

**Some providers have been asking for clarification on the new terms of service. We've compiled some FAQs to respond to some of the more common queries, but you can submit a query via your Relationship Manager (if you're not sure who that is then please email [relationshipmanagement@ucas.ac.uk](mailto:relationshipmanagement@ucas.ac.uk))**

### **Why have UCAS updated the Terms of Service mid-cycle?**

With the ongoing coronavirus crisis and interventions from the Office for Students and Universities UK, there is a focus on what constitutes fair and consistent admissions practice, and the updated terms of service and related rules and principles are clearer and more comprehensive, and help to outline the expectations underpinning the use of the UCAS UG scheme

The Terms of Service were referenced as part of the recently released Universities UK admissions principles. In light of this, we have chosen to expedite work that was already underway ahead of the 2021 cycle, to ensure that the remainder of the 2020 cycle continues to operate in the best interests of the sector and students.

### **We would like to compare the updated Terms of Service against the previous version – please can you indicate where changes have been made?**

It's worth noting that we have crystalmarked the updated Terms of Service, and re-written it in plain English for transparency and ease of understanding, and therefore almost every sentence in the new document is different. Unfortunately, we can't provide a tracking document to show what has changed, but can supply a copy of the previous Terms of Service on request.

The key changes that have been introduced are:

- An extension to the notice period.
- An update to the UCAS Application and Recruitment Policy within the Admissions Guide, which includes the replacement of Principles of Admission with Business Rules.

### **What updates have been made to the UCAS Application and Recruitment Policy, and where do I find it?**

The Terms of Service mandate that providers must '*keep to the requirements, rules and principles set out in our Admissions Guide*'. We have updated the UCAS Application and Recruitment policy within the Admissions Guide, with a new section on Business Rules which replaces the previous Principles of Admissions. The Business Rules and Admissions Principles Working Group identified that the term 'Principles of Admission' lacked clarity and implied a level of discretion which was not conducive to the scheme being used consistently and fairly. We have taken the opportunity to introduce new Admissions Principles which identify best

practice and are intended to provide guidance to admissions practitioners, in addition to the rules of the scheme. The main changes to Business Rules are as follows:

- The expectation to use UCAS for all full-time undergraduate applications has not changed, however our Business Rules now include identifying UCAS as the main application route in provider marketing and websites, following applicant complaints that they had not understood that the RPA process would lock them in to a particular provider. As such, the rule on using the Record of Prior Acceptance (RPA) has been enhanced and expanded to make it clear that RPAs should not be used to curtail student choice.
- A Business Rule has been introduced to ensure that there is a distinction between academic conditions, and conditions or actions which are an incentive to accept a particular choice. This ensures that applicants can clearly understand the requirements they need to meet to be accepted on to a course.
- There is a stronger message that providers must use UCAS as the authoritative source of all information on the status of applications submitted via UCAS, to ensure that applicants and advisers are able to view all relevant application information within one tool.
- There are stronger and clearer rules around amending offers and providers contacting applicants who are not holding offers with them, to ensure that both applicants and providers understand when appropriate amendments and contact is permitted.
- Transparency reporting, and a new rule introducing the right for UCAS to request and audit a providers' full-time undergraduate acceptance data information to verify compliance with the Terms of Service has been brought in to support compliance. Please see below for more information on this.
- A formal process by which customers can alert UCAS to non-compliance by providers has been introduced.

### **Why do we have to email to confirm receipt and acceptance of the Terms of Service?**

We are asking customers to provide email confirmation of receipt of the Terms of Service so that we have a formal record that they had been received by each provider and that they accept them.

### **What happens if we do not send a reply email?**

It is not imperative that a customer replies to confirm receipt and acceptance of the Terms of Service, UCAS is asking for email confirmation so that it has a record of a Provider's confirmation that they have received the new Terms of Service and it accepts them. However, if a Provider does not reply to them for any reason then they are automatically deemed to be accepted because UCAS has the right to amend the Terms of Service upon reasonable notice (I.e. communication of any changes and updates).

## **Why are the Primary Correspondents sending a reply email and not the Vice Chancellor/Principal?**

We appreciate that it is not always possible for Vice Chancellors/Principals to reply to emails with documents such as the Terms of Service for a range of reasons, and quite often a Vice Chancellor will delegate responsibility for providing a response to another person – in UCAS' experience, this tends to be the Primary Correspondent. Considering this and due to the short timescales, and the fact that we are asking for an acknowledgement email, to expedite the process we are asking Primary Correspondent to reply directly.

## **Can another member of staff confirm receipt instead of the Primary Correspondent?**

Yes, if the Primary Correspondent is unavailable or wants to escalate the acceptance of the Terms of Service to a more senior member of staff, then we are happy to accept their confirmation.

## **Please can you explain what you mean by the statement '*We may request that you provide us with certain information (about applicants and acceptances, for example), so we can audit and assure ourselves of adherence to our Terms of Service.*'**

As noted in our previous correspondence, the UCAS Terms of Service seek to support consistency and fairness across the sector, and promote student choice and consumer protection through access to a range of support services and processes, such as Clearing. Deviating from these can significantly impact on the student experience.

In exceptional cases, and where UCAS has reason to believe an institution has not been using the UCAS service as intended, we will seek to clarify this directly with your institution. For example, your UCAS Relationship Manager may contact your Head of Admissions to seek clarification as to significant differences between acceptance and enrolment data. In most instances, we would expect this to be resolved through a simple conversation. An example of a positive resolution could be your Head of Admissions providing information regarding a particular pathway or articulation agreement that falls within the list of agreed exceptions. The use of the term 'audit' is not meant to suggest any comprehensive regime or intrusion and apologies if this was how it was interpreted. What we're proposing in terms of transparency reporting is intended to have the dual effect of supporting student choice and providing a pathway to a meaningful conversation with those providers who don't feel that the business rules should apply to them. Their inclusion is simply designed to discourage the poor practices that surface all too frequently via our contact centre and relationship management team.

## **Why has UCAS added the requirement that "there is an expectation that all full-time undergraduate applications are processed via UCAS".**

The UCAS Recruitment and admissions policy has always stated that there is an expectation that all full time undergraduate applications must come through UCAS. Section 2.5 stated: *The Customer agrees that for certain Services and to ensure the accuracy of application statistics and to maintain the integrity of the admissions Services provided by UCAS for the benefit of all its Customers, the Customer shall recruit to all its Courses through UCAS.*

The updates to the Terms of Service seek to reiterate and clarify the existing Business Rules around the use of Admissions Services by UCAS customers; we have not added additional restrictions to our previous Business Rules, but simply rewritten them to highlight the specific requirements of our customers. Section 2.2 (pages 13 and 14) in the [2020 Admissions Guide](#) provide clarity on which applicants should be admitted through UCAS ( section 2.3 clarifies any exemptions). The details of those who should be admitted through UCAS includes applications made to foundation year 0 as a standalone or integral part of a course. There has been no change to this under the revisions made to the business rules and principles

**Does the statement “there is an expectation that all full-time undergraduate applications are processed via UCAS” apply to International applicants?**

Yes, it does, the UCAS Terms and Conditions have always stated that the expectation is that all full time undergraduate applications come through UCAS. Section 2.2 (pages 13 and 14) in the [2020 Admissions Guide](#) provide clarity on which applicants should be admitted through UCAS ( section 2.3 clarifies any exemptions).