

064. Admissions Appeals and Complaints Procedure

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1. General principles

IFG is committed to fairness and transparency, and we recognise that there will be occasions where an applicant, for either an IFG pathway or future HE programme, 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 of higher education at IFG.

Some issues may be able to be resolved amicably via an informal query, and applicants are welcome to explore their concern informally with IFG before deciding to proceed with a formal appeal or complaint. 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 info@intfoundationgroup.co.uk

In operating any of the processes or procedures under this Policy, IFG may as necessary involve the Executive Director, Marketing and Partnerships Director, Academic Director, Director of Studies or Director of Professional Programmes for procedural advice and guidance.

IFG holds procedural integrity and fairness at the heart of all our policies. In order to avoid any potential conflicts of interest (e.g. where procedural independence may be compromised), and/or where specific expertise is required, a member of staff not involved with the admissions process may deal with a complaint. No proceedings under this Policy shall therefore be invalidated by virtue of the involvement of an IFG officer outside of the admissions process.

The formal admissions appeal and complaint procedure contains 2 stages:

- Stage 1: Formal Stage
- Stage 2: Request for Review Stage

No applicant will be treated less favorably or with discrimination as a result of lodging an appeal or complaint under these procedures. However, where IFG 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 reason(s) why.

Applicants may make a submission to IFG under these procedures that constitutes both an admissions appeal and an admissions complaint, if they believe their case falls under both these definitions (see Section '3. Definitions', below).

2. Data Processing and Confidentiality 2.1

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.

To ensure the full and proper consideration of an admissions appeal or complaint at either Stage 1 or Stage 2, an appeal and/or complaint received under these procedures may as necessary be shared with staff or relevant third parties who have relevant expertise and/or authority.

IFG undertakes to treat all appeals and complaints received under these procedures with confidentiality and sensitivity. Your data will be processed in accordance with the General Data Protection Regulations 2018 (GDPR) and the Data Protection Act 2018 (DPA).

IFG 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.

IFG will retain data submitted with Stage 1 and Stage 2 admissions appeals and complaints for monitoring and assurance purposes. Formal Stage 1 and Stage 2 admissions appeals and complaints records will be retained by IFG in accordance with our Data Retention Schedule. Statistical data arising from Stage 1 and Stage 2 admissions, appeals and complaints will be anonymised and reported on at least an annual basis to IFG's Academic Board.

3. Definitions

- **Appeal** - An admissions 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 make an offer
 - The content of the offer
 - The decision to reject on exam results or English language ability
- **Complaint** - a complaint is defined as a specific concern around or related to a procedural error, irregularity or maladministration in the admissions procedures or policies.

4. 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 appropriateness 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 admissions 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 their findings, and where appropriate will offer a remedy and/or

make recommendations in respect of changes to internal processes and procedures in response to the complaint/appeal.

Examples of outcomes of successful appeals or complaints are:

- A formal apology;
- A fresh interview, without prejudice, either in the current round (if possible) or in a subsequent year
- Moving a candidate to a later stage in the application process;
- A conditional offer of a place (subject to meeting any conditions within a specified timeframe before a place can be confirmed);
- Refund of reasonable costs incurred (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 course is made in the event of a successful appeal or complaint, this will be subject to IFG'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 applicant meets the grounds for an appeal or a complaint to be upheld, but IFG is nevertheless not satisfied that the applicant is suitable for admission to the course.

In the event of a complaint or appeal being upheld but where IFG is still not satisfied that an applicant is suitable to be admitted to the course, the reasons why the applicant is not considered suitable for admission to the course will be communicated in the Stage 2 Outcome letter.

5. Timescales

Issues raised informally under this policy

Issues raised informally under this policy with IFG will not be deemed to constitute a Stage 1 Admissions Complaint or Appeal. However, where such issues are raised informally, these should be raised as promptly as possible in order that they may reasonably be addressed.

Where an applicant raises an issue of complaint or appeal informally under this policy, this should normally be raised within 21 days of the incident/issue arising. Where a matter is raised informally later than 21 days afterwards, IFG shall determine whether or not the matter has been raised within a reasonable timeframe, taking account of the circumstances concerned. Where IFG determines that a matter raised has not been raised within a reasonable timeframe, it may decline to consider the issue on the basis that it was not raised within the normal 21 day timeframe and IFG is also not satisfied that the matter was raised within a reasonable timeframe.

Issues raised formally under this policy: Stage 1 Admissions Appeal/Complaint

A Stage 1 admissions complaint or appeal should be lodged normally within 28 calendar days of either the date of formal written notification from IFG of the admissions decision, or of an incident of complaint 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 IFG 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 Academic Director of their nominee.

A Stage 1 Outcome Letter will be sent to the applicant normally within 28 calendar days of the date of receipt of the Stage 1 complaint/appeal by IFG.

Stage 2 Request for Review

A Stage 2 Request for Review should be lodged within 14 calendar days of the date of the Stage 1 outcome letter. Stage 2 submissions received after this deadline will not normally be accepted and will only be considered in exceptional circumstances, at the discretion of the Academic Director or their nominee.

A Stage 2 Outcome Letter will be sent to the applicant normally within 21 calendar days of receipt of a Stage 2 Request for Review that has been accepted by IFG for consideration. The Stage 2 Outcome Letter will be the final decision of IFG on the matter(s) raised in the Admissions Appeal/Complaint.

6. Eligibility

An admissions appeal or complaint should normally be submitted by the applicant. Appeals or 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 (e.g. 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 at IFG 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, and to consider whether matters might reasonably be informally raised with IFG ahead of submitting a formal Stage 1 admissions 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.

IFG will not consider frivolous or vexatious admissions appeals and complaints. IFG deems such appeals and/or complaints to be those that:

- fail to be made on any of the grounds stated at either Stage 1 or Stage 2 of this procedure;
- are based on a disagreement with the academic judgement of IFG staff about an applicant's suitability for entry to a particular course
- are made without foundation purely on the basis of disagreement with the overall admissions decision
- are made on the basis of disagreement with IFG's academic and/or non-academic selection criteria for its courses
- are frivolous or vexatious, or made in bad faith
- are obsessive, harassing, or repetitive, or pursued in an unreasonable manner by the applicant or any persons representing the applicant
- are intended to cause offence, disruption or annoyance
- are seeking unrealistic outcomes and/or make unreasonable demands for redress

will not be considered by IFG under this or any other procedure in any circumstances.

7. External advice following closure of these procedures

Once an admissions appeal or complaint has exhausted IFG's Admissions Appeal and Complaint 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 in higher education) 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.

ADMISSIONS APPEALS AND COMPLAINTS PROCEDURE

STAGE 1: FORMAL STAGE

- Applicants can submit a Stage 1 admissions appeal or complaint by completing the Stage 1 Admissions Appeal and Complaint Form and submitting it within 28 calendar days of either the admissions decision or the issue of complaint occurring to info@intfoundationgroup.co.uk.
- A copy of the Stage 1 Admissions Appeal and Complaint Form can be requested from info@intfoundationgroup.co.uk.
- On receipt, it will normally be forwarded to the Director of Studies who will appoint a Stage 1 Officer (normally the Admissions Manager) to consider and investigate the appeal/complaint. Where the Admissions Manager is unavailable, the Director of Studies will appoint an alternative appropriate member of staff as the Stage 1 Officer.
- At this stage, IFG will acknowledge receipt of the Stage 1 submission via email to the applicant and notify them that a Stage 1 Officer has been appointed and of the timescale by which they should expect the Stage 1 Outcome Letter.
- A Stage 1 admissions appeal and/or complaint must be made on one or more of the following grounds:
 - a) That there is evidence of significant administrative or procedural error in the admissions process;
 - b) There has been a misinterpretation of information or data contained within the original application;
 - c) that there is evidence of prejudice or bias in the admissions process;
 - d) that there is additional relevant information which, for valid reasons, was unable to be included by the applicant in the original application, and which warrants further consideration of the application.
- A Stage 1 Outcome Letter will be sent via email to the applicant, normally within 28 calendar days of the date of receipt of the Stage 1 appeal/complaint. The Stage 1 Outcome Letter will set out the Stage 1 Officer's considerations, findings and decision, and will inform the applicant of their right to escalate their case to Stage 2 of this procedure, including a reminder of the deadline for exercising this right.
- The decision will be recorded centrally and a copy of the Stage 1 Outcome Letter will be retained by IFG for record, monitoring and statistical purposes.

STAGE 2: REQUEST FOR REVIEW

- If an applicant is dissatisfied with the Stage 1 Outcome, they may lodge a Stage 2 Request for Review within 14 calendar days of the date of the Stage 1 Outcome Letter, under one or more of the following grounds:
 - a) That there is evidence of significant administrative or procedural error in the processing of the Stage 1 appeal/complaint;
 - b) That there is evidence of prejudice or bias in the handling of the Stage 1 appeal/complaint process
 - c) That there is additional relevant information which, for valid reasons, was unable to be included by the applicant in the Stage 1 admissions appeal/complaint, warranting a review of the Stage 1 Outcome and the original Admissions Decision

- Applicants can make a Stage 2 admissions appeal or complaint by submitting the following:
 - A fully completed Stage 2 Admissions Appeal/Complaint Form;
 - A copy of the Stage 1 Outcome Letter;
 - The original submitted Stage 1 Admissions Appeal/Complaint Form
 - All supporting documentation submitted for the Stage 1 Admissions Appeal/Complaint
 - Any additional supporting evidence/documentation the applicant wishes to submit at Stage 2
- A copy of the Stage 2 Admissions Appeal and Complaint Form can be requested from info@intfoundationgroup.co.uk.
- Incomplete submissions will normally be rejected by IFG as being ineligible for consideration. In this instance, this will constitute the end of the Stage 2 procedure, the applicant will be notified by email that the procedure has been terminated due to an incomplete submission, and that this decision is final.
- On receipt of a complete Stage 2 Admissions Appeal/Complaint, this will be forwarded to the Academic Director or their nominee who will act as the Stage 2 Reviewer and will review the full submission.
- Where one or more of the Stage 2 grounds are met, this constitutes a successful Stage 2 Request for Review, the original admissions decision will be reviewed and reconsidered, and the Stage 2 Reviewer will take into consideration the applicant's desired outcome. However, this does not necessarily mean that the applicant's desired outcome will be the Final Decision on the case. The Final Decision on the case will be made by Stage 2 Reviewer and communicated in the Stage 2 Outcome Letter.
- The Stage 2 Reviewer's review and consideration of the original admissions decision will, as necessary, incorporate the advice and expertise of any IFG staff as relevant, in order to reach the Final Decision. The reasons for IFG's Final Decision will be provided in the Stage 2 Outcome Letter.
- The Stage 2 Outcome Letter will be sent normally within 21 calendar days of the date of receipt of the Stage 2 Request for Review. The Stage 2 Outcome Letter will be the final decision of IFG on the matter(s) raised in the Admissions Appeal/Complaint.