

# London Contemporary Dance School (The Place)

## Admissions Appeals and Complaints Procedure

September 2022

| <b>Name of Policy Writer</b> | <b>Lead Post Holder</b>        | <b>Date approved</b> | <b>Approved by</b> | <b>Review Date</b> |
|------------------------------|--------------------------------|----------------------|--------------------|--------------------|
| B Holdaway                   | Quality and Compliance Manager | September 2022       | Academic Board     | September 2025     |

## **A) London Contemporary Dance School Admissions Appeals and Complaints Policy**

### **1. General Principles**

- 1.1. London Contemporary Dance School 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 of study at LCDS.
- 1.2. Some issues may be able to be resolved amicably via an informal query, and applicants are welcome to explore their concern informally with LCDS 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.
- 1.3. For informal queries about issues concerning an admissions decision, applicants should contact the Admissions and Registry Manager, by e-mail at: [admissions@theplace.org.uk](mailto:admissions@theplace.org.uk)
- 1.4. The formal appeal and complaint procedure contains 2 stages:  
  
**Stage 1: Formal Stage**  
**Stage 2: Request for Review Stage**
- 1.5. No applicant will be treated less favourably or with discrimination as a result of lodging an appeal or complaint under these procedures. However, where LCDS 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.

### **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. This may include staff at LCDS together with staff at The Place. 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 from across The Place who have relevant expertise and/or authority.
- 2.2. LCDS undertake to treat all appeals and complaints received under these procedures with confidentiality and sensitivity. Data will be processed in accordance with the General Data Protection Regulations 2018 (GDPR) and the Data Protection Act 2018, and with LCDS and The Place Privacy Notices, which can be found on [www.theplace.org.uk](http://www.theplace.org.uk).

2.3. LCDS 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.

2.4. LCDS 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 in line with the LCDS Privacy Notice and 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 The Place Board of Governors.

### 3 Definitions

#### 3.1 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
- The decision to make an offer
- The content of the offer
- The decision to reject on exam results.

#### 3.2 Complaint

A **complaint** is defined as a specific concern related to a procedural error, irregularity or maladministration in the admissions procedures or policies. This could involve concerns around a procedural error, irregularity or maladministration in the admissions process.

### 4 Outcomes

4.1 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 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.

4.2 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 application, without prejudice, either in the current round (if possible) or in a subsequent year, including moving a candidate to a later stage in the admissions process;
- A conditional offer of a place (subject to meeting any conditions within a specified timeframe before a place can be confirmed);

4.3 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.

4.4 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 the respective course'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 the relevant course admissions panel is nevertheless not satisfied that the applicant is suitable for admission to the programme.

4.5 In the event of a complaint or appeal being upheld but where the relevant course admissions panel is still not satisfied that an applicant is suitable to be admitted to the course, other appropriate means of resolution will be sought. 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***

5.1 Issues raised informally under this policy 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, LCDS shall determine whether or not the matter has been raised within a reasonable timeframe, taking account of the circumstances concerned. Where LCDS determines that a matter raised informally 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 is also not satisfied that the matter was raised within a reasonable timeframe.

***Stage 1 admissions appeals and complaints***

5.2 **A Stage 1 admissions complaint or appeal should be lodged normally within 28 calendar days of either the admissions decision or of the incident occurring.** All Stage 1 admissions appeals and complaints will be logged by the Admissions Manager and forwarded to the relevant Admissions team. 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 LCDS 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 Director of Dance Studies, Director of Course, Director of Registry and Student Wellbeing, or other relevant senior member of staff nominated by the Director of Dance Studies.

5.3 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 LCDS.**

***Stage 2 Request for Review***

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

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

***Final Decision Letter***

5.6 The final decision will be issued in writing in a Final Decision Letter, **normally within 14 days from the date of receipt by LCDS of the Stage 2 Outcome Letter and case.**

5.7 Whilst LCDS 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.

**6 Eligibility**

6.1 An admissions complaint or appeal 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.

6.2 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 LCDS following a review of any relevant criminal convictions, should use this procedure.

- 6.3 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 LCDS ahead of submitting a formal Stage 1 admissions complaint or appeal.
- 6.4 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.
- 6.5 Admissions complaints that are made anonymously under this complaints procedure will not normally be considered under any circumstances.

***Admissions Complaints eligibility***

**6.6 LCDS does not deem the following complaints to be eligible for consideration:**

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

*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 LCDS 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.

***Admissions Appeals eligibility***

**6.7 LCDS does not deem the following to be 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

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<sup>1</sup> See Sections 3 and 4 of the Admissions Appeals and Complaints Procedure for the Stage 1 and Stage 2 grounds of complaint and appeal.

- An appeal based on challenges to the judgement of selectors in relation to the academic and/or non-academic section criteria for its course

## **7 External advice**

7.1 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.

## B) Admissions complaints and appeals procedure

### 1. Informal Stage

- 1.1. Some issues may be able to be resolved amicably via an informal query, and applicants are welcome to explore their concern informally with LCDS before deciding to proceed with a formal appeal or complaint.

### 2. Informal queries regarding admissions decisions

- 2.1. For informal queries about issues concerning an admissions decision, applicants should contact the Admissions and Registry Manager: [admissions@theplace.org.uk](mailto:admissions@theplace.org.uk)

### 3. Stage 1: Formal Stage

#### *Submitting a Stage 1 Admissions Complaint or Appeal (Formal Stage)*

- 3.1. Applicants can lodge a Stage 1 admissions complaint or appeal by completing the **Admissions Appeal/Complaint Form<sup>2</sup>**, clearly marked as 'Stage 1 Complaint or Appeal as relevant to the case' and submitting it within **28 calendar days of either the admissions decision or of the incident occurring** to LCDS at : [admissions@theplace.org.uk](mailto:admissions@theplace.org.uk)
- 3.2. The School Office will acknowledge receipt of the Stage 1 admissions complaint or appeal, and will forward it to the relevant staff member for consideration.

#### *3.3. 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                              |

<sup>2</sup> An Admissions Appeal and Complaint form can be downloaded found at the end of this procedure.



### 3.4. *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 |

3.5. Stage 1 Admissions complaints and appeals are normally considered and investigated by LCDS.

3.6. On receipt of a Stage 1 Admissions Appeal or Complaint, LCDS will determine the most appropriate individual in the School to consider and investigate the complaint or appeal. Such determination will take into consideration the individual circumstances of the case and avoiding any possible conflicts of interest.

3.7. A Stage 1 Outcome Letter will be sent, normally within 28 calendar days of the date of receipt of the Stage 1 complaint/appeal.

## 4. Admissions complaints and appeals procedure

### Stage 2: Request for Review

#### *Submitting a Stage 2 Admissions Complaint or Appeal – Request for Review*

4.1. If an applicant is dissatisfied with the outcome of the admissions complaint or appeal, s/he may lodge a request for a review lodged **within 14 calendar days of the date of the Stage 1 outcome letter**, under either or both 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                  |

|           |  |
|-----------|--|
| <b>c)</b> | 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. |
|-----------|--|

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

- a freshly completed **Admissions Appeal/Complaint Form**<sup>3</sup>, clearly marked as Stage 2 and any reference number provided on the Stage 1 Outcome Letter
- the original submitted Stage 1 Admissions Appeal/Complaint form
- the Stage 1 Outcome letter

The above should be submitted to [qualityandcompliance@theplace.org.uk](mailto:qualityandcompliance@theplace.org.uk)

4.3 On receipt of a Stage 2 Admissions Appeal or Complaint, a member of Senior Management will either undertake an independent review of the appeal/complaint, or will nominate an officer at The Place, to undertake the review.

4.4 In undertaking the review, the nominated officer will review the full submission and may contact the relevant Admissions Team accordingly for information.

4.5 A Stage 2 Outcome Letter will be sent by the nominated officer, normally within 21 days of receipt of the Stage 2 complaint/appeal. A copy of the Stage 2 Outcome Letter will be issued to the Chief Executive of The Place and any other necessary relevant parties.

### ***Successful Stage 2 Request for Review***

4.6 Where one or more of the above Stage 2 grounds are met, this constitutes a successful Stage 2 Request for Review. 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 LCDS and communicated in the Final Decision Letter.

4.7 Where one or more of the above Stage 2 grounds are met, the officer will forward the case with the Stage 2 Outcome Letter back to the Admissions Team for a review of its original admissions decision, together with any relevant recommendations arising from the review of the Stage 1 admissions appeal/complaint.

4.8 Where one or more of the above grounds of appeal are met and the case is consequently forwarded to LCDS for a review of its original admissions decision. LCDS's review and

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<sup>3</sup> An Admissions Appeal and Complaint form can be downloaded from the LCDS website at the following link: <https://lcds.ac.uk/policies-and-procedures>

consideration of its original admissions decision should address any recommendations made by the nominated officer, and determine an appropriate outcome. The reasons for the School's final decision will be provided in the Final Outcome Letter.

4.9 LCDS's final decision will be made normally within 14 days from the date of receipt of the Stage 2 Outcome Letter and case.

***Final Decision Letter following a successful appeal***

4.10 Following final consideration of the case resulting from a successful Stage 2 Request for Review, the decision of LCDS is final.

4.11 LCDS will issue a Final Decision Letter.

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

## LCDS Admissions Appeal/Complaint Form

*This form is only for the purpose of submitting a formal admissions complaint or appeal at either Stage 1 or Stage 2, in accordance with London Contemporary Dance School's Admissions Appeals and Complaints Procedure. Please ensure that you read the procedure before completing and submitting this form. Please contact [admissions@theplace.org.uk](mailto:admissions@theplace.org.uk) with any queries.*

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

### 1. Important information and guidance

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 respective timeframes.

These procedures have two stages, and you should clearly indicate on this form which stage you are lodging your admissions complaint or appeal.

#### **To make a Stage 1 admissions appeal or complaint, you must submit:**

- A completed Admissions Appeal/Complaint Form
- Any supporting evidence (this should be listed in Section 5 of the form)

#### **To make a Stage 2 admissions appeal or complaint, you must submit:**

- 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

**Please complete all the requested information. Please note that incomplete or late submissions will not be considered unless there are exceptional circumstances.**

**2. Applicant Details**

|  |                               |
|--|-------------------------------|
| <b>Surname:</b>  |                               |
| <b>First name:</b>   |                               |
| <b>Contact address:</b>  |                               |
| <b>Contact e-mail(s) address:</b>                                |                               |
| <b>Contact telephone number:</b>                                 |                               |
| <b>Date of Birth:</b>  | Click or tap to enter a date. |
| <b>Course applied to:</b>  | Choose an item.               |
| <b>Expected start of course:</b><br><i>(e.g. September 2023)</i> |                               |
| <b>Applicant No:</b>   |                               |
| <b>Reference no. (if applicable):</b>                            |                               |

***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:***

| <b>STAGE 1 COMPLAINT</b>   |   |
|--|---|
| <b>I am lodging a Stage 1 COMPLAINT on the following ground(s):</b>                                    | <b><i>Please tick all grounds that apply:</i></b> |
| 1a) That there is evidence of significant administrative or procedural error in the admissions process | <input type="checkbox"/>                          |
| 1b) That there is evidence of prejudice or bias in the selections process                              | <input type="checkbox"/>                          |
| <b>STAGE 1 APPEAL</b>  |   |
| <b>I am lodging a Stage 1 APPEAL on the following ground(s):</b>                                       | <b><i>Please tick all grounds that apply:</i></b> |
| 1c) That there is evidence of significant administrative or procedural error in the admissions process | <input type="checkbox"/>                          |

|  |   |
|--|---|
| 1d) That there is evidence of prejudice or bias in the selections process  | <input type="checkbox"/>                          |
| 1e) 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 | <input type="checkbox"/>                          |
| <b>STAGE 2 COMPLAINT OR APPEAL</b><br><i>(Please note the grounds at Stage 2 of the procedure are the same, regardless of whether you have submitted an appeal or a complaint)</i>           |   |
| <b>I am lodging a Stage 2 COMPLAINT</b>  | <input type="checkbox"/>                          |
| <b>I am lodging a Stage 2 APPEAL</b>   | <input type="checkbox"/>                          |
| <b>I am making my Complaint/Appeal on the following ground(s):</b>   | <b><i>Please tick all grounds that apply:</i></b> |
| 2a) That there is evidence of significant administrative or procedural error in the processing of the Stage 1 complaint or appeal  | <input type="checkbox"/>                          |
| 2b) That there is evidence of prejudice or bias in the handling of the Stage 1 complaint or appeal process   | <input type="checkbox"/>                          |
| 2c) 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 | <input type="checkbox"/>                          |

### 3. Summary Details

*Please complete as many details of the boxes below as possible)*

|  |  |
|--|--|
| <b>Date of incident:</b>   |  |
| <b>Date of Admissions Decision:</b>  |  |
| <b>Date Stage 1 Complaint / Appeal was lodged:</b>   |  |
| <b>Date of Stage 1 Complaint / Appeal Outcome Letter:</b>  |  |
| <b>Stage 1 Outcome (<i>Upheld/Not Upheld</i>):</b>   |  |
| <b>Any brief relevant summary information you wish to draw to our attention</b><br>(please note you are asked to provide a full statement of your Stage 2 appeal/complaint further on in this form): |  |
|  |  |

**Please list all documentation enclosed with your submission (there is no minimum or maximum limit, expand as required)**

| No.                      | Description                   |                                    |                               |
|--------------------------|-------------------------------|------------------------------------|-------------------------------|
| 1.                       |                               |                                    |                               |
| 2.                       |                               |                                    |                               |
| 3.                       |                               |                                    |                               |
| 4.                       |                               |                                    |                               |
| <b>Date of incident:</b> | Click or tap to enter a date. | <b>Date of admissions decision</b> | Click or tap to enter a date. |

**On the next page, you are asked to provide your statement of complaint/appeal, followed by a clear indication of your desired outcome/resolution. Please read the guidance below:**

**If you are making a STAGE 1 complaint/appeal, your statement should include:**

- Confirmation that you are making your complaint/appeal under **Stage 1**
- A concise explanation of how you believe you meet the respective ground(s) under which you are making your complaint/appeal
- Whether you have attempted to informally resolve the matter(s) you are raising
- An explanation of why you believe the evidence you are submitting is relevant and supports your case
- Any resulting steps that have already been offered by LCDS or that LCDS has taken to resolve the matter
- Details of any responses you have received, clearly referencing any evidence you are supplying as part of your complaint/appeal

**If you are making a STAGE 2 complaint/appeal, your statement should include:**

- Confirmation that you are making your complaint/appeal under **Stage 2**
- A concise explanation of how you believe you meet the respective ground(s) under which you are making your complaint/appeal
- Any steps taken to resolve the matter
- A statement of why you feel the Stage 1 response(s) is/are unsatisfactory
- An explanation of why you believe the evidence you are submitting is relevant and supports your case
- Details of any responses you have received, clearly referencing any evidence you are supplying as part of your complaint/appeal

**STATEMENT OF COMPLAINT / APPEAL:**

*Please write a statement describing the issue(s) of complaint/appeal. Please refer to the guidance on the previous page of this form when completing your statement.*

**Desired outcome(s):**

*(Please specify your desired outcomes or resolutions to your complaint/appeal, expanding the box as necessary)*



|                            |   |
|----------------------------|---|
| <b>DECLARATION:</b>        | <p>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.</p> <p>I agree to the investigating officer on behalf of London Contemporary Dance School, The Place, sharing details of this case, including information from my application, with other persons of The Place (including staff in LCDS and wider departments of The Place where relevant and appropriate) as necessary as part of any investigation and to retain a record of that investigation, in accordance with London Contemporary Dance School's Admissions Complaints and Appeals Procedure.</p> |
| <b>Signature:</b>          |   |
| <b>Date of submission:</b> | Click or tap to enter a date.   |