

## **Higher Education Award Regulations: Part B**

**Section:** 14: Admission Appeals Procedure

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## APPROVAL

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## B14.1 INTRODUCTION

This procedure applies to applications made by prospective students in respect of full and part time higher education programmes at Blackpool and The Fylde College. It establishes the framework to be followed where applicants wish to appeal an admission decision.

Blackpool and The Fylde College is committed to delivering a fair, inclusive, transparent and professional admissions service for all applicants at all points of the application process, there may however be times when applicants may feel that an admissions decision has been unfair; this procedure describes the process that should be followed in such instances.

Admission to Blackpool and The Fylde College HE programmes is solely its own responsibility. There is therefore no further right of appeal beyond this procedure when the applicant is applying to a programme awarded by another awarding body. Please also note that the Office of the Independent Adjudicator (OIA) do not consider appeals about admissions.

### B14.1.1 DEFINITION

An admission appeal is defined as a challenge to an admissions decision. This may be a decision to reject your application or on the conditions of an applicant's offer.

An admission appeal is not:

- A complaint, if an applicant wishes to raise a complaint, they must follow the procedure set out in the Compliments, Complaints and Feedback Procedure. Further information can be found on the Blackpool and The Fylde College website at <https://www.blackpool.ac.uk/feedback>
- An academic appeal, the procedure for which can be found on the Blackpool and The Fylde College website at [www.blackpool.ac.uk/he-regulations](http://www.blackpool.ac.uk/he-regulations)

A formal admissions appeal may be lodged when:

- An applicant believes that they have received discriminatory treatment compared to other applicants for the same programme with the same entry requirements and/or
- The applicant believes that Blackpool and The Fylde College has not adhered to its own stated policy and/or procedures for the processing of applications and/or
- The applicants has mitigating circumstances information that was unavailable at the point of application

Formal admission appeals may not be based on:

- Failure to complete the application form correctly
- Failure to attend an audition, workshop or interview or provide a portfolio (electronically or in person)
- Knowingly providing false or fraudulent information at any point of the application process
- Failure to fulfil academic or non-academic entry requirements, for example, a school leaver not having the required entry requirements, not providing satisfactory DBS or medical clearance before starting a programme or not providing evidence of securing relevant employment or placement
- Failure to provide evidence of qualifications you have achieved within a reasonable timeframe as requested by Blackpool and The Fylde College
- Generally questioning the academic or professional judgement of the admissions selectors

#### B14.1.2 ADMISSION PRINCIPLES

Blackpool and The Fylde College always strives to ensure that:

- Applicants are to be treated with respect and fairness during all stages of the admissions process.
- Applicants are kept informed throughout the process and all decisions are clearly articulated in a transparent and timely manner.
- All applicants are provided with the correct support so that they can ultimately benefit from and be successful on their programme.
- The relevant regulations and legislation are complied with at all times.
- Lodging an admission appeal will not affect any future applications or decisions in relation to the applicant however there may be circumstances where the Appropriateness to Study Policy will take precedence.

#### B14.1.3 PROCESS

##### B14.1.3.1 GENERAL DATA PROTECTION REGULATION

Where an applicant believes an admissions decision is unfair, they may lodge a formal appeal.

If the appellant wishes for someone else to raise an admission appeal with Blackpool and The Fylde College on their behalf, Blackpool and The Fylde College has a legal obligation under the Data Protection Act 2018 with regard to sharing information with third parties. Consequently, Blackpool and The Fylde College will require written permission to share information with them.

Before permission is given to share information with others, the appellant must consider whether Blackpool and The Fylde College's response will include any sensitive information about them. The appellant is required to contact us in advance to tell us which sensitive information Blackpool and The Fylde College can and cannot share.

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#### B14.1.3.2 INITIAL REJECTIONS

All applicants whose applications are rejected will be provided with clear feedback on the reasons why this decision was made and where appropriate, be given advice and guidance on any other options that may be available.

If further clarification is required at this stage applicants should contact the Admissions Team [admissions@blackpool.ac.uk](mailto:admissions@blackpool.ac.uk) or 01253 504 322.

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#### B14.1.3.3 STAGE 1

Formal admission appeals must be made using the Blackpool and The Fylde College Admission Appeal Form clearly stating the nature of the issue, anything that has been done to resolve this issue so far, an indication of the outcome the appellant is seeking and supporting documents where appropriate.

Admission appeals should be sent to [admissions@blackpool.ac.uk](mailto:admissions@blackpool.ac.uk) within 10 working days of the initial rejection decision.

Stage 1 appeals will be reviewed by the HE Academic Registrar.

Blackpool and The Fylde College will send a written acknowledgement, either by letter or email, within 5 working days and aim to provide the appellant with a formal response within 10 working days. If Blackpool and The Fylde College is unable to do this the appellant will be kept informed of any progress.

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#### STAGE 1 OUTCOMES

Possible outcomes are:

- Uphold the admission appeal and take appropriate actions to correct the error
- Reject the admission appeal on one or more of the following grounds:
  - The admission appeal did not qualify under one of the reasons outlined in 14.1.1
  - The admission appeal was submitted after the deadline without good reason
  - No basis for supporting the admission appeal could be established based on the information available.

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#### B14.1.3.3 STAGE 2

Where the appellant remains dissatisfied with the Stage 1 outcome, they may choose to progress the admission appeal to Stage 2, the final stage of the Blackpool and The Fylde College Admission Appeals Procedure. This should be made in writing within 10 working days of the appellant receiving the Stage 1 response. Again the appellant should explain why the outcome of the Stage 1 process is not satisfactory and what the appellant would like Blackpool and The Fylde College to do next.

Correspondence for Stage 2 should be addressed to:

Director of Higher Education  
Blackpool and The Fylde College  
University Centre  
Park Road  
Blackpool  
FY1 4ES

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#### STAGE 2 PANEL MEMBERSHIP

To avoid any conflict of interest, members of any panel must not have been party to any preceding decision that may have initiated the appeal.

The Panel will consist of:

- Director of Higher Education (Chair) or nominee
- Assistant Academic Registrar or nominee
- Independent Head of Curriculum

In attendance:

- The Student Administration Manager (minutes)

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#### B14.1.3.4 STAGE 2 PANEL PROCESS

Applicants have a right to be accompanied at the panel; any person accompanying an applicant is present to support an applicant and as such should not contribute to the meeting unless at the behest of the applicant and only when invited to do so by the Chair. There is no right for an applicant to have legal representation at a panel.

The timing of the panel will be arranged to try to ensure the applicant can attend. If the applicant does not attend the panel, the panel may continue to consider the appeal in the applicant's absence. The panel may, if it wishes, adjourn the meeting if reasonable grounds for non-attendance have been provided (e.g., sickness absence).

The chair may at any point in the proceedings adjourn a panel meeting; such an adjournment would normally be for the purpose of seeking clarification on a particular issue so as not to disadvantage an applicant.

A short meeting will take place before the panel meeting with panel members and the Student Administration Manager only to familiarise members with the case. The applicant and academic colleagues will then be asked to join the meeting to present their case to the panel.

Once the panel has heard the evidence and asked any further questions of clarification, the applicant, academic anyone accompanying them will be asked to leave the meeting. The panel will then discuss the case. Once a decision has been reached, the applicant will be invited to re-join the meeting.

Normally, the applicant will be advised of the panel decision verbally by the Chair on the day.

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## STAGE 2 OUTCOMES

Possible outcomes are:

1. To uphold the admission appeal based upon the evidence presented and confirm the final admission decision
2. To dismiss the admission appeal