



office of the
independent
adjudicator

CONSULTATION

Good Practice Framework: Delivering learning opportunities with others

Contents

Introduction	4
Considering the operational context of a partnership	5
Domestic law and regulation	5
International law and regulation	6
When all the organisations in a partnership are members of the OIA Scheme	7
Arrangements involving an awarding provider or awarding organisation and a delivery partner	7
School Centred Initial Teacher Training providers (SCITTs)	9
Arrangements where both partners are awarding partners	10
When the providers in a partnership are not all members of the OIA Scheme	11
The awarding partner is a member of our Scheme but delivery partner(s) are not members of our Scheme	11
The delivery partner is a member of our Scheme but awarding partner(s) are not members of our Scheme	12
Other forms of partnership	14
Apprenticeships	14
Institutes of Technology	15
Providers working in partnership with other organisations and commercial entities	15
Placements	16

Providers with multiple partnership arrangements.....	17
Good practice in a partnership context.....	17
Overarching principles	17
Clarity	17
Timeliness	17
Informal resolution	18
Advice and guidance/support	18
Formal investigation.....	18
Final review	18
Opportunities to consider complaints, appeals and other processes in partnership arrangements	19
When setting up new partnerships.....	19
Identifying responsibilities	19
Gathering and sharing information	19
Delivering remedies.....	20
Access to advice & guidance.....	20
Learning from complaints	20
Looking ahead	20
During partnership arrangements.....	20
Communication.....	20
Proportionality and timeliness	21
Advice and guidance.....	22
Training.....	22
Learning from complaints	22
When arrangements between partner providers end.....	23
Planned ending of a partnership.....	23
Unplanned ending of a partnership	24
Useful resources.....	26
Response form questions	27

Case Studies

Case study 1: When all the organisations in a partnership are members of the OIA Scheme	9
Case study 2: When all the organisations in a partnership are members of the OIA Scheme	9
Case study 3: When all the organisations in a partnership are members of the OIA Scheme	10
Case study 4: The awarding partner is a member of our Scheme but delivery partner(s) are not members of our Scheme	12
Case study 5: The delivery partner is a member of our Scheme but awarding partner(s) are not members of our Scheme	13
Case study 6: Other forms of partnership	15
Case study 7: Other forms of partnership	16
Case study 8: Other forms of partnership	16

Introduction

1. The Good Practice Framework sets out core principles and operational good practice. The core principles are that good processes are **accessible and clear; fair, independent and confidential; inclusive; flexible, proportionate and timely; and they improve the student experience**. These core principles apply to this section of the Good Practice Framework, about Delivering learning opportunities with others.
2. Many providers in England and Wales provide learning opportunities in partnership with one or more other providers or awarding organisations. There are many types of partnership arrangement and new models of delivery may emerge. In this section of the Good Practice Framework, we refer to some examples of types of partnerships, such as joint awards, qualifications awarded by one provider (“the awarding partner”) where teaching is delivered by another provider (“the delivery partner”), apprenticeships, and school-based initial teacher training.
3. Some partnerships operate within England and Wales, and some partnerships involve one or more overseas partners (“transnational arrangements”). This guidance applies to both domestic and transnational arrangements. In this guidance, “transnational arrangements” includes arrangements with providers in Scotland and Northern Ireland, because our remit does not extend to providers in those jurisdictions.
4. This section of the Good Practice Framework does not provide bespoke guidance for every kind of partnership. It sets out guidance and principles for addressing students’ concerns in partnership arrangements, and providers will need to apply these to their specific context and particular partnership arrangements. The guidance in paragraphs 9 - 69 is structured under broad contexts and types of partnerships so that providers can look at the information that is most relevant to their partnership arrangements. The principles set out from paragraph 70 onwards apply to any partnership context or model.
5. The focus of this section of the Good Practice Framework is how providers work in partnership to operate student complaints, appeals and other internal processes. It is not intended to cover every aspect of partnership provision, which is outside our remit.
6. In this section of the Good Practice Framework we use the phrase “complaints, appeals and other internal processes” to describe any processes which result in decisions about particular students or groups of students that affect their studies, and that may result in a Completion of Procedures Letter. This includes processes that a student may initiate for example making a complaint, submitting an appeal against an academic decision, making a request for additional consideration of personal circumstances, reporting a concern about the behaviour of another person. It also includes processes that may be initiated by one or more providers in respect of an individual student for example fitness to practise investigations, academic misconduct or disciplinary investigations, non-academic misconduct or disciplinary investigations, support for study processes.
7. In the Good Practice Framework the term “students” includes students, apprentices, learners and trainees.

8. We have developed the Good Practice Framework for use by providers that are members of our Scheme, and providers that are working in partnership with at least one member of our Scheme. Providers that are not members or are not working in partnership with members may choose to apply the principles and guidance set out in the Good Practice Framework but should not direct students to make complaints to the OIA. A list of current members is available on [our website](#).

Considering the operational context of a partnership

Domestic law and regulation

9. Providers working in partnerships should be aware of the different legal and regulatory regimes that may be relevant when designing and operating internal processes to address students' concerns. Legal considerations will include for example equality legislation and consumer law as well as legislation specifically relating to education. Regulatory requirements on one or more providers working in a partnership arrangement may be imposed by bodies in England and Wales such as:
- The [Office for Students \(OfS\)](#). The OfS is the regulator for higher education in England. The OfS places conditions of registration on the providers that are on its Register.
 - The [Higher Education Funding Council for Wales \(HEFCW\)](#) is the public body operating between the Welsh Government and higher education providers in Wales. HEFCW provide funding for higher education teaching, research and innovation, and supports Welsh Government priorities for higher education. From April 2024 the Commission for Tertiary Education and Research (CTER) is replacing HEFCW and will be responsible for the strategy, funding and oversight of the tertiary sector. HEFCW will be dissolved.
 - The [Office of Qualifications and Examinations Regulation \(Ofqual\)](#). Ofqual regulates qualifications, examinations and assessments in England. Ofqual establishes and maintains a register of regulated qualifications and a framework that includes initial and ongoing conditions of recognition that regulated Awarding Organisations (AO) must comply with. As such, Ofqual regulates those AOs that award regulated Higher Education qualifications.
 - [Qualifications Wales](#) is the independent regulator of non-degree qualifications in Wales.
 - Some Professional, Statutory and Regulatory Bodies (PSRBs) have a direct role in regulating and accrediting courses leading to a qualification in a regulated profession. The Higher Education Statistics Agency (HESA) publishes some helpful [information about PSRBs](#) and their roles. Examples of PSRBs include the [General Medical Council](#), the [Nursing and Midwifery Council](#), the [Health and Care Professions Council](#), the [Architects Registration Board](#).
10. The regulatory requirements imposed by these or other bodies may apply to all of the provider's activities, or only to some parts. Sometimes the regulatory bodies may specify that a provider may not delegate responsibility for particular tasks or roles, for example quality assurance.

11. Many of our members are regulated by OfS or HEFCW/CTER, but our membership also includes providers in England and Wales not regulated by OfS or HEFCW/CTER. Those providers can refer to the requirements set by regulators if they wish but they are not mandatory for non-regulated providers.
12. The OIA is not a regulator but we are part of the wider regulatory landscape. In the event of a conflict between a regulatory requirement and our guidance, providers should act in a way which enables them to meet their regulatory obligations. We welcome dialogue with any party that has any concerns that a conflict may exist.
13. Membership of our Scheme is a statutory and regulatory obligation for many providers. Other providers can apply to join our Scheme on a voluntary basis. We expect all members of our Scheme to comply with our [Rules](#) and to apply the principles and guidance set out in our [Good Practice Framework](#), including when working with partners that are not members. Members of our Scheme must not remove students' access to independent review by delegating responsibility for complaints, appeals and other internal processes to a non-member partner.
14. Some students may be able to raise their concerns with other organisations such as those listed above (paragraph 9), the Institute for Apprenticeships and Technical Education (IfATE), Education and Skills Funding Agency (ESFA), or another alternative dispute resolution (ADR) body. Those students may still retain their right to complain to the OIA even if they have chosen to use another route to raise their concerns. If a student's complaint has been considered by another body and the student then brings the same complaint to us, we would decide whether we can review it, taking into account the relevant procedures, the fact that the student had a choice of where to take their complaint, and that the student had already complained to another external body.

International law and regulation

15. There are many different models of overseas higher education delivery. Some provision is delivered entirely by an English or Welsh provider operating in an overseas location without a partner provider. Under these arrangements the English or Welsh provider may operate procedures locally to address student complaints, appeals and other internal processes. Students may also be directed to local sources of support. The English or Welsh provider has the same responsibilities for these students' complaints, appeals and other matters as for those of their students undertaking study in England or Wales. If it is a member of our Scheme, the English or Welsh provider should issue a Completion of Procedures Letter when its processes are at an end.
16. Often the overseas provision will be delivered in partnership with one or more transnational partners. The guidance set out below ([paragraphs 41-57](#)) is relevant to these kinds of international partnerships. It is important to set out clearly to students and prospective students what the role of each partner in complaints, appeals and other internal processes is. Providers should ensure that marketing and other materials for students are clear and accurate. If a provider's information leads a student to reasonably believe that there is no difference between the processes that apply to a student in England or Wales and those that apply to a student in an overseas location, this will set

up an expectation that the student may bring a complaint to us. If the English or Welsh provider is a member of our Scheme and it deals with any stages of a complaint, academic appeal or other internal process then it is likely that students will have the right to bring a complaint to us.

17. Providers will also need to take account of wider legal requirements and different cultural contexts when working internationally to design and operate appropriate procedures. Other countries may have their own quality assurance and/or student complaints-handling arrangements. Providers in England and Wales working in partnerships in other countries should work with their overseas partners to establish how those requirements fit with domestic requirements.
18. If regulations in the overseas country or state require that students have access to an external regulator or ombuds organisation in that country or state, then it is a matter for the providers to determine how those arrangements would fit with the students' right to bring a complaint to us about matters that are the responsibility of the provider in England or Wales.
19. The existence of a route to complain to an external regulator or ombuds organisation in another country or state will not usually remove the student's right to use our Scheme. We will normally expect the provider in England or Wales that is the member of our Scheme to issue a Completion of Procedures Letter at the end of its internal procedures. If the student brings a complaint to us, we will decide whether we can review it under the [Rules of our Scheme](#). We will consider any actions that have been taken to resolve the complaint under another regulatory or alternative dispute resolution process in making our decision.

When all the organisations in a partnership are members of the OIA Scheme

20. Where all the partners in a partnership arrangement are members of our Scheme, a student may bring a complaint to us about what any partner has done or not done. Even though one partner will have issued the Completion of Procedures Letter we may consider what each of the partners has done or not done, depending on the particular circumstances of the case.
21. Sometimes a student may complain to us about one partner but we establish that another partner was responsible for the matter complained about. In that case, we may consider the complaint as being about the other partner. Sometimes it is very difficult to untangle which partner is responsible for different parts of a student's complaint. We may decide to uphold the student's complaint about both or all partners and recommend a remedy for the student, and expect the partners to work together to deliver that remedy.

Arrangements involving an awarding provider or awarding organisation and a delivery partner

22. In some arrangements, a delivery partner or teaching partner delivers all or part of the teaching and other learning opportunities leading to a qualification, or part of a qualification, awarded by another provider or awarding organisation.

23. It is good practice for the agreement between the partners to set out which partner is responsible for the operation of each of its complaints, appeals and other internal processes, and the extent to which each partner retains an oversight of the outcomes of those internal processes. Partners have discretion to consider the most appropriate operational model for their context (see [paragraphs 9–19](#)).
24. Usually an awarding partner will have responsibility for any student concerns that relate to the quality and standards of its awards. An awarding partner will usually be responsible for making the final decision in respect of students' academic appeals (including challenges to decisions about progression and classifications) and will usually issue the Completion of Procedures Letter in those cases.
25. An awarding partner is also likely to have a significant interest in decisions made under other processes that directly relate to how students attain an award. This could include:
- decisions about assessment structure and content, for example, decisions about what adjustments it is reasonable to make to an assessment for a disabled student.
 - decisions in respect of requests for additional consideration or decisions relating to academic misconduct.
 - an interest in complaints relating to the quality of teaching and learning opportunities being delivered by the delivery partner.
26. Awarding partners may be directly involved in the investigation of such matters, and/or may be directly involved in making decisions under the relevant internal processes. Alternatively, awarding partners may not be involved in the investigation or decision-making on individual students' concerns, but may choose to maintain oversight at a broader level. Depending on the context, it may be appropriate for either the awarding partner or the delivery partner to issue the Completion of Procedures Letter.
27. It is common for delivery partners to take responsibility for handling complaints about any other aspect of the student's experience that does not relate to the quality and standards of an academic award. For example, complaints about accommodation, provision of local services such as catering, access to buildings and other facilities, or timetabling arrangements. Delivery partners usually have a more direct relationship with a student and are often best placed to undertake support for study processes and provide other welfare support.
28. Where the delivery partner makes the final decision about complaints, appeals or other internal processes, that will mark the end of the internal process for our purposes. The delivery partner should then issue a Completion of Procedures Letter.
29. If the partners have decided that students can escalate the matter to the awarding partner, then the delivery partner should not normally issue a Completion of Procedures Letter. The delivery partner should explain to the student how they can pursue the matter with the awarding partner. The awarding provider should issue a Completion of Procedures Letter at the end of its internal processes.

Case study 1: When all the organisations in a partnership are members of the OIA Scheme

A student makes an academic appeal to a delivery partner. The delivery partner rejects the academic appeal as not meeting the grounds for appeal. The final stage of the academic appeals procedure is a review by the awarding partner. The awarding partner decides that the academic appeal process has been carried out fairly and the delivery partner was correct to reject the appeal as not meeting the grounds. The awarding partner issues a Completion of Procedures Letter.

If the student brings their complaint to us, we would be able to look at what both the delivery partner and the awarding partner had done.

Case study 2: When all the organisations in a partnership are members of the OIA Scheme

A student is studying at a delivery partner for a degree awarded by an awarding partner. The Complaints Process states that all complaints should be raised with the delivery partner in the first instance. The student complains to the delivery provider about disrepair in their student accommodation.

Under the agreement between the providers, the delivery provider has responsibility for considering complaints about aspects of students' experience that do not relate to quality or standards of the academic award. The delivery provider considers and partly upholds the complaint at the initial stage and confirms its decision at review stage. The delivery partner makes an offer of financial compensation to the student and issues a Completion of Procedures Letter. The delivery partner provides a regular report to the awarding partner on all complaints it has handled.

The student is able to bring their complaint about the delivery partner's decision to the OIA.

School Centred Initial Teacher Training providers (SCITTs)

30. Many SCITTs work with a partner university to offer their teacher trainees (trainees) the opportunity to study for a Post Graduate Certificate of Education (PGCE) awarded by the university. When the student successfully completes the course, the SCITT is responsible for recommending the trainee for the award of Qualified Teacher Status (QTS). The PGCE content is usually delivered and overseen by the awarding university, for example through lectures or practical assessments.
31. In many cases the SCITT will also be a qualifying institution and separate member of our Scheme. Where the SCITT is a member all its ITT trainees have recourse to the OIA including those on an Assessment only route.
32. Trainees may be able to complain to us about anything the SCITT has done or not done, and anything the provider that awards their PGCE (if there is one) has done or not done.

33. Providers of ITT including SCITTs can form partnerships to deliver ITT provision, often with lead partners and placement schools. In England the provider that is accredited by the Department for Education will be a member of our Scheme. The agreement between the various partners should set out each partner's responsibilities.
34. A trainee may have a complaint about something that has happened in the placement school. The accredited provider is ultimately responsible for all aspects of training, delivery and quality and should make sure that placement schools have fair processes in place, and that it has its own internal processes for the trainee to follow if the issue can't be resolved at the placement school level.
35. If the complaint issue is the responsibility of the SCITT, the SCITT should normally issue a Completion of Procedures Letter at the end of its internal procedures and the trainee should be able to complain directly to the OIA without having to go to the PGCE-awarding university first.
36. If the partners have an agreement that trainees can escalate the matter to the PGCE-awarding university, then the SCITT partner should not normally issue a Completion of Procedures Letter. The SCITT should explain to the student how they can pursue the matter with the awarding partner. The awarding partner should issue a Completion of Procedures Letter at the end of its internal processes.

Case study 3: When all the organisations in a partnership are members of the OIA Scheme

A trainee is studying on an initial teacher training course provided by a SCITT. They are also studying for a PGCE awarded by a university.

The trainee complains to the SCITT about the organisation and conduct of a teaching observation assessment undertaken by a university tutor and a teacher at the SCITT. The SCITT and the PGCE-awarding university are both members of the OIA Scheme. Their partnership agreement says that trainees can escalate complaints about the arrangements for joint practical assessments to the university if they are dissatisfied with the SCITT's response. The trainee disagrees with the SCITT's response to their complaint and asks the university to consider their concerns. The university rejects the trainee's complaint and issues a Completion of Procedures Letter.

Arrangements where both partners are awarding partners

37. All providers in England and Wales with degree awarding powers are members of the OIA Scheme. Some providers with degree awarding powers in England and Wales work together to deliver learning opportunities, for example leading to joint awards, double or multiple awards, intercalated awards, dual awards or concurrent awards. There are other types of arrangement and new models of delivery may emerge.

38. It is good practice for the agreement between the partners to set out which provider is responsible for the day-to-day operation of its complaints, appeals and other internal processes, and the extent to which each partner retains an oversight of the outcomes of those processes.
39. Providers have discretion to consider what operational model is most appropriate for their context. It is important to make it clear to students which partner will be responsible for responding to complaints, appeals and other internal processes.
40. The partner responsible for the final stage of an internal process should issue the Completion of Procedures Letter enabling the student to complain to us if they wish to do so. When we receive a complaint, we may review either's handling of the process if that is relevant to the complaint.

When the providers in a partnership are not all members of the OIA Scheme

41. Where only one provider in a partnership arrangement is a member of our Scheme, a student may only bring a complaint to us about what that partner has done or not done.
42. Only providers that are members of our Scheme may issue Completion of Procedures Letters telling students that they have the right to make a complaint to us. It is possible that a partner that is not a member of our Scheme will carry out the final stage of a complaint, appeal or other internal process. Providers that are members of our Scheme must still ensure that students are made aware of their right to use our Scheme by issuing a Completion of Procedures Letter. It is good practice to set out any aspects of the process that are the sole responsibility of the non-member partner, and to indicate that the OIA may not be able to look at these. This can help the student decide whether to make a complaint to us and will assist us in making a decision about what we can or cannot review under the Rules of our Scheme.

The awarding partner is a member of our Scheme but delivery partner(s) are not members of our Scheme

43. An example of this arrangement is where a partner provider that is not in England or Wales delivers learning opportunities that lead (or contribute) to an award of a provider in England or Wales.
44. A student can bring a complaint to us about what the awarding partner has or hasn't done.
45. Students studying at the delivery partner will only be able to complain to us about issues that the awarding partner was responsible for under any regulatory requirements and its arrangement with the delivery partner. Delivery partners that are not members of our Scheme should not issue Completion of Procedures Letters.
46. Awarding partners should ensure that students studying at a delivery partner are given clear, accurate and timely information about complaints, appeals and other internal processes that the awarding partner has a role in. Where this information is provided to students directly by the delivery partner, it is good practice for the awarding partner to review the information periodically to make sure that it remains up to date and correct.

47. If a student tries to complain to the awarding partner about something that is the responsibility of the delivery partner, the awarding partner should signpost the student to the delivery partner's complaint procedure. It will usually be enough to provide the student with information about how to complain to the correct partner, and will not usually be necessary to issue a Completion of Procedures Letter stating that the awarding partner is unable to consider the student's concern. However, in cases where a student fundamentally disagrees with the decision about the awarding provider's remit, it may be helpful to issue a Completion of Procedures Letter. We could then review a complaint about the awarding provider's decision not to accept the complaint.

Case study 4: The awarding partner is a member of our Scheme but delivery partner(s) are not members of our Scheme

A provider in England, and a university in the USA, have developed a collaborative programme. Students rotate where they study between England and the USA and on successful completion are awarded a degree by the provider in England.

Whilst studying in the USA a student submits a complaint about the quality of teaching on the course, which the awarding provider considers. The student also complains about catering, which is referred to the university in the USA for a response.

At the end of the Complaints Process, the student is issued a Completion of Procedures Letter about the aspects of the complaint the awarding provider has considered.

The delivery partner is a member of our Scheme but awarding partner(s) are not members of our Scheme

48. An example of this arrangement is where providers in England or Wales deliver courses leading to the award of a qualification by a partner that is not in England or Wales, usually one that has degree-awarding powers in its own jurisdiction.
49. Another example of this arrangement is where providers in England or Wales deliver higher education courses that lead to qualifications awarded by an external awarding organisation that is regulated by Ofqual (England) and/or Qualifications Wales (Wales) or other professional body. Examples are Higher National Certificate and Higher National Diploma programmes awarded by Pearson, and certificates and diplomas awarded by the Association of Chartered Certified Accountants. Most awarding organisations regulated by Ofqual or Qualifications Wales don't have to be members of our Scheme but they may join the Scheme voluntarily. (Where the awarding organisation has joined our Scheme voluntarily, the guidance at [paragraphs 20-29](#) above applies).
50. Sometimes there is more than one delivery partner involved in delivering learning opportunities leading to an award made by an external awarding organisation. In this section the term "delivery partner" could refer to one or both of them depending on the context.
51. The awarding partner is usually responsible for the overall quality and standards of the qualifications that it awards and so it is likely to have some responsibility for handling complaints about academic standards issues and academic appeals from students in this kind of arrangement. Delivery partners may also have some responsibility for quality and standards of the course.

52. A student can bring a complaint to us about what the delivery partner has or hasn't done. But students will not be able to complain to us about issues that the awarding partner was responsible for under its arrangement with the delivery partner. Awarding partners that are not members of our Scheme should not issue Completion of Procedures Letters.
53. If a student tries to complain to the delivery partner about something that is the responsibility of the awarding partner, the delivery partner should signpost the student to the awarding partner's complaint procedure. It will usually be enough to provide the student with information about how to complain to the correct partner, and will not usually be necessary to issue a Completion of Procedures Letter stating that the delivery partner is unable to consider the student's concern. However, in cases where a student fundamentally disagrees with the decision about the delivery provider's remit, it may be helpful to issue a Completion of Procedures Letter. We could then review a complaint about the delivery provider's decision not to accept the complaint.
54. When the awarding partner is not a member of our Scheme, it will be for them to inform the student of their complaint process and any next steps, for example how to complain to their regulator if applicable.
55. A delivery partner should issue a Completion of Procedures Letter when there are no further steps the student can take to pursue their concerns internally about matters that it has responsibility for. It may be necessary for the delivery partner in England or Wales to issue a Completion of Procedures Letter at the end of a process even where it has not conducted that process.
56. Where the awarding organisation is regulated by Ofqual or Qualification Wales there is a specific [Completion of Procedures Letter template](#) to use.
57. If the student complains to us, we will check whether the complaint is something we can look at. If the complaint is about something the delivery partner is responsible for, for example how it has delivered the course, then we will review it provided it is not otherwise ineligible for review under [our Rules](#). If we decide the complaint is something the awarding partner is responsible for, for example the overall quality or standards of the qualification itself, we will tell the student and may direct the complaint to the awarding partner.

Case study 5: The delivery partner is a member of our Scheme but awarding partner(s) are not members of our Scheme

A student makes an academic appeal to the delivery provider based on personal circumstances that they had not previously told the delivery provider about. Under the agreement between the partners the delivery provider is responsible for assessing the request for additional consideration and where applicable making a recommendation to the awarding provider about how it is taken into account. The delivery partner decides that there was no good reason for the student not sharing the information at the relevant time. The delivery partner recommends that the appeal is not upheld because the grounds have not been met. The awarding provider confirms that decision at review stage.

The delivery partner issues a Completion of Procedures Letter on the basis that there are no further steps that can be taken under its procedures. The student can bring a complaint to us about the delivery provider.

Other forms of partnership

Apprenticeships

58. An apprenticeship is a job with training to industry standards. Apprenticeships usually involve an apprentice, an employer and a training provider. An apprenticeship training provider might be a further education college or university or an independent training provider. Apprentices can bring a complaint to the OIA about their training provider if it is a member of our Scheme and we will decide if we can look at the complaint under our Rules.
59. There may also be a separate end point assessor. The arrangements for the end point assessment in degree apprenticeships will depend on whether and how the occupation is regulated. An apprentice may be able to complain to us about their end point assessment if the assessor is a member of our Scheme.
60. An apprentice is an employee as well as a student. This means that they have employment rights that may be relevant if things go wrong during an apprenticeship. We cannot look at complaints about the employer, and employers may not issue Completion of Procedures Letters, unless the employer is also acting as the training provider and it is a member of our Scheme.
61. Only the apprentice, or someone they nominate to represent them, can make a complaint to us. We cannot look at complaints that an employer may have about a training provider or end point assessor even if those providers are members of our Scheme.
62. An apprentice will usually sign an apprenticeship agreement and a training plan. The training plan sets out the training to be delivered and the commitment of the training provider, the employer and the apprentice to the programme. It should also outline the process the apprentice should follow if they have a query or complaint. This agreement will be our starting point for complaints about the training provider.
63. A provider may have separate complaints, appeals and other internal processes specifically for apprentices because of the different bodies involved and regulatory context but these should still follow the principles of the Good Practice Framework. Apprentices should have access to clear information about where and how to raise concerns about different aspects of their training and assessments. The provider's procedures should be clear about what, if any, role the employer might play in the complaints or appeals process.
64. The providers and organisations involved in delivering an apprenticeship should work together to make sure that apprentices have clear information about which body is responsible for different aspects of the apprenticeship, how apprentices can raise concerns or complaints, and how to make an academic appeal.

Institutes of Technology

65. Institutes of Technology are collaborations between further education providers, universities and employers delivering higher technical education in England. The different bodies involved in an Institute of Technology should work together to make sure that students have clear information about which body is responsible for different aspects of their studies, how students can raise concerns or complaints and how to make an academic appeal, and routes to the OIA, taking into account the principles above.

Providers working in partnership with other organisations and commercial entities

66. Sometimes providers will work with other organisations or businesses, for example online learning platform developers, to design and deliver a course. Providers should ensure that information about their role in such partnerships is clear and accurate for students who may use the service or undertake a course of study. Providers will almost always be responsible for the quality of the teaching and learning experience, for supporting the students, and for the standard of the award in these arrangements. They should give students clear information about how to raise concerns about the course itself, and about the administration of it, and how to escalate their concerns through the provider's complaints or academic appeals procedures.
67. There are other forms of partnership between a provider and another organisation, that may affect students. For example, a commercial organisation may contribute funding and materials for a research project that postgraduate students participate in through the research they are undertaking for their award. Students should not usually be expected to make a complaint to an external company about something that the company has done or not done that has affected their studies. Usually a student should raise any concerns about their experience with the provider, and where necessary the provider should liaise with the external company to explore the issues.

Case study 6: Other forms of partnership

A student is studying an online course via an online platform that is not a member of our Scheme. The online course allows students to gain a credit against a module from an awarding provider if they demonstrate they have met the learning outcomes by successfully completing a relevant assessment. The student completes and fails the assessment. They submit an academic appeal to the awarding provider, which is a member of our Scheme. The appeal is not upheld as a challenge to academic judgment and a Completion of Procedures Letter is issued.

The student can bring a complaint to us about the awarding provider's handling of the appeal and its decision not to uphold the appeal.

Case study 7: Other forms of partnership

Five postgraduate students use a database of test results supplied by a pharmaceutical company in partnership with a university. They suddenly have difficulty in logging in to the system. They make initial enquiries to the pharmaceutical company and are told that the number of licences has been restricted due to cost cutting measures.

The students raise the problem with the university. The university negotiates an agreement that two students may continue to have a licence. The licences are given to the students who have progressed furthest in their research and the university supports the other students to adapt their work. One student complains because they did not get a licence and did not want to change their research topic. The university considers the complaint and issues a Completion of Procedures Letter.

The student can bring a complaint to us about how the university responded to their concerns.

Placements

68. It is common for students to undertake placements which contribute to their learning, for example, in the NHS, in schools or in industry. Students should not usually be expected to make a complaint to their placement provider about something that the placement provider has done or not done that has affected their studies. Usually a student should raise any concerns about their experience with either the delivery partner (if there is a separate one) or awarding partner, and where necessary that provider should liaise with the placement provider to explore the issues.
69. Sometimes a student may also be employed by the organisation that is providing the placement opportunity. It may be appropriate for a student to complain directly to the placement provider where their concerns relate to their experience as an employee (for example, a dispute about their pay and benefits).

Case study 8: Other forms of partnership

A student is studying Adult Nursing at a provider that is a member of our Scheme. The student undertakes a placement at an NHS Trust but the placement is terminated early due to professionalism concerns around the student's attendance and communication about their absence. The NHS Trust informs the provider that it is not prepared to offer the student a new placement within the Trust.

The student appeals the decision to terminate the placement. The provider investigates and upholds the appeal on the basis of the student's compelling personal circumstances and because the NHS Trust confirms that there were some accepted problems during the placement as the mentor was also off on sick leave for a period of time. The provider offers to arrange a new placement at a different NHS Trust, and issues a Completion of Procedures Letter.

The student can complain to us about how the provider handled and responded to their appeal, but not about the NHS Trust's decision not to take them back.

Providers with multiple partnership arrangements

70. Providers may have partnership arrangements with several different providers and awarding organisations. As set out above, the arrangements for handling complaints, academic appeals and other internal processes may vary. Where there are several different routes available to students on different courses, it may be confusing to publish detailed guidance for each route. Rather than expect students to select and navigate the correct procedure from a wide range of options, it is good practice to emphasise the steps a student must take to initiate a process. Whichever provider is handling the first stage of a process should give clear information to the student about how to take the complaint, academic appeal or other matter to the next stage if they wish to.

Good practice in a partnership context

Overarching principles

71. Other sections of the Good Practice Framework set out principles and operational guidance to support providers. Providers will need to consider and adapt the guidance available in these sections to apply it to partnership contexts. But providers should still be mindful of the overarching guiding good practice [principles](#) which apply to all internal processes. Where providers do not follow the guidance and principles, they should be able to explain the reasons for this choice.

Clarity

72. Students need to know what is expected of them and what they can expect from the providers delivering their course of study and the provider or organisation awarding their qualification. Providers may have a range of policies and documents that set out these expectations, for example student contracts, handbooks, codes of conduct, policies on issues such as equality and diversity and free speech, disciplinary regulations etc. Providers working in partnership should make sure that their expectations of students are compatible. It may be possible to agree shared principles and approaches. For example, it may be possible to use the same definitions of types of academic misconduct, even where the process for investigating concerns about a student's work are different. It is important to make it clear to students studying on a particular partnership route where there is any difference to the policies that apply to them.

Timeliness

73. Providers can decide the operational model for handling students' complaints, appeals and other internal processes that best fits the operational context of their specific partnership. Providers working in partnerships should design a single process for a student to engage with to address their concern; students should not be expected to engage with an informal, formal and review stage at each provider. The timeframes described in other sections of the Good Practice Framework apply to the overall consideration of the student's concern across the partnership; that is, the timeframes do not restart when a matter moves from one partner to another.

74. Some issues raised by students will benefit from a rapid response. It is good practice to ensure that decisions under partnership arrangements can be made and communicated to students rapidly. Providers may wish to consider developing guidance for staff that allows rapid, high quality and consistent decision-making locally, without requiring consultation of partners on each individual submission.

Informal resolution

75. Students will often approach the front-line staff that they are most familiar or comfortable with. In many contexts it will be appropriate for an opportunity for informal resolution to be offered by the delivery provider.

Advice and guidance/support

76. It is good practice to ensure that staff who may be approached by students have a good understanding of how the provider's procedures operate, and what outcomes are possible within it. It is important that where they may be approached by students studying towards awards from different providers or awarding organisations staff have an appropriate level of awareness of the different processes that may be relevant.
77. It is also good practice to ensure that all students are directed towards sources of support and advice. It is important to be clear about what services at a partner provider a student can access, and to make sure this has been agreed with the service provider, for example, the students' union or other student representative body at an awarding provider. It is a matter for individual providers and student representative bodies to decide which students have access to their services. Where there is no access to independent advice and guidance, it is good practice to direct students to support provided by the providers themselves.

Formal investigation

78. A formal investigation stage may be carried out by a delivery provider or an awarding partner, depending on their arrangements. When designing the process, providers should consider:
- which partner is best placed to gather relevant information
 - where authority to make decisions rests. Where providers decide that both partners should be involved in a decision, they should take care not to allow membership of any panels to grow too large, both to ensure that it is not intimidating for the student and to minimise administrative burden.
 - The regulatory contexts which may prevent a provider from delegating responsibility for some decisions.

Smaller providers may benefit from involving partners at the formal investigation stage to help provide an independent viewpoint and manage possible perceptions of bias.

Final review

79. Where the matter relates to the student's progression, or final award, or the quality and standards of an award, the final review stage will usually be conducted by the awarding partner. The awarding partner should ensure that there is a consistent approach, including where it has more

than one delivery partner delivering teaching for the same or similar awards. It may choose to involve staff members from the delivery provider in the process.

80. In other matters, the final review stage may be conducted by the delivery partner. Where awarding partners do not take an active role in individual cases, it is good practice to establish some other form of oversight by the awarding partner of issues experienced by students on the particular course of study.

Opportunities to consider complaints, appeals and other processes in partnership arrangements

81. It is good practice to ensure that complaints, appeals and other internal processes are considered at key points throughout the lifecycle of the partnership.

When setting up new partnerships

Identifying responsibilities

82. Good communication between the partner providers and between different teams within the providers is essential. Teams establishing and managing the partnership arrangements need to have a good understanding of how complaints, appeals and other internal processes should work so that they can make sure arrangements work well between the different partners. Teams managing complaints, appeals and other internal processes need to be familiar with the relevant parts of the partnership arrangement so that they understand which partner provider is responsible for different aspects of the student's studies and experience.
83. Providers should set out in writing the obligations and responsibilities of each partner for the handling of student complaints, academic appeals and other internal processes. Broadly the division of responsibilities for handling internal processes is a matter for the providers to decide between themselves taking account of their particular regulatory context and roles. It is important to identify who has responsibility for the operation (as distinct from any regulatory responsibilities) of specific parts of the internal processes.
84. Providers working in partnership may wish to agree, and set out in writing, arrangements for how to manage a large group complaint or academic appeal.

Gathering and sharing information

85. It is good practice to set clear expectations from the start of the partnership arrangement about information that can be shared when complaints, appeals and other internal processes operate. It can be helpful to explore approaches to record-keeping so that each provider understands what the other may expect them to supply for different types of process. It may be appropriate to consult information management specialists, for example, to ensure compliance with relevant data protection legislation or to set up secure and efficient data sharing systems. Providers should take steps to ensure that necessary information can be shared with relevant administrative, investigative and decision-making functions, whilst maintaining an appropriate level of confidentiality, privacy and security.

86. It is good practice to set clear expectations from the start of the partnership arrangement about participation by each partner within these internal processes. For example, so that relevant staff respond to requests for information promptly and fully, even where the requests originate from the other provider. In particular, providers in England and Wales may wish to consider how they can influence the time taken by partner providers that may not be working to our Good Practice Framework timeframes.

Delivering remedies

87. It is good practice to set clear expectations from the start of the partnership arrangement as to which provider has responsibility to take actions identified as appropriate during complaints, appeals and other internal processes. Providers may need to offer an individual remedy to a student or to implement changes to practice. Sometimes partners may need to work together to agree on and provide a remedy. Students should not be put in a position where their situation remains unresolved because partners are unable to agree on what actions are to be taken and by whom.

Access to advice & guidance

88. Before entering into partnership arrangements, it is good practice to consult with student representative bodies, if the providers have them, and/or with staff in relevant student support roles, about which services students studying on courses subject to partnership arrangements are able to access. It is good practice to document the outcome of these consultations.

Learning from complaints

89. It is good practice to establish at the beginning of a partnership arrangement how providers will share learning from complaints, appeals and other internal processes.

Looking ahead

90. It is good practice when setting up new partnerships to look ahead to when the partnership may end. For example, it is helpful for providers to establish in principle arrangements for the retention of relevant student records or other information which could be relevant to a student complaint, appeal or other internal process.

During partnership arrangements

Communication

91. Providers should publish clear information for students about their complaints, appeals and other internal processes. The information should:
- describe the overall purpose of the process
 - give an overview of what steps will be followed
 - indicate whether a partner organisation will be involved during the process
 - describe some possible outcomes of the process and any limits on what the process may address
 - set out clearly the steps a student should take to begin the process, including any deadlines that apply.

92. It is not necessary for the documentation to set out in detail how each complaint, academic appeal or other issue will be handled. The provider that receives the complaint, academic appeal or other concern at the first stage should tell the student what they need to do if they wish to progress the matter to the next stage.
93. Where students are expected to engage with more than one organisation during an internal process, providers should direct students to the appropriate route for contact, for example by providing an email address, link to a web contact form, or phone number. It is not good practice to expect students to identify the relevant person or function to contact.
94. Students on courses of study that are delivered within a partnership arrangement may be members of more than one academic community, and/or professional community. They may study and live alongside students who are studying towards qualifications awarded in quite different contexts. Students are often alert to differences in their experiences and value consistency of approach. It is important that providers in partnership arrangements operate their internal processes in ways that result in overall consistency of decision-making in respect of students on similar routes.
95. If there are significant differences in the availability, operation or possible outcomes of internal processes for students on courses of study subject to a partnership arrangement, compared to students studying with only one provider, then providers should be able to present a clear rationale for this to students. Providers should be mindful of their obligations to provide clear information to applicants that could be material to their decision to study for a qualification under a particular route or via a particular partner. For example, it would be appropriate for a delivery provider to draw students' attention to a re-assessment policy in operation on a course of study delivered in partnership with a particular awarding partner, if that policy is more restrictive than its approach on similar courses not delivered in a partnership arrangement.

Proportionality and timeliness

96. Where providers are working together it is particularly important for procedures to be proportionate. It will not usually be appropriate to expect students to duplicate or repeat a full process at more than one provider about the same matters, either concurrently or consecutively. The Good Practice Framework: Handling complaints and academic appeals says that it is good practice for complaints and academic appeals procedures to include no more than three stages. This still applies where more than one provider is involved.
97. Where a student matter must be considered by more than one provider, it is good practice for the providers to complete the internal process within the timeframes described in other sections of the Good Practice Framework. This is usually 90 calendar days for the completion of formal and review stages.
98. There will be circumstances when, for good reason, the process will need to take longer. Where the timescale needs to be extended, the provider that is carrying out that stage of the process should explain this to the student and should keep them regularly updated about the progress of their complaint, academic appeal or other matter. Failure to have prepared a process that applies

to students on courses subject to partnership arrangements will not usually be a good reason for the consideration of the student's concerns to take longer.

Advice and guidance

99. It is good practice to ensure students have access to well-resourced sources of advice and guidance. Often this support will be based within the student representative body at the provider. Where a provider does not have an established student advice service or student representative body, it should consider making arrangements with its partner providers, or with other neighbouring providers, to enable its students to access support services.
100. Where this is not possible providers should ensure that staff members who are independent of the matter being considered under the internal process can give students advice and guidance about the process.

Training

101. Providers may consider offering joint training in the operation of complaints, appeals and other internal processes to staff across their partners.
102. It is good practice for all staff to have some understanding of complaints, appeals and other internal processes so that they can direct students to relevant information. It is important that people operating internal processes know where to direct students for support, within the context of partnership arrangements.

Learning from complaints

103. Providers should regularly review the operation of their partnership arrangements in respect of complaints, appeals and other internal processes and take steps to address any concerns.
104. Providers should also regularly review the information generated within complaints, appeals and other internal processes about the experiences of students and the quality and standards of the courses being delivered in partnership arrangements. It is good practice for this information to form part of both informal and formal evaluation of the partnership arrangements, for example when deciding whether to continue an arrangement with a specific partner.
105. It is good practice for providers that are working together to share and implement learning from complaints, appeals and other internal processes from students on these courses. It can be appropriate to share learning even where the other partner has no direct role to play in a particular process. The data should be anonymised as appropriate.
106. Similarly, it is good practice for providers that are working together to share information with each other about complaints made to the OIA by students on those courses. For example, an awarding provider that issued a Completion of Procedures Letter to a student at the end of an academic appeals procedure, could tell the delivery provider if that student goes on to complain to us, and could share our decision with the delivery provider. In the same way, it is good practice for a delivery provider to tell the relevant awarding provider if a student it has sent a Completion of Procedures Letter to goes on to complain to us, and to share our decision with the awarding provider.

107. This sharing of information helps providers to identify and address the causes of complaints, appeals, misconduct, or other concerns and, where appropriate, training opportunities can be identified and improvements made.

When arrangements between partner providers end

108. All providers should have in place plans that outline how the risks to students of a significant change in partnership arrangements will be managed. Providers in England that are regulated by the OfS will have published a Student Protection Plan setting out what students can expect to happen if a course, campus or provider closes, and this should include arrangements with partners. HEFCW requires all regulated and/or funded institutions in Wales to have a student charter which outlines how the student interests are protected in cases where a course or institution ceases to exist. CTER may also require providers in Wales to produce a Learner Protection Plan, setting out how a provider will protect learners' interests in the event of course disruption or closure, and how providers might facilitate the transfer of learners to other providers. Other providers may have prepared similar documents as part of their risk management processes or to meet other regulatory requirements. It is good practice for partners to check that the plans prepared by each party in a partnership arrangement are compatible and maintained.

Planned ending of a partnership

109. Partnerships may cease when both partners decide to end the arrangement. Where the ending of a partnership is planned this will usually be after all cohorts have completed their studies. It is good practice to consider what arrangements may be necessary to support students who may not finish with their cohort, for example, students who have taken a period away from study due to health reasons.
110. Under consumer legislation, students must be given any material information about the course they are applying for before they apply. If a provider has made changes before an offer has been made, these changes should be brought to the student's attention when the provider makes an offer so that the student can make an informed choice about the offer. If the provider anticipates, when it is making the offer, that partnership arrangements might change after the student accepts the offer, then the provider must tell students what could change, when and how, so that the student can agree to this.
111. When a partnership is coming to an end, providers should explain to students clearly what is happening and when. It is good practice for providers to coordinate this communication, so that it is clear, consistent and is not overwhelming. Some students will be more engaged than others and easier to reach, and so different methods and styles of communication will be needed. Sensitivity may also be needed around the timing of important communications. It's important to keep records of communications so that they are available if a student later complains.
112. It is good practice to ensure that mechanisms to operate complaints, appeals and other internal processes continue to exist for a period after the delivery of teaching, learning and research activities has ended for students. Opportunities for students to raise concerns about something that happened when a partnership arrangement was in place should not be unreasonably curtailed

by the end of that agreement. Where the end of the partnership arrangement is likely to affect how a provider can respond to or address students' concerns, it is good practice to explain this to the students concerned.

113. Whenever partnerships come to an end, it is good practice to identify any complaints, appeals or other internal processes already underway in respect of students on affected courses. It may be appropriate to expedite these matters so that students can be given an outcome of the process. Providers should consider prioritising any disciplinary or fitness to practise procedures, so that students are not unfairly disadvantaged in their further studies and careers by the existence of an incomplete investigation.
114. It is important to make arrangements for the retention of relevant student records, so that student matters raised within a reasonable timeframe after the end of the partnership can be investigated effectively. It is also good practice to tell students what information is being retained. For example, students may need to understand what will happen to a portfolio of work, or how they can seek a reference, confirmation of their academic attainment, or financial status in the future.

Unplanned ending of a partnership

115. Sometimes partnerships may come to an end earlier than anticipated or at short notice, while students are still studying on the course. For example, financial, governance or other difficulties may lead to the breakdown of a partnership arrangement between a delivery provider and the awarding partner.
116. The ending of a partnership might lead to the [closure of a course or campus](#). If this happens, providers will need to operate flexibly to support all students and to minimise the impact of the course, campus or provider closure on them.
117. When a partnership ends unexpectedly students are likely to raise a number of concerns. We encourage providers in this situation to contact us to discuss how existing complaints, appeals and other internal processes may be adapted to take account of the new circumstances. Providers will need to operate flexibly.
118. If a partnership ends suddenly because one partner has closed, it is likely to be appropriate for the provider that has not closed to assume responsibility for responding to the students' concerns. Where the provider that has not closed is a member of our Scheme, it should issue Completion of Procedures Letters to students. The letter can explain whether the issue would usually have been the responsibility of the partner that has closed and set out what the provider has and has not been able to do in the particular circumstances.
119. Where a delivery provider is closing or withdrawing, it is good practice for the awarding provider to try to find alternative arrangements that enable students to complete a course that they expected to lead to its award (where the awarding partner is regulated, this is likely to be a regulatory requirement). In some cases, the students may be able to transfer to the awarding provider, or to another delivery partner.
120. Where an awarding provider is closing or withdrawing, the delivery partner may be able to find another awarding provider to work with. It's important to discuss this change with students and

explain what the impact may be on the students' experience and the award they will receive. Where it is not possible to replace the awarding provider with another, both providers need to work with the students to find suitable providers to transfer to.

121. Where a partnership breaks down our starting point when reviewing complaints will be any relevant student protection plans, the agreement between the partner providers, the policies and procedures that implement that agreement, and any regulatory requirements the providers should follow. We will also take into account the information provided to the students.

Useful resources

- Architect Registration Board
www.arb.org.uk
- Commission for Tertiary Education and Research (CTER), Wales
www.gov.wales/tertiary-education-and-research-commission
- General Medical Council
www.gmc-uk.org
- Health and Care Professions Council
www.hcpc-uk.org
- Higher Education Funding Council for Wales (HEFCW)
www.hefcw.ac.uk/en/
- Higher education: consumer law advice for providers
www.gov.uk/government/publications/higher-education-consumer-law-advice-for-providers/
- Higher Education Statistics Agency (HESA)
www.hesa.ac.uk
- Office of Qualifications and Examinations Regulations (Ofqual)
www.gov.uk/government/organisations/ofqual/
- Office for Students (OfS)
www.officeforstudents.org.uk
- Nursing and Midwifery Council
www.nmc.org.uk
- Qualifications Wales
www.qualificationswales.org/english/about-us/
- OIA Briefing note on course, campus or provider closure
www.oiahe.org.uk/resources-and-publications/briefing-notes/oia-briefing-note-on-course-campus-or-provider-closure/
- OIA Completion of Procedures Letters
www.oiahe.org.uk/providers/completion-of-procedures-letters/
- OIA Good Practice Framework
www.oiahe.org.uk/resources-and-publications/good-practice-framework/
- OIA Guidance on the Rules
www.oiahe.org.uk/about-us/our-scheme/our-rules/guidance-on-the-rules/
- OIA Membership
www.oiahe.org.uk/about-us/our-scheme/our-members/

Response form questions

To respond to the consultation, you can fill in the form online, or download a form and email your response to consultation@oiahe.org.uk.

General

- Is the structure of the section helpful? If not, what would you find more helpful?

Comments under sub-headings

- Considering the operational context of a partnership. (Any comments)
- When all the providers in a partnership are members of the OIA Scheme. (Any comments)
- When the providers in a partnership are not all members of the OIA Scheme. (Any comments)
- Other forms of partnership. (Any comments)
- Good practice in a partnership context. (Any comments)
- Opportunities to consider complaints, appeals and other processes in partnership arrangements – when setting up new partnerships. (Any comments)
- Opportunities to consider complaints, appeals and other processes in partnership arrangements – during partnership arrangements. (Any comments)
- Opportunities to consider complaints, appeals and other processes in partnership arrangements – when arrangements between provider partners end. (Any comments)
- Useful resources
 - The links that we've included throughout the section form the basis of the Useful resources annex. Please let us know any other resources you would find useful in this part of the section.

Overall comments on the section

Please provide below your comments on the section as a whole.

- Is the guidance clear?
- Are the case studies appropriate and helpful? Are there other scenarios that it may be helpful to illustrate in a case study?
- Is there further guidance or information that you would like to see included in this section, keeping in mind the OIA's remit and the guidance provided in other sections of the Good Practice Framework?
- The diversity of partnership arrangements, especially where they are operating internationally, means that our guidance may not be compatible in every circumstance with the legal and regulatory requirements (which take precedence) that apply to the providers in a partnership. If you are aware of a potential for conflict between this section and any regulatory or legal requirements, please tell us about this.
- Any other comments on the section?