

## **Complaints and Appeals Policy & Procedure for Applicants**

### **Policy**

#### **1. Aim**

1.1 MCI is committed to providing a high quality and fair admissions procedure for all our applicants. We acknowledge, however, that there may be occasions when an applicant will feel dissatisfied with the conduct of the College's admissions process or its outcome.

1.2 To safeguard the interests of applicants, MCI has a Complaints and Appeals Procedure for Applicants. College seeks to ensure that all complaints and appeals submitted by applicants are investigated thoroughly, dealt with promptly and processed with due regard to the College's Equality and Diversity Policy. If a complaint or appeal is upheld, the College will take such action or provide such remedy as may be appropriate. If a complaint or appeal is not upheld, the reasons for the decision will be communicated to the applicant. Applicants will not be disadvantaged in any way because they have used the Complaints and Appeals Procedure.

#### **2. Definition**

2.1 What is an Appeal? An appeal is defined as a request for the review of a selection decision and/or the outcome of an application. The outcome of a successful appeal would be to reconsider the candidate's application with a view to either changing or upholding the original decision.

2.2 A complaint is a specific concern about the conduct of the College's admission process in relation to an individual application, with reference to the College's Admissions policy and the relevant course(s) admissions criteria. If upheld, the solution for the complaint could, for example, include an apology or a task to revise procedures.

#### **3. Who can use the Appeals and Complaints Procedure?**

3.1 The procedure applies to all applicants, whether submitting their application via UCAS, email, by post, directly to the College or as a request for an internal transfer within the College.

3.2 A complaint or appeal must be submitted by the applicant: the College will not consider any complaints or appeals which are submitted by 3rd parties nor anonymously.

3.3 Complaints relating to the activities of external bodies which have an interest or role in the College's admissions process, for example the Universities and Colleges Admissions Service (UCAS), cannot be investigated by the College and must be submitted to the relevant department.

#### **4. Grounds of appeal**

4.1 The procedure may be used only where there are sufficient grounds for doing so and may not be used simply because a candidate has been unsuccessful with his or her application.

4.2 When submitting complaints, the individual making the complaint must identify where the College's processing of their application has differed from the documented processes identified in the College's Admissions Policy, and/or the relevant School(s)' admissions criteria. A complaint may arise in relation to the initial consideration of an application or during later processing.

4.3 The appeals procedure provides for review of the outcome of the initial selection decision only where an applicant is able to submit new information which would have been factual to the initial decision-making process. Typically this would include concurrent, independent medical or other evidence to support a claim for mitigation. In submitting any documented evidence of mitigating circumstances, applicants should be able to demonstrate good cause as to why this information was not supplied in the initial application.

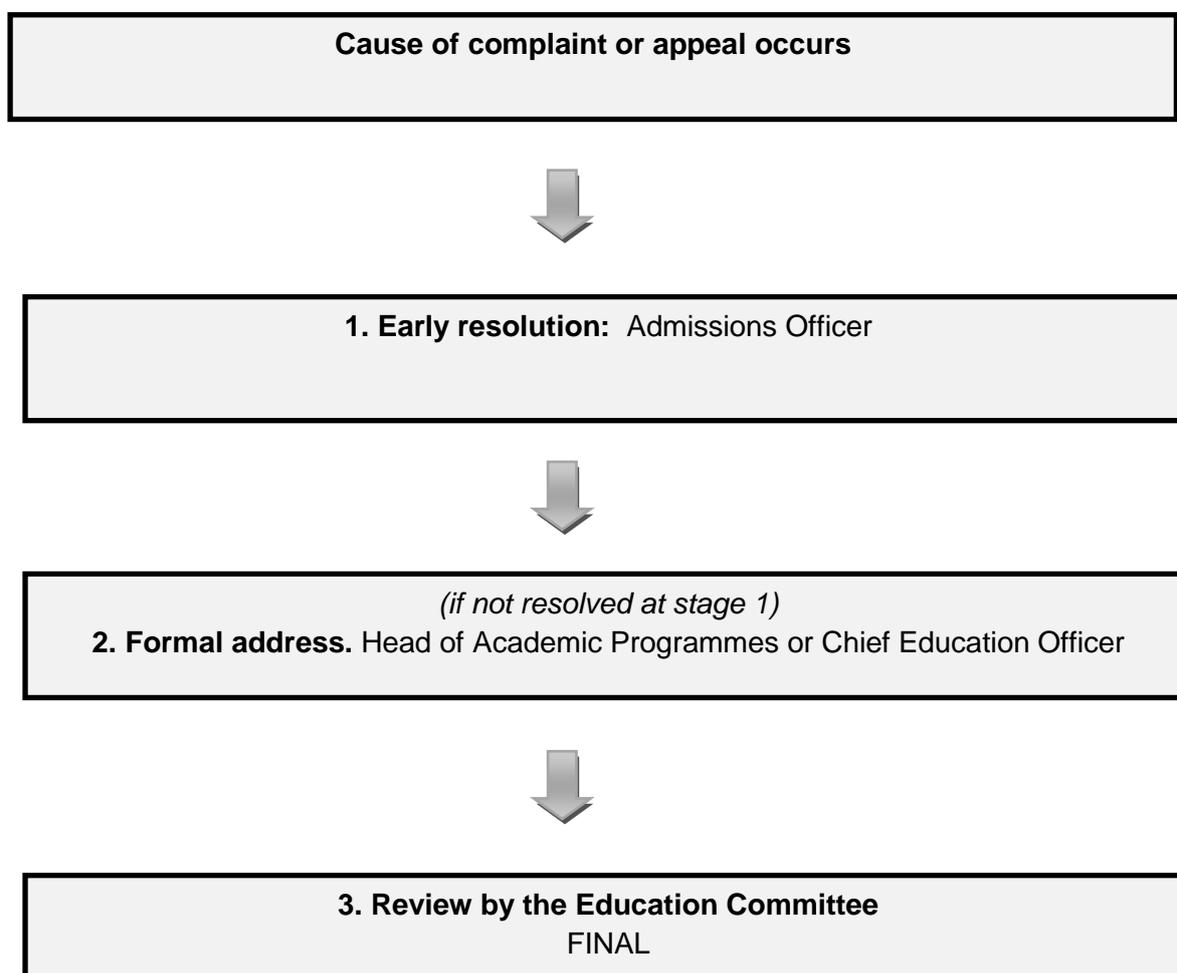
4.4 The College will not consider appeals based on challenges to the judgement of its selectors in relation to the academic and non-academic selection criteria for its programmes.

#### **5. Procedure**

5.1 The procedure is aimed at applicants who apply for a course, and are denied entry on to a course for any specific reason or wish to complain about a procedure matter relating to admissions. Applicants who have valid grounds on which to appeal against a selection decision or who wish to register a complaint should raise the matter promptly and, in all cases, within the admissions cycle in which the applicant is seeking entry.

5.2 Where a complaint or appeal arises from a communication of the College's decision, this must be submitted within 28 days following receipt by the applicant. A complaint or appeal should be submitted in writing to the Admissions Officer using the complaints form included in Appendix 1.

5.3 The following diagram illustrates the Centre's staged complaint procedure which applicants should follow. Each stage references the members of staff or external organisation the applicant can refer:



#### 5.4 Stage 1 - Early Resolution

5.4.1 If an applicant has a complaint or appeal relating to any matter relating to admissions, he or she is encouraged to raise the matter at an early stage with the admissions officer. Applicants are encouraged to approach the admissions officer for an informal discussion. This should normally happen within two weeks of the cause for complaint or appeal.

5.4.2 An applicant making a complaint or appeal can do so with the support of an appointed representative.

5.4.3 The admissions officer receiving the complaint should consider the following to help the applicant:

- i) What is the specific concern and which aspect of the admissions procedure does this relate to?

- ii) What outcome is the learner hoping for and can it be achieved?
- iii) Is the concern straightforward and likely to be resolved with little or no investigation?
- iv) Can it be resolved on the spot by providing, where appropriate, an explanation, an alternative solution or an apology?
- v) Can someone else assist in seeking resolution, for example where an informal administrative resolution is required?
- vi) What assistance or support can be provided to the applicant in taking this forward?

5.4.4 Whichever method is used in attempting a resolution the admissions officer receiving the complaint should ensure:

- Applicants are able to air their concerns and feel that they have been listened to
- If responsibility lies elsewhere there is liaison with the person or department to resolve swift resolution, rather than simply passing the applicant onto another staff member.
- At the conclusion of an attempt at early resolution, and where appropriate, the applicant is advised in writing of the outcome. The admissions officer handling the complaint or appeal will beforehand seek approval for the written response from the Head of Academic Programmes (HAP).

5.4.5 Guidance which expands on the above is available: *Handling Learner Complaints Guidance for Staff*, Appendix 2.

## 5.5 Stage 2 - Formal address

5.5.1 If an applicant feels that the complaint has not been resolved satisfactorily s/he can submit a formal written complaint to the Head of Academic Programmes using the complaints form, Appendix 1.

5.5.2 An applicant making a complaint can do so with the support of an appointed representative.

5.5.3 The Head of Academic Programmes may refer the complaint to the Chief Education Officer (CEdO) upon receiving the complaint. The (HAP) may also refer to the CEdO for any other reason which he/she warrants a risk of independent consideration. If the (HAP) is long-term absent at the time of formal complaint submission then it should be sent to the CEdO.

5.5.4 The complaints form, Appendix 1, should include evidence and if appropriate a log of dates.

5.5.5 The applicant can expect to receive acknowledgement of their written complaint within five working days of the original date of complaint.

5.5.6 Upon receiving the applicant's written complaint the (HAP) or CEEdO should consider the following to help the learner:

- i) Was early resolution attempted? If not, can the matter be referred back to that stage?
- ii) Has the applicant set out clearly what the complaint or appeal is about?
- iii) Has the applicant provided appropriate evidence in support of the complaint?
- iv) What outcome is the applicant hoping for and can it be achieved?
- v) Is the complaint suitable for external mediation or conciliation?
- vi) What assistance or support can be provided to the applicant in taking this forward?

5.5.7 The applicant may be invited to a meeting to discuss their complaint and the proposed resolution. The learner may invite a friend.

5.5.8 The aim is for the applicant to receive a written conclusion to their complaint within 28 days. The written response should also give information about:

- the learner's right to take the complaint to the awarding body review stage;
- the grounds on which he or she can do so;
- the time limit for escalating to the review stage;
- the appropriate procedure;
- where and how to access support.

## **5.6 Stage 3 – Education Committee**

6.1 Applicants can progress their complaint or appeal so that it is considered at the next convening complaints panel appointed by the Education Committee.

5.7 Where an appeal is upheld and the outcome reviewed, the College may not be able to guarantee admission in the academic session initially requested; in such circumstances, admission at an alternative point of entry may be offered by the College.

## **6. Processing of Complaints and Appeals and storage of Information**

6.1 Applicants lodging a complaint and those against whom complaints are made can expect complaints to be dealt with confidentially and with due regard for their privacy. The information will be stored and processed in accordance with the Data Protection Act (1998).

6.2 Details of complaints considered and determined at stage one will be shared with the Head of Academic Programmes. If appropriate the Head of Academic

Programmes may note the complaint as evidence of learner feedback for annual quality monitoring.

6.2 The personalised record of the complaint/appeal and any supporting papers will not be kept longer than necessary and will be destroyed three years following resolution of the case. Aggregated and anonymised data will be reported annually to the Education Committee in order to facilitate monitoring and review of the College's admissions process and advice on any future implications for procedure will be shared at admissions meetings.

## 7. Contact Details

Complaints and appeal should be submitted to:

Khuram Ahmed, Admissions Officer, [admissions@montessori.org.uk](mailto:admissions@montessori.org.uk)

Or Penny Johns, Head of Academic Programmes [penny@montessori.org.uk](mailto:penny@montessori.org.uk)

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**Approved by:** Senior Management Team XXXXXX

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## APPENDIX 1 – COMPLAINTS/APEALS FORM

Please record the details of your complaint on the form and email to the Admissions Officer [admissions@montessori.org.uk](mailto:admissions@montessori.org.uk) or the Head of Academic Programmes [penny@montessori.org.uk](mailto:penny@montessori.org.uk)

This form can also be posted to Montessori Centre International, 18 Balderton Street, London W1K 6TG. It should be marked 'private and confidential' for the attention of either the Admissions Officer or Head of Academic Programmes.

Name:  Date:

Course Applied For:

Centre:

Home telephone:  Mobile:

Email:

Date complaint made:

Date(s) to which complaint refers:

Please outline the details of your complaint with clear evidence where available to support your case.

**Office use only:**

Date complaint received:

Name of staff investigating the complaint:

Date confirming receipt of complaint (within 5 working days):

Key points from the investigation:

Complaint upheld: Yes / No

Date outcome reported to the complainant:

Date complaint closed (We aim to complete within 28 working days from receipt of complaint unless the matter requires further enquiries)

Actions following the complaint:

## **APPENDIX 2 - Guidance for staff on initial complaints**

Every complaint is unique and should be handled as appropriate to the circumstances and in line with the Admissions Complaints Procedure.

The Key principles are:

- Fairness
- Confidentiality
- Timeliness
- Conflict of interest

### **What do I do when an applicant makes a complaint to me?**

- Invite the applicant to make an appointment to discuss the matter privately (at local level)
- Listen and respond sensitively
- Encourage the applicant to raise the issue directly with the person concerned, if appropriate
- Clarify what the applicant would like to be done to resolve the situation
- Outline the process of the complaints procedure
- Be aware of the limits of what you can provide - state clearly that you may need to seek advice and ask the applicant's permission to discuss the complaint (anonymously where possible)
- Be sensitive to the feelings of the applicant making the complaint, it is usually out of a sense of concern, finding something inappropriate or unfair, they may be fearful of the repercussions of making the complaint
- Consider how you would want to be treated yourself
- An applicant may choose to be accompanied by a friend
- At the end of the discussion, outline the nature of the complaint and the agreed steps to be taken
- Inform the Head of Academic Programmes in writing as appropriate and in line with the Admissions Complaints Procedure where informal discussions could lead to a formal complaint

### **How do I investigate a complaint?**

- Clarify and document the details of the complaint, including times and dates of any incidents and ask the complainant to provide any relevant documentation The complainant should be asked what their preferred resolution option would be, although it is important to make it clear that their preferred option may not be a possible outcome
- Keep a clear written record of all steps taken to resolve the complaint

### **What are the possible outcomes of the complaint resolution process?**

- A mutually acceptable resolution may be reached through discussion and conciliation

- In some cases the complaint cannot be substantiated and no further action results – the complainant should be advised in writing that no further action will be taken
- Learners should be advised that they can pursue their complaint through the next levels of the complaints process if dissatisfied
- Any written response to an applicant complaint should advise of the outcome of their complaint and any action that has been taken, addressing all aspects of the original complaint
- Care must be taken in the wording of written responses
- Written material should be kept confidential and not shown to anyone who is not directly involved in handling the complaint