideration of an admissions decision, or the wording/terms/conditions of an offer. An appeal may relate to the following decisions within the application process:

- The decision to interview or audition
- The decision to make an offer
- The content of the offer
- The decision to reject on exam results.

Complaints

A complaint is defined as a specific concern related to a procedural error, irregularity or maladministration in the admissions procedures or policies.

5. Outcomes

It is important that we understand an applicant's desired outcome(s) of a complaint or appeal, and careful consideration will be given to the feasibility and propriety of these in the event of a successful complaint or appeal at either Stage 1 or Stage 2. However, where a Stage 1 or 2 complaint or appeal is upheld, the investigating officer/reviewer will determine the most appropriate outcome; this may not necessarily be the desired outcome expressed by the applicant.

After carrying out the review, and taking all relevant facts into consideration, the investigating officer/reviewer will determine whether to uphold the complaint or appeal. They will provide the applicant with a reasoned decision in writing for her/his findings, and where appropriate will offer a remedy and/or make recommendations in respect of changes to internal processes and procedures in response to your complaint.

Examples of outcomes of successful appeals or complaints are:

- A formal apology
- A fresh audition, without prejudice, either in the current round (if possible) or in a subsequent year, including moving a candidate to a later stage in the audition process
- A conditional offer of a place (subject to meeting any conditions within a specified timeframe before a place can be confirmed)
- Refund of the application fee (in exceptional circumstances)

The above list is not exhaustive; investigating officers and reviewers have the discretion to determine the most appropriate outcome(s) following consideration and/or review.

Applicants should be aware that where the offer of a place on a programme is made in the event of a successful appeal or complaint, this will be subject to LAMDA's requirements, offered at the next available opportunity and may not necessarily occur within the year pertaining to the application. However, there may be occasions where an appeal or a complaint is upheld, but LAMDA is nevertheless not satisfied that the applicant is suitable for admission to the programme.

In the event of a complaint or appeal being upheld but where LAMDA is still not satisfied that an applicant is suitable to be admitted to the programme, other appropriate resolutions will be sought, which may in exceptional circumstances include refund of the application/audition fee where it is deemed appropriate by LAMDA to do so. The reasons why the applicant is not considered suitable will be communicated in the Stage 2 Outcome letter.

6. Timescales

A Stage 1 admissions complaint or appeal should be lodged normally within 28 days of either the admissions decision or of the incident occurring. Complaints or appeals received outside of this timeframe will not normally be accepted, and will only be considered in exceptional circumstances (eg where an applicant can demonstrate to the satisfaction of LAMDA that there are valid reasons why they were unable to meet the normal timescale for submitting an appeal or complaint), at the discretion of the Head of Student and Academic Services.

A Stage 1 outcome letter will be sent to the applicant, normally within 28 days of the date of receipt of the Stage 1 complaint/appeal.

A Stage 2 Request for Review should normally be lodged within 14 days of the date of the Stage 1 outcome letter.

A Stage 2 outcome letter will be sent, normally within 21 days of receipt of the Stage 2 complaint/appeal.

Whilst LAMDA will endeavour to ensure that the above timescales are adhered to for responding, there may be occasions where the investigation of a complaint or consideration of an appeal prevent the timescale from being met, including requiring further information from the applicant. In this instance, the applicant will be kept updated as to the status of their appeal or complaint as necessary.

7. Eligibility

An admissions complaint or appeal should normally be made by the applicant. Complaints made on behalf of the applicant by parents, representatives, school or another third party will only be considered in exceptional circumstances where there are clear and valid reasons for doing so (eg as a reasonable adjustment in the event of a disabled applicant, or where the applicant is a minor), and where express permission has been granted in writing by the applicant.

Applicants who wish to make a complaint or an appeal pertaining to a decision to withdraw or amend a provisional offer of a place to study following a review of any relevant criminal convictions, should use this procedure.

Applicants are strongly encouraged to discuss the matter with peers, parents, advisors, teachers or tutors for support and guidance before deciding to lodge an appeal or complaint.

Admissions complaints or appeals which are materially incomplete or submitted beyond the respective deadlines for Stage 1 or Stage 2 will not normally be considered.

Admissions complaints that are made anonymously under this complaints procedure will not normally be considered under any circumstances.

The following complaints would not be considered eligible for consideration:

- Complaints which do not meet either of the grounds stated in either Stage 1 or Stage 2 of this admissions procedure.
- Complaints against an advertised audition/interview process.
- Complaints which are frivolous or vexatious, or made in bad faith
- Complaints made against an admissions decision that are based on the academic judgement of LAMDA staff about an applicant's suitability for entry to a particular programme of study

Examples of frivolous or vexatious complaints include the following:

- (a) complaints which are obsessive, harassing, or repetitive;
- (b) complaints where a complainant insists on pursuing complaints already deemed by LAMDA to be non-meritorious;
- (c) complaints where a complainant seeks, or persists in seeking, unrealistic and/or unreasonable outcomes;
- (d) pursuing what may be meritorious complaints in an unreasonable manner, including unacceptable, harassing, malicious or offensive communications;

(e) complaints which are intended to cause offence, disruption or annoyance;

(f) unreasonable demands for redress.

The following would not be considered eligible grounds of appeal:

- An appeal made on grounds other than the grounds stated in either Stage 1 or Stage 2 of this admissions procedure
- An appeal made due to failure on the applicant's part to fulfil academic or non-academic requirements for admission
- An appeal made purely on the basis of disagreement with the admissions decision
- An appeal based on challenges to the judgement of selectors in relation to the academic and/or non-academic section criteria for its programmes

8. External Advice

Once an admissions appeal or complaint has exhausted Stage 2 of the procedure, there are no further internal mechanisms for an admissions appeal or complaint to be considered. Applicants are advised that the remit of the Office of the Independent Adjudicator for Higher Education (the ombudsman for student complaints) does not include admissions. However, should you wish to take your complaint further you are advised to consult your local Citizens Advice Bureau for advice on the legal avenues open to you, or the Competition and Markets Authority.

Revised: Oct 2019

Admissions Appeals and Complaints Procedures

1. Informal Stage

Some issues may be able to be resolved amicably via an informal query, and applicants are welcome to explore their concern informally with LAMDA Admissions before deciding to proceed with a formal appeal or complaint. Please contact admissions@lamda.ac.uk

2. Admissions complaints and appeals procedure – Stage 1

Submitting a Stage 1 admissions complaint or appeal

Applicants can lodge a Stage 1 admissions complaint or appeal by completing the Admissions Appeal/Complaint Form, and submitting it within 28 calendar days of either the admissions decision or of the relevant incident occurring, to the Admissions & Student Services Manager at LAMDA Amy.Richardson@lamda.ac.uk

Complaints and appeals against an admissions decision relating to relevant criminal convictions

The following grounds of complaint and appeal may also be used by applicants who have received a provisional offer of a place, which has been subsequently withdrawn following a review of any relevant criminal conviction(s).

Grounds of Complaint

| Stage 1 | Grounds under which a Stage 1 complaint may be made |
|---------|--|
| a) | That there is evidence of significant administrative or procedural error in the admissions process |
| b) | That there is evidence of prejudice or bias in the selections process |

Grounds of Appeal

| Stage 1 | Grounds under which a Stage 1 appeal may be made |
|---------|--|
| a) | That there is evidence of significant administrative or procedural error in the admissions process |
| b) | That there is evidence of prejudice or bias in the selections process |
| c) | That there is additional relevant information which was for valid reasons unable to be included in the original application, and which warrants further consideration of the application |

The Admissions & Student Services Manager (or nominee) will consider and investigate the complaint or appeal. They will determine the most appropriate individual to carry

this out, depending on the individual circumstances of the case, and to avoid any possible conflicts of interest.

A Stage 1 outcome letter will be sent, normally within 28 days of the date of receipt of the Stage 1 complaint/appeal.

3. **Admissions complaints and appeals procedure - Stage 2: Request for Review**

Submitting a Stage 2 admissions complaint or appeal – Request for Review

If an applicant is dissatisfied with the outcome of the admissions complaint or appeal, they may lodge a request for a review lodged within 14 calendar days of the date of the Stage 1 outcome letter, under any or all of the following grounds:

| Stage 2 | Grounds under which a Stage 2 appeal or complaint may be made |
|----------------|---|
| a) | That there is evidence of significant administrative or procedural error in the processing of the Stage 1 complaint or appeal |
| b) | That there is evidence of prejudice or bias in the handling of the first Stage 1 complaint or appeal process |
| c) | That there is additional relevant information which was for valid reasons unable to be included in the original application, and that sufficient evidence remains that the initial decision on the application warrants reconsideration |

Applicants can lodge a Stage 2 admissions complaint or appeal by submitting the following:

- a freshly completed Admissions Appeal/Complaint Form, clearly marked as Stage 2
- the original Stage 1 Admissions Appeal/Complaint form
- the Stage 1 Outcome letter

The above should be submitted to the Head of Student and Academic Services at LAMDA ian.warren@lamda.ac.uk

A Stage 2 Admissions Appeal/Complaint will be reviewed by the Responsible Officer. The Responsible Officer will be senior to the original investigating officer and wholly independent to the case.

Incomplete or late submissions will not be considered unless there are exceptional circumstances.

The Stage 2 Responsible Officer will review the full submission. A Stage 2 outcome letter will be sent, normally within 21 days of receipt of the Stage 2 complaint/appeal.

Revised: November 2020

Admissions Appeal / Complaint Form

Please complete this form either electronically or, if handwriting, please complete in block capitals:

| 1. Applicant Details | |
|---------------------------------|--|
| Surname: | |
| First name: | |
| Contact address: | |
| Contact e-mail(s): | |
| Contact telephone number: | |
| Date of Birth: | |
| Course applied for (inc dates): | |
| Applicant ID: | |

| 2. Important information and guidance |
|---|
| <p>You are advised to read through the Admissions Appeal and Complaints Policy and Procedure before making a submission, as it contains important information about how your complaint/appeal will be handled, and the relevant timeframes.</p> <p>These procedures have two stages, and you should clearly indicate on this form which stage you are lodging your admissions complaint or appeal.</p> <p>To make a Stage 1 admissions appeal or complaint, you must submit:</p> <ul style="list-style-type: none">• A completed Admissions Appeal/Complaint Form• Any supporting evidence (this should be listed in Section 5 of the form) <p>To make a Stage 2 admissions appeal or complaint, you must submit:</p> <ul style="list-style-type: none">• a freshly completed Admissions Appeal/Complaint Form• the original Stage 1 Admissions Appeal/Complaint form, together with any supporting evidence which was submitted for consideration with the Stage 1 submission• the Stage 1 Outcome letter• Any other new evidence which you wish to have considered as part of your Stage 2 admissions appeal/complaint <p>Please complete all the requested information. Please note that incomplete or late submissions will not be considered unless there are exceptional circumstances.</p> |

Please indicate whether you are lodging a Stage 1 or Stage 2 complaint or an appeal, and the respective grounds, by completing the relevant boxes below:

| 3. Stage 1 Complaint | | |
|---|---|-------------------------------------|
| I am lodging a Stage 1 Complaint | On the following grounds: | Please tick all grounds that apply: |
| | a) That there is evidence of significant administrative or procedural error in the admissions process | |
| | b) That there is evidence of prejudice or bias in the selections process | |

| 4. Stage 1 Appeal | | |
|--------------------------------------|---|-------------------------------------|
| I am lodging a Stage 1 Appeal | On the following grounds: | Please tick all grounds that apply: |
| | a) That there is evidence of significant administrative or procedural error in the admissions process | |
| | b) That there is evidence of prejudice or bias in the selections process | |
| | c) That there is additional relevant information which was for valid reasons unable to be included in the original application, and which warrants further consideration of the application | |

| 5. Stage 2 Complaint or Appeal | | Please tick all grounds that apply: |
|---|--|-------------------------------------|
| I am lodging a Stage 2 Complaint | a) That there is evidence of significant administrative or procedural error in the processing of the Stage 1 complaint or appeal | |
| I am lodging a Stage 2 Appeal | b) That there is evidence of prejudice or bias in the handling of the first Stage 1 complaint or appeal process | |
| | c) that there is new evidence which the applicant was unable to provide as part of the first Stage 1 complaint or appeal, and that sufficient evidence remains that the initial decision on the application warrants reconsideration | |

| | |
|--|--|
| Date Stage 1 complaint / appeal was lodged: | |
| Date of Stage 1 complaint / appeal Outcome Letter: | |
| Stage 1 Outcome (Upheld/Not upheld): | |

List all documentation enclosed with your submission (there is no minimum or maximum limit)

| 6. Documentation (add more rows as required) | | | |
|---|-------------|------------------------------|------------|
| No. | Description | | |
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| Date of incident: | __/__/____ | Date of admissions decision: | __/__/____ |

Statement of complaint / appeal:

(Please write a statement describing the issue(s) of complaint/appeal. Your statement should include:

- an explanation of how you believe you meet the respective ground(s) under which you are making your complaint/appeal
- any steps that have already been taken to resolve the matter
- details of any responses you have received
- a statement of why you feel the response(s) is/are unsatisfactory

Desired outcome(s):

(Please specify your desired outcomes or resolutions to your complaint/appeal)

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 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 LAMDA Admissions Complaints and Appeals Procedure.

Signature:

Date of submission: