

# FOUNDATION YEAR APPLICATIONS

## APPEALS AGAINST DECISIONS NOT TO OFFER A PLACE TO STUDY ON THE CAMBRIDGE FOUNDATION YEAR AND OTHER COMPLAINTS RELATING TO THE APPLICATION EXPERIENCE FOR THE CAMBRIDGE FOUNDATION YEAR

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### Introduction

1. The Colleges of the University of Cambridge aim to offer admission to undergraduate applicants of the greatest intellectual potential. They receive many applications of very high quality, and the number of unsuccessful candidates – even those who appear very strong in their applications – is, therefore, high. Assessments (through formal applications, tests, submitted work and/or interviews) enable them to make admissions decisions focussed on academic ability and potential, and all staff involved in such assessments are trained to treat applicants fairly, consistently, and professionally.
2. The Foundation Year Colleges recognise that, on occasion, an applicant may be dissatisfied with the decision that the Foundation Year Colleges have made not to offer them a place (an “appeal”) or some aspect of the management of their application (a “complaint”). This document sets out the Foundation Year Colleges’ shared approved policy and procedures for the managing of such appeals and complaints.
3. If during the process of the application, you are dissatisfied with the treatment of you or your application or a decision that has been made, you can communicate this to the Foundation Year admissions office directly. You do not need to submit a **formal** appeal, and often a simple email may resolve the situation quickly. The appeals and complaints procedures in this document are intended for those who have not found satisfaction through such routes.
4. If, however, you wish to appeal or complain formally, this will be normally made to the Foundation Year team. Please see [here](#) for further details on eligibility for appeals and complaints.
5. The Foundation Year Colleges are committed to ensuring that any appeal or complaint is

considered quickly and fairly. You will not be disadvantaged as a result of submitting an appeal if it is made in good faith: an unsuccessful appeal will not prevent you from being able to re-apply to the University or a College in the future.

6. Please note that an appeal is in response to confirmation that your application to Cambridge will not be progressed. Complaints about your interactions with a specific College or the Foundation Year (e.g. allegations of abuse or personal misconduct, health and safety issues, accessibility issues) are not formally part of an appeal, but such matters can be addressed through other channels by writing to the Foundation Year admissions office, as noted at the end of this document. Should the consideration of any such complaint conclude that an admissions decision of the Foundation Year has been affected, you will be entitled to submit a formal appeal at that point if the Foundation Year does not itself choose to define your complaint instead as an appeal and handle it accordingly. The Foundation Year may otherwise, at its discretion, convert your complaint to a formal appeal in order to expedite its resolution.

## Am I eligible to submit an appeal?

### Grounds of appeal

7. Subject to the exclusions below, you can submit an appeal to the Foundation Year if you received notification from the Foundation Year that you were not to be offered a place.

**8. You can only appeal against a decision not to offer you a place of study if you believe there has been a serious procedural error in the consideration of your application, to the extent that the Foundation Year's decision to offer a place might have been different had that error not occurred and where the error had not been addressed or already taken into account by the Foundation Year Colleges at the time or in its decision-making.**

Examples of **serious procedural errors** include:

- the conduct of a test or interview was not in line with published information without due cause and/or without notice;
- a failure to follow the agreed policy with respect to placing your application in the intercollegiate pool;
- a failure to respond to any requests you have made to the Foundation Year in advance for reasonable adjustments as a consequence of your personal needs (but not including decisions taken to offer alternative adjustments to those you may have requested specifically).

Not all procedural errors will meet this criterion: minor or incidental errors are likely to result in your appeal being dismissed summarily by the Foundation Year.

7. You cannot appeal if:

- a) you do not agree with the decision of the Foundation Year Colleges, or you do not believe the feedback has been sufficient. Every year, Foundation Year Colleges are unable to offer places to all applicants who appear to meet the entry criteria stated on the University's website due to the high number of good-quality applications.
- b) the information on which the decision was based and provided by you or your referees was felt by you, in retrospect, to be incomplete or inaccurate at the time the admissions decision was made. You are strongly recommended to check all information submitted by you or on your behalf carefully and to ensure you have received acknowledgements from the Foundation Year for any submitted information.
- c) you disagree with the type of adjustments the Foundation Year made as a result of requests for reasonable changes to the conditions of any test or interview. You are strongly recommended to raise any residual concerns about this at the time of the test or interview, where they can be considered without delay.

8. The following types of **appeal** are excluded from this process:

- a) if you have been made an offer but have concerns about the fee status allocated to you. The Colleges and University have separate processes relating to reviewing such decisions, as set out in your formal offer letter.
- b) you applied to a programme that is not the Foundation Year: in such cases, there is a separate appeals and complaints process.

#### **Timing of an appeal**

9. Before you submit an appeal, please seek and consider carefully any and all feedback provided by the Foundation Year who considered your initial application. If you feel that the feedback is incomplete or unclear, please ask for clarification in the first instance rather than proceed directly to appeal the decision. The Foundation Year is committed to undertaking reasonable endeavours to explain their decision, but please be aware that

if you receive a decision not to offer a place and you were not offered an interview, the feedback is likely to be brief.

10. An appeal must fit within the grounds of appeal outlined in paragraphs above and should be made within 20 working days of you receiving in writing the decision (either not to call you for interview or to confirm that they are not making you an offer) and/or written confirmation that you have received full feedback, whichever is the latter. An appeal can only be submitted once you have received such a decision in writing. The Foundation Year reserves the right not to accept an appeal submitted after this deadline and to reject its contents without further investigation. (Should you wish to submit an appeal after this deadline, you should submit a supplementary statement and evidence with your written complaint, explaining why your complaint should - exceptionally - be considered. The Foundation Year may choose to accept a late appeal at its absolute discretion, and you are not entitled to challenge any decision it may make in this respect.)

## How do I submit an appeal?

11. Any appeal should be submitted by you as the applicant. Your parent or guardian may only initiate an appeal on your behalf if you confirm in writing and in advance that you authorise a third party (normally your parent or guardian) to engage with the Foundation Year on your behalf. Please use this [third-party consent form](#) (a downloadable PDF) if you wish to do this and append it to your [formal appeal form](#). Once the Foundation Year has received this statement, it will direct all further communications regarding your appeal to the person concerned.
12. You should submit any appeal to the Foundation Year using this [form](#). This will require the following information:
  - A. Personal information: include your full name, your UCAS personal ID number, the course you have applied for, and the (postal and email) addresses that should be used to contact you.
  - B. The grounds for your appeal: you should state clearly and precisely what “serious procedural errors” have occurred. If you want to include more than one error, please detail these clearly in separately-numbered points.
  - C. The evidence to support your grounds for appeal: depending on the nature of your appeal, this may include: annotated copies of documents or admissions processes that you believe have not been followed; emails or letters demonstrating that the Foundation Year has acted inappropriately in the consideration of your application; and/or a list of people who can verify that serious procedural irregularities have taken place. If you have included more than one grounds for appeal, please outline your evidence clearly in separately-numbered points.
13. Your appeal will be managed by a person appointed by the Foundation Year (“officer”) for this purpose. Please note that the Foundation Year may dismiss your appeal without further investigation if:
  - a) it does not believe that you have provided sufficient evidence to support your stated grounds of appeal, or
  - b) it doesn’t meet the threshold of being considered a serious procedural error and/or
  - c) it was submitted out of time.

In taking a decision to dismiss an appeal without further investigation, the officer will confer with at least one other Fellow or senior staff member from a Foundation Year College. A summary dismissal will be considered to be the final decision of the Foundation Year: there will be no further internal redress, and further correspondence on the matter will not be entered into.

14. Otherwise, you will receive an acknowledgement of your appeal from the Foundation Year normally within ten working days. The Foundation Year may need to make further enquiries of you if it concludes that the appeal has been submitted with incomplete or incorrect information.

## How will my appeal be considered?

15. Appeals are ordinarily investigated by the appointed officer, consulting other colleagues as appropriate. Where the officer was directly involved in the decision not to make you an offer, the matter will be referred instead to another Fellow or senior staff member of a Foundation Year College to investigate.
16. The officer is entitled to ask for other evidence or explanation from you in order to determine the full extent of the circumstances of your appeal. This may include the reports from any complaints that you may have submitted previously. (Should you previously have submitted a relevant complaint, the findings of that complaint would form part of the documentation for the appeal. You have the right in these circumstances to submit a formal response to the complaint report.)
17. The officer may also meet with other staff or ask for evidence from others. Most investigations will be completed within 20 working days of the receipt of the appeal. If an investigation takes more time than initially estimated, the officer will advise you of the delay through your preferred contact address and provide you with a revised estimated date of conclusion.
18. The officer will provide a report to the Foundation Year, together with a recommendation either to dismiss the appeal or to uphold it (either fully or in part) and provide appropriate redress. A copy of the report will also be provided to you at the end of the process to outline and explain any decisions made. This copy may or may not be redacted or abridged if it makes broader recommendations to the Foundation Year not directly related to your specific appeal.
19. The provision of this report to you, along with any recommendations of redress, represents the completion of this stage of the appeals procedure. Should you remain dissatisfied with the outcome of the appeal and its investigation, you have the right to request a **review of the appeal process** as detailed below. Otherwise, at this point, the Foundation Year reserves the right to keep the report on file, and if it does so, all personal information will be anonymised or removed from the report. All other materials relating to your appeal will not be retained after the completion of the admissions round.

## **If I wish to challenge the appeal findings, can I do that?**

20. Should you be dissatisfied with the conclusion of your appeal, you have the right, under the specific circumstances outlined below, to request a review of the appeal. These are strictly limited to:
- a) in its investigation of your appeal, the Foundation Year demonstrably failed to consider information that was clearly available to it at the time, to the extent that the Foundation Year's decision to dismiss the appeal may have been different had this information been considered.
  - b) the decision of the appeal is manifestly inconsistent with the findings outlined in the formal report or otherwise perverse, given the findings outlined in the formal report.
21. You may not request a review because you do not like or agree with the decision about your appeal or because you disagree with the findings of the appeal officer based on the evidence they considered.
22. A request for an appeal review should be made within 20 working days of you receiving the decision of the Foundation Year about your appeal. The Foundation Year reserves the right not to accept a request for an appeal review submitted after this deadline and to reject its contents without further investigation. (Should you wish to request a review of the appeal after this deadline, you should submit a supplementary statement and evidence with your written complaint, explaining why your complaint should - exceptionally - be considered. The Foundation Year may choose to accept a late request at its absolute discretion, and you are not entitled to challenge any decision they may make in this respect.
23. You should submit any appeal to the Foundation Year using this [form](#). This will require the following information:
- A. Personal information: include your full name, your UCAS personal ID number, the course you have applied for, and the (postal and email) addresses that should be used to contact you.
  - B. The grounds for your appeal review: you should state clearly your grounds for appeal (as noted in paragraph 21 above). If you want to include more than one grounds for an appeal review, please detail these clearly in separately-numbered points.
  - C. The evidence to support your grounds for appeal: depending on the nature of your appeal, this may include: annotated copies of documents that you believe have been disregarded in the appeals process, emails or letters demonstrating that the Foundation Year has acted inappropriately in the consideration of your appeal; and/or a list of people who can verify that serious procedural irregularities have taken place. If you have included more than one grounds for appeal, please outline your evidence clearly in separately-numbered points.
24. The Foundation Year will refer your application directly to an independent Lead Reviewer, who will be a Fellow or senior staff member of another College selected from a panel of admissions experts, able to conduct a formal review. You will receive an acknowledgement from the Foundation Year normally within ten working days. This acknowledgement may include further enquiries about the form and its content if the Lead Reviewer concludes it has been submitted with incomplete or incorrect information. They reserve the right to refuse to accept the application for formal review if the

completion of the form does not conform to the requirements specified.

25. Please note that the Lead Reviewer may dismiss your application for formal review without further investigation if:

- a) it does not conform to the permitted grounds to request a review; or
- b) they do not believe that you have provided sufficient evidence to support your stated grounds; or
- c) it was submitted out of time.

They can only do this after consulting another independent reviewer selected from the panel of admissions experts cited above. Any summary dismissal of your application will be confirmed to you and the Foundation Year in writing and represents the end of the formal process. A dismissal of this nature will mean that the appeal investigation report would represent the final decision of the Foundation Year. There is no further internal redress, and further correspondence on the matter will not be entered into.

## **How will my further appeal (an appeal review) be considered?**

26. If the application for a formal review is accepted, the Lead Reviewer will then, within ten working days of this receipt, appoint two or more further reviewers selected from the panel of admissions experts cited in paragraph 25 above to investigate your application. These reviewers will have no formal connection to the Foundation Year, nor will they have had any involvement with the management of your application or with the Foundation Year's direct assessment of your suitability for undergraduate study. The Lead Reviewer or their representative will contact you to confirm the appointment of the reviewers and outline to you the timescales they believe will be needed to review your application and come to a decision.
27. The reviewers shall not review your initial appeal themselves but instead will focus on the conduct of the original investigation undertaken, in line with the stated grounds of appeal. They will appraise you of the likely amount of time it will take them to complete their review. On completion of their investigation into your application, the Foundation Year will be provided with a report, including a recommendation and a rationale for that recommendation. The reviewers may decide:
- a) to uphold the previous decision of the Foundation Year; or
  - b) to fully or partially uphold your grounds for appeal and refer the matter back to the Foundation Year, with a recommendation to re-consider some or all of the elements of your appeal or of your application as they deem appropriate.
28. The Foundation Year, normally within 20 working days of receipt of the report, will provide you with a copy of the report and its own comments on it, including any further measures it intends to take with respect to your application. This communication represents the final decision and position of the Foundation Year in relation to your appeal. There is no further internal redress, and further correspondence on the matter will not be entered into. The Foundation Year will retain a copy of the final report for monitoring purposes.
29. The report will also be retained by the Lead Reviewer, who may use elements of the review to advise the Foundation Year Colleges, individually and collectively, of any findings that might have implications beyond your individual application. In such circumstances, all personal information will be anonymised or removed from the report. All other materials relating to the review and your original appeal will not be retained after the completion of the admissions round.

## Complaints about the admissions process

30. Instead of a formal appeal against an admissions decision, there may be circumstances where you wish to lodge a complaint about your treatment by the Foundation Year during the application process for matters that are not directly related to the consideration of your application. A complaint should be made as soon as practicable after the matters that you are dissatisfied with and, in any event, within 20 working days of the matters relating to the complaint. The Foundation Year reserves the right not to accept the complaint after this deadline and to reject its contents without further investigation. **Accordingly, you should not necessarily wait until the Foundation Year has made a decision about your application to make a complaint and should otherwise note that early notification of concerns can result in matters being addressed before a decision has been made.** (Should you wish to submit a complaint after this deadline, you should submit a supplementary statement and evidence with your written complaint, explaining why your complaint should – exceptionally - be considered. The Foundation Year may choose to accept a late complaint at its absolute discretion, and you are not entitled to challenge any decision they may make in this respect.)
31. If you wish to make a complaint or otherwise express concerns about the Foundation Year's management of your application, you should do so **in writing** to the Foundation Year. This does not preclude you raising in person any concerns that occur during the process and at the time, but you are advised strongly to follow these up in writing afterwards so that a clear and agreed record of your concerns is established.
32. Any complaint should be submitted by you as the applicant. Your parent or guardian may only initiate a complaint (on your behalf) if you confirm in writing and in advance that you authorise a third party (normally your parent or guardian) to engage with the Foundation Year on your behalf. Please use this third-party consent form if you wish to do this. Once the Foundation Year has received this statement, it will direct all further communications regarding your complaint to the person concerned.
33. The Foundation Year Colleges are committed to ensuring that any of your concerns are dealt with quickly and fairly and with due concern and care for your current and future application and studies. You will not be disadvantaged as a result of submitting a complaint if it is made in good faith. Submitting a complaint will not prevent you from being able to re-apply to the University or a College in the future.
34. You should submit any complaint in writing to the Foundation Year. This will require the following information:
- A. Personal information: include your full name, your UCAS number, the course you have applied for, and the (postal and email) addresses that should be used to contact you.
  - B. The nature of your complaint: state clearly and precisely what your complaint is about. If you want to include more than one specific issue, please detail these clearly in separately-numbered points.
  - C. The evidence or circumstances leading to your complaint: depending on the nature of your complaint, this may include: a timetable or "story" of independent incidents, including dates and times; emails or letters you have written or received; and/or a list of people who can verify that specific incidents have taken place and that the investigator may wish to contact.
  - D. The remedy or remedies you are seeking as an outcome: state clearly what action

you believe needs to be taken in order for you to feel satisfied that your complaint has been resolved. If you have included more than one specific issue, please detail your preferred remedies clearly in separately-numbered points. (Please note that no commitment is made by the Foundation Year about whether your remedy or remedies will be considered appropriate or reasonable, but this information will be taken into consideration.)

35. The Foundation Year may need to make further enquiries of you if it concludes the complaint has been submitted with incomplete or incorrect information. It reserves the right to refuse to accept a formal complaint if the completion of the form does not conform to the requirements specified or it is instead self-evident that you are submitting an appeal against an admissions decision.
36. The Foundation Year will ensure that a Fellow or senior staff member of a Foundation Year College investigates the complaint and that the appointed Fellow or senior staff member has not been involved directly with the substance of the complaint.
37. The appointed Fellow or senior staff member (“investigator”) is entitled to ask for other evidence or explanation from you in order to determine the full extent of the circumstances of any complaint. They may also meet with Fellows or staff of the Foundation Year or College or ask for evidence from others. Most investigations will be conducted within 20 working days of the receipt of the formal complaint. If an investigation takes more time than initially estimated, the investigator will advise you of the delay through your preferred contact address and provide you with a revised estimated date of conclusion.
38. The investigator will provide a report to the Foundation Year, together with a recommendation either to dismiss the complaint or to uphold it (either fully or in part) and provide appropriate redress. Should the consideration of any complaint conclude that the admissions decision of the Foundation Year has been affected, you will be entitled to submit a formal appeal at that point if the Foundation Year does not itself choose to define your complaint instead as an appeal and handle it accordingly. A copy of the report will also be provided to you at the end of the process to outline and explain any decisions made. This copy may or may not be redacted or abridged if it makes broader recommendations to the Foundation Year not directly related to your specific complaint.
39. The provision of this report to you, along with any recommendations for redress, represents the completion of the complaints procedure. It represents the final decision and position of the Foundation Year in relation to your complaint. There is no further internal redress, and further correspondence on the matter will not be entered into. If the report prompts you, however, to appeal the formal admission decision of the Foundation Year, then you may do so in writing again to the Foundation Year for that specific purpose. (The complaint report will be used as evidence in that appeal, but you will be able to provide a response to it.)
40. The Foundation Year will retain a copy of the final report for monitoring purposes and to enable it to review and improve future services. All other materials relating to the complaint will not be retained after the completion of the admissions round.

[end]