



QAA's Concerns Scheme

How to raise concerns with QAA
and how QAA will respond

June 2018

Purpose of the Concerns Scheme

The Concerns Scheme allows students, staff and other individuals or organisations to raise with the Quality Assurance Agency for Higher Education (QAA) concerns about the academic standards and quality of higher education delivered by alternative providers.

Alternative providers are providers of higher education in the UK that are run privately and;

- are not in receipt of recurrent funding from a higher education funding body;
- do not receive direct recurrent public funding (for example, from a local authority, or the Secretary of State for Education); and
- are not a Further Education College.

Where QAA believes those concerns indicate serious systemic problems, we will use the Scheme to intervene.

Background

In the UK individual universities and colleges (sometimes working in partnership with degree awarding bodies) are primarily responsible for maintaining the academic standards of awards and delivering a high-quality experience for students. Evidence from our reviews shows that most providers discharge these responsibilities effectively. On occasions, however, they do not. In such cases QAA is committed to identifying and dealing with problems quickly and effectively.

Who this document is for

This guide is meant for those who wish to bring a concern to QAA's attention. Note that 'we' refers to QAA and 'you' to the person or organisation raising concerns throughout.

It also describes the process for the benefit of providers about whom concerns are raised.

Which providers are covered by the Scheme?

The Concerns Scheme applies only to alternative providers of higher education in England, Wales and Northern Ireland that are reviewed by QAA either for specific course designation or educational oversight.

Arrangements for other kinds of providers are as follows:

- Concerns about alternative providers and publicly funded higher education providers in Scotland are covered by the [Scottish Concerns Scheme](#). This Scheme is administered by QAA Scotland which has devolved responsibility for the work of QAA in Scotland.
- Concerns about most universities and further education colleges in England and Northern Ireland are covered by the [Unsatisfactory Quality Scheme](#) run by the Office for Students in England, and the Department for Education in Northern Ireland.
- Concerns about publicly funded higher education providers in Wales are covered by the Higher Education Funding Council for Wales' process for [complaints about institutions \(including concerns about standards and quality\)](#).

If you don't know which of these categories the provider you are concerned about falls into, please ask us.

What kinds of issues can the Scheme look at?

QAA investigates concerns which indicate serious systemic problems that present a current or ongoing risk in one of the following areas:

- the academic standards of the qualification(s) awarded by the provider
- the quality of students' learning opportunities
- information about learning opportunities.

By systemic we mean a concern that is affecting, or has the potential to affect, several students, or the wider public or higher education sector more generally.

We cannot resolve individual complaints against providers, or grievances about individuals, and we are unable to provide redress or compensation to anyone submitting a concern to us.

The aim of an investigation by QAA under the Concerns Scheme is to safeguard and improve the overall quality of UK higher education by addressing weaknesses within a particular higher education provider. Students seeking redress or compensation should seek advice from the [Office of the Independent Adjudicator](#).¹

Who can raise concerns?

We welcome concerns from anyone, including students, staff, external examiners, members of the public and professional, statutory and regulatory bodies, in the UK or elsewhere. QAA itself can raise concerns where it identifies evidence indicating serious systemic problems in the course of its other activity.

How can I raise a concern?

If you are a student or member of staff, you should first raise the issue directly with the provider through its internal procedures before making a submission to QAA. If the provider fails to resolve the issue, and it is one that falls under the scope of the Concerns Scheme, it can be raised with us. Depending on the circumstances, we may make inquiries or investigate before the provider has completed its own investigation.

You should raise a concern with QAA by using the [Submission Form](#) available on our website.

QAA cannot investigate wholly unsubstantiated concerns. As such your submission should, where reasonably practical, be accompanied by evidence. This might be in the form of correspondence, committee papers or reports. You may be able to make a request to the provider under the *Freedom of Information Act*, or by means of a Subject Access Request, to obtain information to support your submission. If you are not able to obtain copies of documentation that you wish to include as evidence, but can demonstrate a reasonable belief that it exists, please explain this clearly in your application.

What about whistle-blowers?

We are committed to considering concerns from all sources, including from students or staff who fear that raising concerns may invite some kind of penalty from the provider they are concerned about.

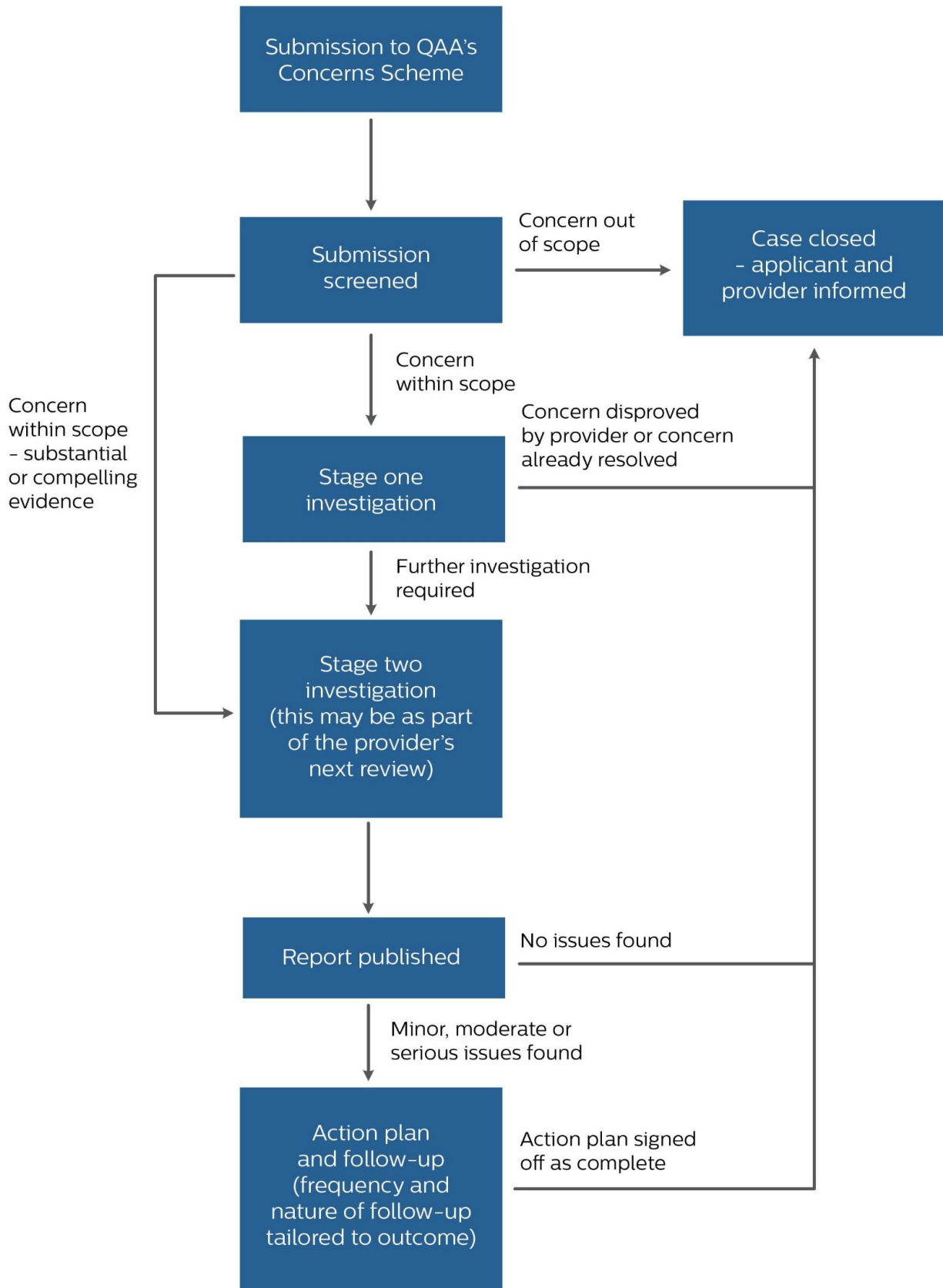
¹ Office of the Independent Adjudicator: www.oiahe.org.uk

If you feel uncomfortable about raising your concerns with the provider before raising it with us, we may be able to approach the provider directly and can ask for evidence about the issue you are concerned about.

Please contact us at concerns@reviewextranet.qaa.ac.uk and we can talk to you about our approach including the things we can do to protect your identity.

How we investigate concerns

Figure 1 - An overview of how we investigate concerns.



Screening

The purpose of screening is to determine whether the concern falls within the scope of what QAA can investigate. Concerns clearly out of scope, such as non-academic matters, grievances about individuals or historical issues, will be screened out at this stage. If the concern is screened out we will explain why.

If your application is incomplete or you haven't provided documentary evidence to support your concern, we may ask you for more information at this stage.

Regardless of whether or not we can investigate, we will inform the provider involved of the matters raised, taking steps to protect your identity as appropriate. We may also pass information to another organisation, such as a professional, statutory or regulatory body, if we think it may assist them to discharge their duties.

Where the provider has a QAA review visit scheduled within the next two months, we may decide to investigate the concern within that review rather than conduct a separate investigation. If we choose to investigate through a review, we will pass the information and accompanying evidence to the reviewers. We will explain the nature of the concern to the provider and invite them to provide a response to the reviewers. The reviewers' subsequent view of the seriousness and validity of the concern may affect the review outcome. Further information is available in our guide on [referring concerns to reviews](#).

Where the provider's next review visit is more than two months away, we will normally investigate separately, as follows.

Investigation

If we think the concern is within the scope of what we can investigate, we will proceed to an investigation. We normally investigate concerns in two stages.

Where there is substantial and compelling evidence for the existence of a current or ongoing risk to standards, quality and/or information, we may expedite the investigation by moving directly to a stage two investigation.

Stage one investigation

In the case of concerns which appear to fall within the scope of the scheme but for which the evidence base is equivocal or incomplete, we may seek to gather and consider more evidence before proceeding any further. This is likely to involve written correspondence with the provider to determine whether it is aware of the concern and, if it is, how it has dealt, or is dealing, with it. It may also involve correspondence with other bodies. At the end of this process we will decide on the basis of the additional evidence we have gathered whether to proceed to conducting a visit to the provider (stage two investigation) or bring the investigation to a close. If the provider can demonstrate that it has dealt with the issue, then that can be a reason for ending the process at this point. If we decide to end the investigation at this stage we will explain why.

Stage two investigation

If the stage one investigation reveals sufficient evidence of a concern, we will proceed to a stage two investigation which involves a visit to the provider to meet with staff and students.

We will explain the nature of the concern to the provider clearly and provide appropriate opportunities for the provider to respond to it.

The investigation will be led by a QAA officer, and may also involve others, depending on the nature of the concern and its complexity. We will check to make sure no one involved in the investigation has a conflict of interest with the provider concerned.

An investigation visit will normally last for one or two days depending on the complexity of the issues, the number of programmes affected, and whether other providers (such as degree-awarding bodies) are involved. In some cases further visits may be required before the investigation team can reach a sound conclusion.

Outcomes

The outcome of stage two investigations which involve a visit to the provider will be a report published on QAA's website. The report will describe the concerns raised, the evidence considered, and QAA's judgement as to whether the evidence supports the concern. The report may also comment on other issues not directly associated with the original concern but which emerge in the course of the investigation, and these may inform the overall judgement. Depending on the outcome of the investigation, we may make recommendations about how the provider might ensure that the problems identified do not reoccur.

The outcome will be expressed as one of the following:

- no issues found - the investigation did not find sufficient evidence to support the concern, or the investigation found evidence that the concern had already been satisfactorily dealt with by the provider
- minor issues found - the investigation found evidence of minor issues of concern that require the provider to develop and implement an action plan
- moderate issues found - the investigation found evidence of moderate issues of concern that require the provider to develop and implement an action plan
- serious issues found - the investigation found evidence of serious issues of concern that require the provider to develop and implement an action plan and then undergo a full QAA review.

Guidance on how outcomes are reached is provided in Annex 1.

QAA will decide what action to take in response to the findings from the investigation. The provider may be required to undergo a full or partial review, or the provider's next monitoring visit may be brought forward and extended to review progress with the action plan.

We will share a draft of the report with the provider so that it has the opportunity to comment on the factual accuracy of the content. We may also share the draft report for information with:

- any awarding bodies and organisations for their information
- for providers designated for student support, with the Office for Students; and the Department for Education (until 31 July 2019)
- for providers with educational oversight from QAA, the Home Office

We will make it clear to these organisations that the judgements in the report are not finalised until the report is published.

Any penalties or sanctions imposed as a result of a QAA Concerns investigation by the Department for Education, the Office for Students or the Home Office are at the discretion of those organisations, and are outside the control or influence of QAA.

QAA may also withdraw the provider's licence for the use of the QAA Quality Mark and review graphic.

Action plan and sign-off

Where an action plan is requested, it must be agreed with QAA and must fully address the recommendations. The provider must ensure that the action plan is published on its website and that it completes the action plan in a timely manner. QAA will monitor the action plan and require evidence of its completion.

When QAA requests an action plan, the procedure is as follows.

- the provider submits an action plan, which is agreed as fit for purpose by QAA, or returned to the provider for further work. An agreed action plan is published by the provider on its website.
- QAA Officer maintains contact with the provider to monitor progress.
- when the actions are complete, QAA meets with the provider to confirm this.
- a QAA officer writes a report detailing how the QAA recommendations have been addressed.
- QAA signs off the report.
- a statement is added on QAA's website confirming that the action plan has been implemented.

Where appropriate, the provider's next review or monitoring activity may be used to monitor progress with the action plan or to sign off the action plan as complete. If the action plan remains incomplete at the time of the visit further follow up will be required.

Concerns raised by named organisations

QAA has recognised a group of professional, statutory, regulatory and other bodies (listed in Annex 2) for the purpose of presenting information to us and requesting a full investigation under this Scheme. When one of these organisations raises a concern with us, we will normally proceed directly to a stage two investigation and visit to the provider involved.

Concerns about programmes delivered with others

Where a concern relates to provision delivered in partnership between an alternative provider covered by this scheme and a degree-awarding body which is not, we will normally direct our inquiries at the provider who delivers the provision.

Working with other organisations

From time to time QAA is made aware of serious concerns which represent risks both to academic standards and quality as well as areas which we are not responsible for investigating, such as student safety, financial impropriety and abuse of the student visa system. In such cases we may share information about our work with other organisations, receive and use information from them and/or undertake joint investigations.

Timescales

We strive to investigate concerns quickly and thoroughly, and then publish our findings.

How long it takes us to investigate depends on a number of factors, including the complexity of the issue and the speed and ease with which we can obtain supporting evidence.

The table below gives information on the likely timeline. In some cases it will be possible for us to complete our work more quickly. In exceptional cases an investigation may take longer, such as when the concerns are about learning opportunities delivered with others, requiring visits to separate delivery and awarding bodies. We are responsible to our Board for completing our work within these timescales.

Time following submission	
0	Information is submitted to us and evidenced
1-5 days	We acknowledge receipt of the information in writing
2-4 weeks	Within four weeks, we screen the submission and inform the person making it whether this is something we can investigate
9-13 weeks	We conduct a stage one investigation.
13-24 weeks	We conduct a stage two investigation and publish the outcomes

Protecting those raising concerns - Privacy and Data Protection

Concerns about academic standards and quality are not regarded as qualifying disclosures under the *Public Interest Disclosure Act 1998*. Those submitting concerns to us are therefore not offered legal protection under the Act, so if they wish to remain anonymous they need to make this clear on the concerns submission form. Please bear in mind, however, that although every effort will be made to protect the identity of the person raising the concerns, the provider may be able to identify them from the nature of the issues raised or evidence submitted.

We process the personal information of individuals who submit concerns to the Scheme on the basis of legitimate interest: the promotion and maintenance of quality and standards in higher education.

Where we share concern information with other bodies (as described above), we will never share personal data (including name and contact details) relating to the person raising the concerns if they have asked to remain anonymous. Where the person has asked to remain anonymous, we will either anonymise or pseudonymise the details we share, making every effort to protect the individual's identity.

The personal details provided by individuals who submit concerns will be stored securely on our internal systems, with restricted access permissions applied. We retain information about concern investigations for 10 years, before securely destroying it. After the closure of a case, any personal details held on file are removed, and the information is either anonymised, pseudonymised or encrypted for the remainder of the retention period.

If you have any questions about how we process your personal information, please contact us.

Representations

Higher education providers subject to a Stage Two investigation are not permitted to appeal against the outcomes, but QAA will accept representations at the factual accuracy stage described above based on evidence which:

- can be demonstrated to have been in existence at the time of the investigation;
- could have affected the outcome of the investigation if it had been made available; and
- for which there is a good reason that it was not provided to the investigation team.

Contacting us

For further guidance on any aspect of this process, please contact:

Concerns
The Quality Assurance Agency for Higher Education
Southgate House
Southgate Street
Gloucester
GL1 1UB

Email: concerns@reviewextranet.qaa.ac.uk

Annex 1: Outcomes from concerns investigations

The table below sets out the criteria that will be used by investigation teams to decide the outcome of a concerns investigation. The criteria are intended to assist teams in reaching conclusions but should not be considered a definitive list that is used prescriptively. The investigation team's professional judgement will take account of the evidence and specific circumstances.

No issues	Minor issues	Moderate issues	Serious issues
No issues found	Issues do not indicate systemic problems in the management of academic standards, quality or information.	Issues are partly systemic in that processes and procedures may not be operating as effectively as they might.	Issues indicate systemic problems in the management of academic standards, quality or information.
There are no recommendations for improvement.	Typically, recommendations might relate to: <ul style="list-style-type: none"> • minor omissions or oversights • a need to amend or update details in documentation, where the amendment will not require or result in major structural, operational or procedural change • completion of activity already underway in a small number of areas that will allow the provider to meet baseline requirements more fully. 	Typically, recommendations might relate to: <ul style="list-style-type: none"> • weaknesses in the operation of part of the provider's (academic) governance structure or lack of clarity about responsibilities • insufficient emphasis or priority given to assuring standards, quality, or information in the provider's processes • procedures which, while broadly adequate, have some shortcomings in terms of the rigour with which they are applied • problems which are confined to a small part of the provider's activities. 	Typically, recommendations might relate to: <ul style="list-style-type: none"> • ineffective operation of parts of the provider's academic governance structure • significant gaps in policy, structures or procedures relating to the provider's academic standards, quality assurance, or the quality of information • breaches by the provider of its own quality assurance management procedures.

<p>There are no areas of the Quality Code that are not met.</p>	<p>Areas of the Quality Code that the provider does not meet pose a low risk to academic standards, quality or information.</p>	<p>Areas of the Quality Code that the provider does not meet pose a moderate risk to academic standards, quality or information.</p>	<p>One or more areas of the Quality Code that the provider does not meet pose a serious risk to academic standards, quality or information.</p>
<p>Concerns raised are either not upheld or any concerns have already been resolved.</p>	<p>The need for action to address the concerns identified has been acknowledged by the provider and it has provided clear evidence of appropriate action being taken within a reasonable timescale.</p>	<p>The provider's plans for addressing the concerns identified are under-developed or not fully embedded in the provider's operational planning.</p> <p>The provider's priorities or recent actions suggest that it may not be fully aware of the significance of certain issues.</p>	<p>The provider has not recognised that it has major problems, or has not planned significant action to address the concerns identified.</p> <p>The provider's plans for addressing identified issues are not adequate to rectify the problems, or there is very little or no evidence of progress.</p>

Annex 2

List of professional, statutory, regulatory and other bodies that are recognised for the purpose of presenting information to QAA and asking it to investigate concerns, under the foregoing procedure:

Architects Registration Board
Association of Chartered Certified Accountants
Association of International Accountants
Bar Council
British Psychological Society
Care Council for Wales
Chartered Institute of Management Accountants
Chartered Institute of Public Finance and Accountancy
Department for Business, Energy & Industrial Strategy
Department for Education
Department for Employment and Learning Northern Ireland
Department of Health
Engineering Council UK
Estyn
General Chiropractic Council
General Dental Council
General Medical Council
General Optical Council
General Osteopathic Council
General Pharmaceutical Council
General Teaching Council for Wales
Health Care Professions Council
Higher Education Funding Council for Wales
Higher Education Statistics Agency
Institute of Chartered Accountants in England and Wales
Law Society
National Health Service Wales
National Union of Students
National Union of Students Wales
Nursing and Midwifery Council
Office of the Independent Adjudicator
Office for Students
Ofsted
Pearson
Royal College of Veterinary Surgeons
Royal Institute of British Architects
Royal Pharmaceutical Society of Great Britain
Student Loans Company
The Office of Qualifications and Examinations Regulation (Ofqual)
The Teaching Agency
University and College Union

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