

University of Birmingham

**Proposed New Code of Practice on the Admission of Students**

**Purpose of Paper**

1. APRC is asked to **approve** a new Code of Practice for the Admission of Students that will replace the existing Code of Practice on Admission of Students to the University of Birmingham and Code of Practice on the Admission of Postgraduate Research Students, and which was initially considered by APRC at its meeting on 16 February 2010 (Minute 10/08 refers).

**Proposal**

2. That, as well as approving the adoption of the new Code, APRC approve amendment regulations: That Regulation 5.1.1 (h), the text of which follows, be deleted (with consequent renumbering of Regulations 5.1.1 (i)-(k) as Regulations 5.1.1 (h)-(j)).

*Criteria and procedures for admission to the degrees of Doctor of Dental Surgery (DDS) and Doctor of Medicine (MD) shall be as specified in the Code of Practice on Admission of Postgraduate Research Students.*

3. That the following changes (additions underlined, deletions struck through) be made to the Code of Practice on Split-Location Study for Research Students:

*1.1 This Code of Practice sets out the arrangements for Registered Students who undertake research degrees on a split location basis. It should be read in conjunction with the following...*

*1.1.2 the Code of Practice on Admission of ~~Postgraduate Research~~ Students;...*

- 3.1 Registered students will be expected to meet the normal admission requirements for research students, as set out in ~~the Academic Regulations~~ Section 5 and in the Code of Practice on Admission of ~~Postgraduate Research~~ Students.*

**Background**

4. The University currently has two codes of practice governing the admission of students to taught and research programmes. There has been no substantial review of either code of practice for over five years, since the Code of Practice on the Admission of Postgraduate Research Students took on its present form, although both codes of practice underwent minor, mainly cosmetic, modifications as part of the reorganisation of the University in 2008.
5. There have been several developments in the higher education sector as a whole in recent years which affect the conduct of admissions, most notably the forthcoming

introduction of the Points Based System for overseas students. This necessitated a review of the admissions procedure and codes of practice.

6. When the then Faculty of Medicine ceased to use separate Regulations in 2003, some programme-specific information from the Faculty Regulations were added to the University Regulations, which included the admissions criteria and procedures for admission to the DDS and MD. As part of the restructuring of Regulations in 2008, these sections were transferred from Regulations to the Code of Practice on the Admission of Research Students as sections 4 and 5. Regulation 5.1.1 (h) was put in Regulations at the time as a sign-post to indicate where information previously located in Regulations could then be found.
7. Proposed changes have been developed following discussion between Admissions, Curriculum Development Unit and the Postgraduate Research section of Student Records. An initial draft and a final draft of the proposed Code of Practice have been circulated to all admissions tutors for comment, with all comments considered and addressed.
8. When the proposed Code of Practice on Admission was initially considered by APRC at its meeting on 16 February 2010, it was agreed that due to the need to incorporate a number of amendments, the Code should be subject to consultation involving the Director of Legal Services, the University's Disability and Learning Support Service, and the Associate Professor of Medical Education, prior to its discussion by the Committee. It was also agreed that the Director of Admissions should also be invited to attend the meeting when the revised Code of Practice was considered.

### **Arguments to Support Proposal**

9. It is impractical to have two codes of practice governing admissions to the University. Not only does this make it more difficult for students to access the appropriate code of practice, but it also necessitates the repetition of information, which leads to the risk of information only being accurately updated in one place.
10. Although there are specific principles that affect either taught or research students, general principles governing admission are generic; therefore the majority of the clauses of the proposed Code of Practice on the Admission of Students to the University apply in all cases.
11. The existing Code of Practice on Admission of Students to the University of Birmingham and Code of Practice on the Admission of Postgraduate Research Students are both quite wordy, with plentiful exposition of principles. This is not ideal in a code of practice, which needs to act as a reference document setting out what needs to be done in certain circumstances. The proposed Code of Practice for the Admission of Students retains all substantive material from the existing codes of practice other than those discussed below, but has been substantially rewritten to make following procedures easier. To this end quotation from other legislation, statements of vague principle and unnecessary and potentially changeable information such as lists of programmes subject to certain admissions criteria have been removed from the proposed code of practice.
12. The only significant additions to procedure have been to incorporate the requirements of the Points Based System for overseas students into the proposed code of practice (section 3.8).

13. There is no reason why the admissions criteria and procedure for the DDS and MD should be in University legislation whilst no other research programme, including those within the College of Medical and Dental Sciences, has this treatment. This appears to be a hangover from Faculty Regulations, but to offer nothing of value. The appropriate place for information regarding admission criteria to a particular programme is the Programme Specification, which allows the College to alter this information through the modification to programme process without having to seek approval from APRC for what is clearly a non-regulatory matter. It is therefore suggested that these entry criteria are deleted from University legislation and left to the College of Medical and Dental Sciences to determine in the normal fashion for postgraduate research programmes.
14. Section 6 of the existing Code of Practice on the Admission of Postgraduate Research Students deals with the admission of Research Fellows and Research Associates to postgraduate research programmes. It is felt that this is a matter relevant to the terms of employment of these individuals, not an academic matter: should it be judged acceptable for a researcher at the University to undertake a research degree based on their research, then they should be admitted as a normal student. Therefore it has been proposed to delete this section from the Code of Practice and to ask Human Resources to consider whether this section of legislation needs to be placed somewhere within the legislation under their purview or whether it can be deleted fully.
15. In light of the proposed incorporation of the Code of Practice on the Admission of Postgraduate Research Students into the new Code of Practice on Admission of Students to the University, it is necessary to make minor changes to the Code of Practice on Split-Location Study for Research Students to ensure that terminology is correctly applied. No further Codes of Practice or Regulations directly reference any relevant codes of practice.

## **Code of Practice for the Admission of Students**

### **1 Introduction**

- 1.1 This document sets out the University's Code of Practice for the admission of students to both undergraduate and postgraduate (taught and research) programmes. It provides information on the authority and responsibilities of those involved in the process (both University employees and applicants) and outlines how any disputes will be resolved.
- 1.2 Admission to the University is solely at the discretion of the University.
- 1.3 The University will at all times seek to operate procedures that are fair, transparent and consistent, and are in accordance with the law of the United Kingdom, the University's Charter, Statutes, Ordinances and Regulations, and the rules of natural justice. This includes specific compliance with legislation relating to discrimination (e.g. Race Relations Amendment Act, Sex Discrimination Act and the Disability Discrimination Act, etc.) and Clause 12 of the University's Charter, which states:

*The University promotes equal opportunities and shall exercise no discrimination on the grounds of political opinion, age, colour, disability, ethnic or national origin, gender, marital status, race, religion or sexual orientation shall be exercised by the University in the admission of students, or the appointment or promotion of staff or the awarding of any Degree Diploma or Certificate, or generally, in the execution of any of its Objects as laid down by the Charter.*

- 1.4 The University's admissions procedures also pay due regard to guidance regarding good practice issued by other bodies, including the Quality Assurance Agency's Code of Practice, and such documents and directives as may be issued by the Government, the Higher Education Funding Council (England), and the Research Councils.
- 1.5 Registered Students of collaborative institutions that are admitted to collaborative programmes or programmes leading to an award by the University of Birmingham but administered and managed by a collaborative institution will be subject to the University of Birmingham's regulations. Registered Students of collaborative institutions may be subject to separate programme requirements of the institution to which they are admitted. In the event of conflict between the University of Birmingham's regulations and the separate programme requirements then the separate programme requirements shall apply.
- 1.6 Registered Students of collaborative institutions shall not be admitted to any collaborative programme, including joint degrees, until all agreements have been signed by all parties.

### **2 Authority and Duties**

#### **2.1 Council and Senate**

The formal authority and responsibility for the admission of students is devolved from the Council of the University to the Senate.

## **2.2 Heads of School and Admissions Tutor**

- 2.2 .1 Heads of School will ensure that their Admissions Tutors are aware of the programme(s) and/or level(s) of study for which they hold delegated responsibility, the period of their appointment, and any consequential variation of their other duties.
- 2.2 .2 Heads of School will ensure that newly appointed Admissions Tutors will undergo an appropriate induction process, which will include receiving advice from previous Admissions Tutors and training from the Admissions Office. The Admissions Office publishes guides for both undergraduate and postgraduate Admissions Tutors.
- 2.2 .3 A Head of School may also delegate responsibility for making offers to applicants to programmes within his/her School to the Director of Admissions, who will then act in conjunction and consultation with the School's Admissions Tutor(s). When this is the case, the relevant Admissions Tutors will draw up, and agree with the Director of Admissions, any criteria additional to those published against which applicants may be assessed.

## **2.3 Director of Admissions**

- 2.3 .1 The Director of Admissions has general responsibility for the process for ensuring that the entry criteria for all existing and new, amended or replacement programmes of study comply with the University's mission and strategic objectives, with legislation, and with relevant standards as to ability and level (having regard to established national and University criteria).
- 2.3 .2 The Director of Admissions will advise a Head of School or Admissions Tutor on any issues around making an offer to an applicant, including progress towards any targets that may have been set and the number of offers that should be made to meet the target (so far as this can be estimated).
- 2.3 .3 If the Head of School or Admissions Tutor do not agree with or follow the advice given by the Director of Admissions, the matter must be referred to the Pro-Vice-Chancellor (Teaching, Learning and Quality) for adjudication of any dispute.

## **3 Criteria for Admission**

- 3.1 Every student shall on admission comply with the entry requirements of the programme of study for which they are being admitted, and the general requirements for admission to the University detailed in Regulation 5.1.1.
- 3.2 Applicants may be required to present their original certificates or certified copies of them for inspection and the right is reserved to verify directly with the awarding institutions.
- 3.3 For some taught programmes and for research programmes, applicants to whom the University wishes to consider offering a place will normally be required to attend a formal interview. The offer of a place will be dependent on the applicant's performance at this interview.
- 3.4 Interviews will be conducted in a manner that is fair, consistent and transparent. If necessary, special arrangements will be made to allow an applicant to attend an

interview.

- 3.5 If, for applicants to research programmes, it is not possible to arrange an interview, special care will be taken in assessing the candidate's suitability to undertake the proposed programme in the light of study previously undertaken and qualifications obtained.
- 3.6 Applicants may request recent prior learning and experience to be taken into account, such that they may be granted an exemption from certain parts of the programme for which they are applying, as detailed in Regulation 5.1.2.
- 3.7 The offer of admission to certain programmes of study may be subject to satisfactory completion of additional assessments.
- 3.8 Applicants from countries outside the European Economic Area will have to be eligible for Tier 4 of the Points Based System, as defined by the UK Border Agency.
- 3.9 In the case of applications for a programme which leads to an award carrying professional recognition or qualifies the student as "fit to practise", the assessment criteria will include consideration of whether, having completed the academic programme successfully, the applicant is likely to meet the relevant professional body's requirements for recognition and/or registration. The applicant will be required to sign a programme-specific code of conduct and to meet any fees associated with registration.
- 3.10 If the applicant will come into unsupervised contact with children and/or vulnerable adults during their programme, they will be required to register with the Independent Safeguarding Authority (ISA) and show evidence that they have clearance from the Criminal Records Bureau (CRB), or to agree to the University seeking ISA registration and a check from the Bureau on their behalf. The applicant is responsible for paying all the fees necessary to register with the ISA and obtain the required level of CRB check.
- 3.11 Applicants are required to declare at the point of application any relevant criminal convictions that are not spent. For some programmes all criminal convictions must be declared, spent or otherwise.
- 3.12 Admission may also be conditional on meeting any other requirements for admission to the programme, such as professional or practise-based requirements. It is the applicant's responsibility to gain all the necessary approvals and to meet any costs involved.
- 3.13 Applicants from state schools or colleges that participate in the Access to Birmingham (A2B) Scheme may supply additional contextual information in order to be considered eligible to take part in the scheme and, where appropriate, secure an alternative offer.
- 3.14 For applicants for research programmes of study, the field of study must be determined in at least general terms before admission. A final choice and definition of the research topic may be taken before or after admission according to circumstances.

#### **4 Admissions Procedures**

- 4.1 Applications for most undergraduate programmes of study and the MA Social Work shall be made through the Universities and Colleges Admissions Service (UCAS).

- 4.2 Applications for Initial Teacher Education shall be made through the Graduate Teacher Training Registry (GTTR).
- 4.3 Communications on the progress of an application and any formal offer of admission to these programmes shall normally be made through the appropriate clearing organisation, although the University (either the Admissions Office or the relevant School) may write separately to the applicant and/or their sponsor in order to provide information on the level of fee to be paid, to provide further information about the University, or to seek additional information from the applicant.
- 4.4 Applications for postgraduate programmes and those undergraduate programmes not applied to through a clearing organisation shall be made direct to the University.
- 4.5 Applications for postgraduate research programmes to be undertaken in Split Locations should further meet the requirements set out in the Code of Practice on Split Location Study for Postgraduate Research Students Section 3.
- 4.6 The information presented in an application must be truthful and accurate as detailed in Regulation 5.1.1 (k).
- 4.7 It is the duty of applicants to inform the University promptly of any change of address, any change of name, or any other change in circumstances which may affect their application.
- 4.8 Applicants who have disclosed a disability are advised to contact the University's Disability and Learning Support Service before accepting any offer of a place in order to establish what support is available and to provide any information the University needs to ensure that the agreed support can be arranged.
- 4.9 Admission requirements and procedures are detailed in University publications and applicants should make themselves aware as to whether and at what stage an interview and/or qualifying examination is normally required.
- 4.10 The University will classify students as Home/EU, Islands or Overseas for fee purposes in line with Home Office guidance.
- 4.11 A student, having accepted the offer of admission, may appeal against their tuition fee classification as Home, Islands or Overseas. The tuition fee shall remain payable at the original rate while the appeal is being considered. Where an appeal is upheld in full or in part, the new fee classification will be confirmed and any overpayment will be refunded. However, once set the fee classification may only be altered during the Programme in exceptional circumstances.
- 4.12 The University, may levy an application fee for certain postgraduate programmes. Applications to these programmes will not be considered until the application fee has been received.
- 4.13 The University may charge a non-returnable deposit, to be used against the programme fee, when an applicant accepts the offer of a place on certain postgraduate programmes. An applicant will not be accepted onto these programmes until the deposit has been received.

## 5 Responsibilities of the University

- 5.1 The University retains the right to refuse admission to any applicant without assigning any cause (see Regulation 5.1.1 (i)). However, the University will provide appropriate feedback on request to unsuccessful applicants.
- 5.2 The University will communicate with applicants in a timely manner either via the appropriate national clearing house (e.g. UCAS) or to the correspondence address provided on the application.
- 5.3 Data will not be released to any third party without the express agreement of the applicant, except in accordance with the Data Protection Act 1998.
- 5.4 When making an offer of a place, the University shall confirm to the applicant the following information:
  - 5.4 .1 the fees for the first year of the programme including information on the level of any bench fees, and a statement of the date by which payment is required;
  - 5.4 .2 the field of study;
  - 5.4 .3 the start date and (for applicants to postgraduate research programmes) the likely duration of study and the minimum and maximum times permitted;
  - 5.4 .4 any conditions to be satisfied before admission, including information on what will happen if these conditions are not met;
  - 5.4 .5 any preparatory courses which the student may be required to take on or before arrival and, if appropriate, their effect on the overall period of study; and
  - 5.4 .6 (for overseas applicants) the current estimated annual cost of maintenance for non-UK students.
- 5.5 When making an offer of a place on a **postgraduate research programme**, the University should confirm also the following additional information:
  - 5.5 .1 the name(s) of the member(s) of staff provisionally appointed as the supervisor(s);
  - 5.5 .2 the proposed title of the thesis (where this has been determined);
  - 5.5 .3 any conditions affecting progress to successful completion of the proposed work, including any qualifying thesis or other work required for formal assessment and any conditions imposed by sponsors;
  - 5.5 .4 the responsibilities being accepted by the student for their academic studies and candidacy for a research degree; and
  - 5.5 .6 an outline of any foreseen opportunities to undertake teaching or other duties and any conditions associated with these
- 5.6 Successful applicants will also be sent further details of their programme, including but not limited to details of registration and induction, the University legislation, University services and particular information relevant to groups such as mature students, overseas



students or students living at home.

- 5.7 The University cannot accept responsibility for any delay of correspondence by postal authorities in the United Kingdom or abroad, for the misdirection or non-arrival of correspondence when the correct address has not been provided, if the correspondence is forwarded to a mail sorting office or returned because the applicant or his or her agents were not at the address to receive the postal delivery, or for any consequences which have arisen as a result of the above.
- 5.8 The University seeks to consider applications in a fair, consistent and transparent manner (see paragraphs 1.3 and 1.4). Irrespective of whether an interview is offered, the assessment of an application will be on the basis of any other requirements for admission to the programme, such as professional or practise-based requirements.
- 5.9 All applications to undergraduate programmes received by the published national deadlines will be given equal consideration. If received after the deadline, applications to undergraduate programmes may be rejected if the competition for admission to a particular programme exceeds the available space and resources, or if the admission of additional students would contravene the maximum permitted by the University or by another relevant authority.
- 5.10 For applications for postgraduate taught programmes, when the number of applications received will, in the opinion of the Admissions Tutor and/or the Director of Admissions, meet the number of available places on that programme, any further applications received may be rejected.
- 5.11 For applications to postgraduate research programmes, the recommendation to admit an applicant shall in all cases be made by the Head of the School or by his or her nominee. The Head of School or his or her nominee must be confident the applicant is qualified to undertake the proposed research, that the proposed research is capable of being studied to a depth appropriate to the award and that the proposed research can be completed within the time allowable on that award. The Head of School or his or her nominee must also be certain that proper supervision can be provided for the proposed research and that the appropriate resources will be available for the research.
- 5.12 In the event that no offer of admission is made and the reasons for this decision were failure to meet the requirements for admission, the University will endeavour to assist the applicant by providing for their consideration details of any alternative programmes which may be available at this University. While the University will provide assistance in this context, it is under no obligation to offer admission if no appropriate alternative programme of study is available.
- 5.13 Where an applicant, having received a conditional or conditional and deferred offer, fails to meet the criteria specified by the University for admission within the specified time scale, the University shall be under no obligation to admit the student to the original or to an alternative programme. The University shall be under no further obligation to the applicant.
- 5.14 Notwithstanding the statement above, the University may, at its discretion, offer admission to a different programme, offer admission at a different level, or offer admission subject to different conditions (including a deferred or deferred and conditional offer), which, if accepted, shall be subject to the conditions specified in the new offer.

- 5.15 The University aims to provide the programmes that have been advertised in the prospectus or elsewhere. However, if there is any significant change to the programme between the time at which an offer is made and the point at which registration is complete, the University will inform relevant applicants promptly and advise them of the options available to them. Factors which may be included in this category include:
- the impending withdrawal of a programme, where the decision to withdraw the programme had not been made at the time when the programme was advertised;
  - a substantial change to the duration or content (syllabus) of a programme;
  - a change to the work experience/placements/practical elements or in the standing of the programme (e.g. professional recognition);
  - a significant change to the programme requirements, tuition fee, or approved supplementary fees;
  - a decision to run the programme at a different institution or geographical location;
  - a substantial change to the pattern of attendance (e.g. with a different start date, on different days for a part-time programme, or with a different pattern of study at Birmingham / a collaborative institution / abroad / in commerce or industry); and
  - a change to the award which will be made to students by the University on successful completion of the programme.

Applicants should note that the above list is indicative. If there is any doubt as to whether an anticipated change is “significant”, the University’s default position will be to inform applicants.

## **6 Review of Decisions**

- 6.1 The University seeks at all times to operate its admissions policies and procedures fairly, consistently and transparently. However, on occasion an applicant may request a review of a decision or may seek clarification as to the reason for the decision.
- 6.2 The University will not review an admissions decision where the grounds for requesting a review are simply that the applicant disagrees with the academic judgement that has been applied, and where there is no evidence that the correct procedures have not been followed.
- 6.3 If an applicant believes that the correct procedures have not been followed, they should address their request for clarification or review to the relevant Admissions Tutor.
- 6.4 If the applicant is not satisfied with the response from the Admissions Tutor, a request for a formal review of the decision should be made in writing and addressed to the Director of Admissions
- 6.5 The Director of Admission shall investigate the circumstances surrounding the request for a review in consultation with the relevant Head of School and/or with other appropriate persons, with a view to seeking a solution.

- 6.6 When making a request for a review of a decision, the applicant must include the grounds for requesting the review (i.e. any alleged procedural irregularities) and any supporting evidence including, where available, copies of any relevant documentation. Applicants shall not normally be permitted to add further material or grounds after their request for a review has been submitted for consideration by the University.
- 6.7 The University will consider requests for a review of a decision in a timely manner, with a view to providing a response within two weeks of the date on which the written request reaches the Director of Admissions. Where a response is not possible in that timeframe, the Director of Admissions will write to inform the applicant, giving reasons for the delay.
- 6.8 The outcome of the review will be sent in writing to the applicant at the correspondence address which has been provided.
- 6.9 If the applicant is not satisfied with the outcome of the review conducted by the Director of Admissions, they may present their case to the Pro-Vice-Chancellor (Teaching, Learning and Quality), who will conduct a further investigation. The applicant will again be required to submit their case in writing. The decision of the Pro-Vice-Chancellor (Teaching, Learning and Quality) shall be final.
- 7. Students seeking to Transfer Registration from another Higher Education Institution within the United Kingdom**
- 7.1 Students seeking to transfer their Registration on a taught programme to the University of Birmingham from another Higher Education Institution within the United Kingdom should apply for admission normally, requesting prior learning to be taken into account as under 3.6 above.
- 7.2 .1 Students seeking to transfer their Registration on a research programme to the University of Birmingham from another Higher Education Institution within the United Kingdom must:
- 7.2 .1 (a) submit an application with references, supporting documents and reason for requesting a transfer. Normally, at least one reference should be from the current supervisor(s) and should contain information of the applicant's progress to date; and
- 7.2 .1 (b) provide, where appropriate, confirmation that funding from an external sponsor will be transferred should an offer be made by the University of Birmingham.
- 7.2 .2 If the relevant School supports the application, the Head of School or nominee must:
- 7.2 .2 (a) ensure that an appropriate supervisory team is available;
- 7.2 .2 (b) be satisfied that the applicant has been progressing satisfactorily at their previous institution; and
- 7.2 .2 (c) recommend the period of registration that the School wishes the applicant to transfer and thereby confirm the minimum period of registration to be completed at the University of Birmingham.

- 7.2 .3 Once the recommendation to permit the transfer has been made by the Head of School or his or her nominee Admissions will:
- 7.2 .3 (a) check that regulations have been met regarding the required period of registration in order to obtain a University of Birmingham degree;
  - 7.2 .3 (b) check the student's qualifications to ensure they meet the entry requirements for the University of Birmingham;
  - 7.2 .3 (c) obtain confirmation from the previous institution of the official date of the student's registration and of the progress of the applicant to date (for example, the reference from the supervisor);
  - 7.2 .3 (d) seek assurance that the existing supervisory team and the previous institution are in agreement for a transfer to be made to this institution; and
  - 7.2 .3 (e) if appropriate, obtain confirmation from the external sponsor for the transfer of funding;
- 7.2 .4 The formal offer of admission shall be issued to the applicant by the Director of Admissions or his or her nominee. It shall include the following information:
- 7.2 .4 (a) The field of study.
  - 7.2 .4 (b) The start date and likely duration of study and the minimum and maximum times permitted.
  - 7.2 .4 (c) Any conditions to be satisfied before admission.
  - 7.2 .4 (d) Any conditions affecting progress to successful completion of the proposed work (including any qualifying thesis or other work required for formal assessment).
  - 7.2 .4 (e) Any preparatory courses which the student may be required to take on or before arrival and, if appropriate, their effect on the overall period of study.
  - 7.2 .4 (f) The fees for the first year of the programme including information on the level of any bench fees, and a statement of the date by which payment is required.
  - 7.2 .4 (g) the current estimated annual cost of maintenance for non-UK students.
  - 7.2 .4 (h) The name(s) of the member(s) of staff provisionally appointed as the supervisor(s).