

Tenancy Appeals Procedure

1. Purpose / Objective

If a student is unhappy with the manner in which the Tenancy, and / or decision relating to it, has been applied to their individual circumstances, they have a right to appeal the decision, to ensure that their case is reviewed in a fair and consistent manner. This procedure outlines the stages of appeal and decision making process. It also ensures that all complaints are dealt with separately, on an individual basis and do not form the basis of an appeal.

Requests / Appeals may be made by individual students or by groups of students; they may not be lodged by a representative, a parent or any other third party (Unless it can be shown that there are exceptional grounds why the student cannot make the complaint him/herself).

2. Scope / Reason for Issue

Once an appeal is submitted, a decision should be emailed to the students university email account within 15 working days. Not all decisions will be agreed with / accepted by the student, or some may feel that they have extenuating circumstances and wish to appeal the decision. In order for there to be a fair and transparent decision making process, all students should have a right to appeal against decisions made as a direct result of their tenancy. The appeal process should be straightforward and maintain clear timelines in order to conclude the matter. It should also clearly state that the appeal process should not affect the scheduled payment of rents as outlined in the Tenancy Agreement.

3. Procedure

- An initial request is received / decision made directly relating to the Tenancy, a response from Residential Services is then submitted. E.g. A request to transfer accommodation or be released from the contract.
 - For Transfer and Waiting list requests the staff co-ordinating these requests will respond to the student under the normal transfer and waiting list procedure.
 - Students wishing to appeal a decision must complete a Tenancy Appeal Form
 - Once submitted the appeal will be logged and documented as a Stage 1 Appeal.
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Stage 1.

All Tenancy related appeals will be reviewed by the Allocation & Administration Manager or a designated Manager where appropriate.

If new information / supporting documentation is received at this stage, it is dealt with as a normal request and not a Stage 1. Appeal, as the outcome could have been judged differently on the basis of the new information.

The Allocation & Administration Manager will:

- Acknowledge the appeal within 5 working days of receipt.
- Review the decision and all necessary documentation to ensure it is in line with the Tenancy agreement.
- Consider the appeal and decide whether the previous decision should be upheld based on the following criteria:
 - *Did the decision breach the Tenancy Agreement or any said part?*
 - *Was all relevant information available at the time of the original decision?*
 - *If all alternatives were investigated at the time of the request.*

Any complaint / repair issues should be separated from the appeal process and dealt with accordingly, unless there is a direct correlation between the complaint and the Tenancy.

Decisions relating to Stage 1 should:

1. Clearly outline the reason for the decision.
2. Be communicated via email to the Students university email account within 15 working days of the appeal.
3. State notify the student at what stage the appeal was reviewed under and the next course of actions open to them, i.e. take the appeal to Stage 2
4. Not affect the scheduled payment of rents as outlined in the Tenancy Agreement
5. Notify the student of the 15-day timescale in which to appeal.
6. Be proofed by another member of staff
7. Be logged in the appeals file

Stage 2.

If at this stage the student wishes to appeal the Stage 1 decision, the student needs to write in and outline on what basis the decision should be appealed. The appeal is then logged as a Stage 2 Appeal and reviewed by:the Head of Residential Services and / or a Senior Manager where appropriate.

The Head of Residential Services and / or Senior Managers will consider the Stage 2 appeal and review what lead to the decision and was it appropriate, reasonable and justifiable given the circumstances.

Decisions relating to Stage 2 should:

1. Clearly outline the reason for the decision.
2. Be notified via email to the Students university email account within 15 working days of the appeal.

3. The notice to the student should state at what stage the appeal was reviewed under and the next course of actions open to them, i.e. take the appeal to Stage 2,
 4. Not affect the scheduled payment of rents as outlined in the Tenancy Agreement
 5. Notify them of the 15-day timescale in which to appeal.
 6. Be proofed by another member of staff.
 7. Logged in the appeals file.
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Stage 3

If at this stage the student wishes to appeal the Stage 2 decision, the student needs to write in and outline on what basis the decision should be appealed. The appeal is then logged as a Stage 3 Appeal:

- Director of Student Services / or nominee
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1. Responsibility

- Head of Residential Services
 - Director of Student Services
 - Allocation & Administration Manager
 - Systems / Finance Manager
 - Residential Operations Manager
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2. Applicable to:

- All Staff & Students
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3. Definitions / Descriptions

- Tenancy Agreement - *a written agreement specifying the terms of the rental or temporary possession of a property*
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4. Related Documentation

- Student Appeal Form.docx – below.
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5. Distribution

- All Staff
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Date Stamp:



Tenancy Appeals Form

If you have made a request relating to your Tenancy, received a decision and are not happy with the outcome you may appeal by completing this form.

1. Before completing this form, please ensure that you have read the Residential Services' Tenancy Appeal Procedure online.
2. Submit this form to Residential Services Central Office at the address below, via e-mail to accommodation@swansea.ac.uk or in person to Residential Services in Penmaen Residence.

*Head of Residential Services
Residential Services
Penmaen Building
Swansea University
Singleton Park,
Swansea. SA2 8PP*

3. Please keep a copy of this form plus any material you submit for your records.
4. We will acknowledge receipt of your complaint **within 5 working days**. (I.e. excluding, public holidays and official University holidays).
5. You will receive a written response **within 15 working days** of the complaint being received. If circumstances mean a full response is likely to take longer, we will inform you of this and ensure a new timescale is set and communicated to you.
6. Unless agreed otherwise, the Residential Services Tenancy Appeal Procedures will be followed.

All appeals will be dealt with confidentially, though enquiries may have to be made to investigate the matters that are the subject of the appeal.

The effectiveness of any appeal procedure depends on the University being able to collect appropriate information from the parties involved in order to investigate the matter properly. For this reason, anonymous or 3rd Party appeals will not be dealt with.

If you need advice in preparing your appeal, you are advised to seek help from your Students' Union Advice Centre or Student Support Services.

If your appeal relates to other areas of the University outside of Residential Services, please refer to the [University's Complaint Procedure](#) online.

Date Stamp:



Residential Services Tenancy Appeals Form

SECTION 1 – YOUR DETAILS

| | | | |
|--------------------|--|------------|--|
| Student No: | | Full Name: | |
| Contact Tel. No: | | | |
| Term Time Address: | | | |
| Postal Address: | | | |
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| Email Address: | | | |

SECTION 2 – YOUR APPEAL

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| (a) Please set out the details of your appeal, including copies of any relevant documentation. |
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| (b) Please explain why you feel your appeal should be reviewed; please attach copies of any relevant correspondence. |
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| (c) Please explain why you are not satisfied with the response you have received at the informal stage. |
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SECTION 3 – DESIRED OUTCOME

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| Please indicate what outcome or future action you would like to see taken in order to address your issues. |
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SECTION 4 –DECLARATION

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| Please sign below that you believe that the above information is accurate. |
| Signature: _____ Date: _____ |

FOR OFFICE USE ONLY:-

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| Reference No: | Date Received: | |
| Sent To: | | |
| Date acknowledged: | By: (Staff) | Follow up date: |
| Notes: | | |
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| | | |
| Completion Date: | | |