

OTHM Complaints and Appeals Policy and Procedure



1. Introduction

OTHM is committed to ensuring that complaints and appeals are managed fairly, consistently, transparently, and in a timely manner. Effective complaints and appeals arrangements are an important part of maintaining confidence in the delivery, assessment, and awarding of OTHM qualifications.

This policy sets out the arrangements through which learners, Centres and other stakeholders may raise complaints or appeals relating to OTHM qualifications and services. It also explains how OTHM will consider and respond to such matters where they fall within its remit and responsibilities as an awarding organisation.

The procedures contained within this policy differ according to the nature of the matter being raised. Different requirements, evidence thresholds, investigation processes and outcomes apply depending on whether the matter relates to:

- a learner complaint about an OTHM Approved Centre;
- a learner appeal against a Centre decision;
- a complaint concerning the actions, services or decisions of OTHM;
- an appeal against an OTHM decision.

Individuals raising concerns should ensure that they follow the appropriate procedure outlined within this policy.

OTHM recognises that the primary responsibility for managing learner complaints and appeals rests with the Centre. OTHM's role is not to act as an independent arbitrator between Centres and learners, nor to replace a Centre's own complaints or appeals arrangements. OTHM's role is to ensure that Approved Centres maintain appropriate procedures, apply them fairly and consistently, and comply with OTHM requirements and applicable regulatory obligations.

OTHM will normally only become involved where a Centre's own formal procedures have been exhausted, where there is evidence that procedures have not been followed appropriately, or where there are concerns regarding qualification standards, learner protection, malpractice, maladministration or other significant compliance matters.

2. Roles and Responsibilities

2.1 Learners

Learners are responsible for raising complaints and appeals promptly and through the appropriate channels.

Where a complaint or appeal relates to a Centre, learners must first follow the Centre's published procedures and provide all relevant information and evidence to support their case. Learners should engage constructively with the process and cooperate with any reasonable requests for information during an investigation or review.

Where a learner wishes to escalate a matter to OTHM, they must do so in accordance with the requirements set out within this policy.

2.2 Approved Centres

Approved Centres are responsible for establishing, maintaining and implementing effective complaints and appeals procedures which are fair, transparent, accessible and consistently applied.

Centres must ensure that their complaints and appeals procedures are made available to learners and remain accessible at all times. Learners should be informed of these procedures during enrolment, induction and throughout their programme of study as appropriate.

Centres are responsible for investigating and resolving learner complaints and appeals in the first instance, and for maintaining appropriate records of all formal complaints, appeals, investigations, decisions and actions taken. Centres must maintain a written record of all formal complaints and appeals for a minimum of 3 years and make those records available to OTHM on request.

Centres must cooperate fully with any OTHM investigation, review or quality assurance activity and provide information and evidence upon request. Failure to do so may result in further quality assurance scrutiny and oversight, and the application of centre sanctions.

2.3 OTHM

OTHM is responsible for maintaining and implementing procedures for the management of complaints and appeals that fall within its remit as an awarding organisation.

Where matters are escalated to OTHM, it will review the information provided, determine whether the matter falls within the scope of this policy and, where appropriate, conduct an investigation or review in accordance with the relevant procedure.

In considering complaints and appeals relating to Approved Centres, OTHM's focus is on determining whether the Centre has complied with OTHM requirements, regulatory obligations, and its own published procedure. OTHM will consider whether any action is required to protect learners, maintain qualification standards, or address identified compliance concerns.

Where appropriate, OTHM may require corrective actions, undertake additional quality assurance activities, initiate investigations, or impose sanctions in accordance with its Centre Sanctions Policy.

3. Learner Complaints about an OTHM Approved Centre

This procedure applies where a learner wishes to raise a complaint with OTHM regarding the actions, conduct, services or arrangements of an OTHM Approved Centre.

Examples include:

- Delivery of teaching or learning support
- Assessment administration
- Learner support arrangements
- Communication with learners
- Failure to follow centre policies
- Alleged maladministration
- Concerns regarding the quality of learning materials
- Alleged breaches of OTHM requirements

Please note that OTHM is not a substitute complaints body for Approved Centres. Learners must first exhaust the Centre's own formal complaints procedure before OTHM will consider the matter.

3.1 Requirements for OTHM to Accept a Complaint

OTHM will only accept an escalated learner complaint where all of the following information is provided:

- a) The complaint is submitted in writing to qualityassurance@othm.org.uk
- b) The learner has completed and exhausted the Centre's formal complaints procedure.
- c) The learner provides:
 - A copy of the original complaint submitted to the Centre;
 - A copy of the Centre's formal complaint outcome;
 - Copies of all correspondence exchanged with the Centre relating to the complaint;
 - A clear explanation of why they believe the Centre's outcome is unsatisfactory;
 - Any supporting evidence relevant to the complaint.
- d) The complaint is submitted within 30 working days of the Centre issuing its final complaint outcome.

OTHM may enquire on a learner's behalf where the centre has failed to respond to a formal learner complaint.

Complaints escalated to OTHM for review should be substantively identical to the complaint submitted against the centre. This is necessary to ensure that OTHM can review the centre's management of the original learner complaint.

Only when the centre's process has concluded, or where there is evidence of serious regulatory concern, will the awarding organisation normally become involved.

Complaints that do not meet these requirements may be rejected or returned for further information.

3.2 Matters OTHM Will Not Normally Investigate

OTHM will not normally investigate:

- Commercial disputes between learners and Centres;
- Fee disputes;
- Refund claims;
- Contractual disputes;
- Employment matters;
- Matters currently subject to legal proceedings;
- Matters where the Centre's formal complaints procedure has not been completed.

3.3 Initial Review

Upon receipt of a complaint, OTHM will:

- Acknowledge receipt within 5 working days.
- Review whether the complaint falls within the scope of the OTHM complaints policy.
- Determine whether sufficient evidence has been provided.
- Determine whether the matter is more appropriately managed through any of the following:
 - Appeals procedures;
 - Malpractice and maladministration procedures;
 - Whistleblowing arrangements;
 - Regulatory notifications.

3.4 Investigation

Where a complaint is accepted:

- An Investigating Officer will be appointed.
- Relevant information will be requested from the Centre.
- Additional information may be requested from the learner.
- An outcome will be confirmed within 30 working days*.

*Where an outcome cannot be issued within this timeframe, OTHM will advise of the delay.

OTHM may review:

- Centre complaint records;
- Assessment records;
- Internal quality assurance records;
- Policies and procedures;
- Previous quality assurance findings.

3.5 Complaint Outcomes

Following investigation, OTHM will determine that:

Outcome A – Complaint Not Upheld

Insufficient evidence exists to demonstrate a breach of OTHM requirements or Centre obligations.

Outcome B – Complaint Partially Upheld

Some elements of the complaint are substantiated.

Outcome C – Complaint Upheld

Evidence demonstrates that the Centre has failed to comply with relevant requirements.

3.6 Actions Available to OTHM

Where concerns are identified, OTHM may:

- Require a corrective action plan;
- Increase quality assurance monitoring;
- Conduct additional audits or reviews;
- Require staff training;
- Require policy or process improvements;
- Open a malpractice or maladministration investigation;
- Impose sanctions under the OTHM Sanctions Policy;
- Notify regulators where required.

3.7 Information Provided to the Learner

OTHM will inform the learner whether:

- The complaint was upheld, partially upheld or not upheld; and
- Appropriate action has been taken where required.

However, OTHM may not be able to disclose:

- Confidential quality assurance findings;
- Details of sanctions imposed on a Centre;
- Internal monitoring arrangements;
- Personal information relating to staff or other learners;
- EQA progress or outcomes;
- Actions or feedback arising from EQA;
- Regulatory communications.

This is necessary to comply with confidentiality, data protection and regulatory obligations.

4. Learner Appeals Against Centre Decisions

This procedure applies where a learner wishes to challenge a decision made by an Approved Centre.

Examples include:

- Assessment decisions;
- Internal quality assurance decisions;
- Recognition of prior learning decisions;
- Academic misconduct decisions;
- Reasonable adjustment decisions;
- Other decisions affecting the learner's progression or achievement.

4.1 Requirement to Exhaust Centre Procedures

Before OTHM will consider an appeal, the learner must:

- Complete the Centre's internal appeals process.
- Receive the Centre's final appeal decision.
- Submit the appeal to OTHM within 30 working days of the decision.

4.2 Required Evidence

Appeals should be submitted in writing to qualityassurance@othm.org.uk and must include:

- Original appeal submission;
- Centre appeal outcome;
- Supporting evidence;
- Explanation of why the Centre's decision is disputed.

4.3 Grounds for Appeal

OTHM will normally only consider appeals where there is evidence that:

- The Centre failed to follow its published procedures;
- Relevant evidence was not considered;
- The decision was unreasonable based on available evidence;
- Regulatory or OTHM requirements were not followed.

Appeal Outcomes

The appeal reviewer may:

- Reject the appeal;
- Require reconsideration by the Centre;
- Require reassessment;
- Require additional quality assurance activity;
- Require corrective actions by the Centre.

OTHM will not substitute its academic judgement for that of qualified assessors unless there is evidence of procedural failure or significant assessment error.

5. Complaints Against OTHM

This procedure applies to complaints regarding:

- OTHM staff conduct;
- OTHM Customer service;
- Administrative processes;
- Quality assurance activities;
- Communications;
- Delays or failures in service delivery.

5.1 Complaint Submission Requirements

Complaints should be submitted in writing to customerservice@othm.org.uk and must:

- Clearly describe the issue;
- Include relevant evidence;
- Be submitted within 30 working days of the event giving rise to the complaint.

5.2 Stage 1 – Operational Investigation

When OTHM receives a complaint, it will:

- Acknowledge the complaint within 5 working days.
- Appoint an Investigating Officer.
- Review evidence.
- Issue an outcome within 30 working days*.

*Where an outcome cannot be issued within this timeframe, OTHM will advise of the delay.

Following review, OTHM will determine that:

Outcome A – Complaint Not Upheld

Insufficient evidence exists to demonstrate a breach of OTHM requirements and obligations.

Outcome B – Complaint Partially Upheld

Some elements of the complaint are substantiated.

Outcome C – Complaint Upheld

Evidence demonstrates that OTHM has failed to comply with relevant requirements.

5.3 Stage 2 – Senior Management Review

If dissatisfied, the complainant may request a review within 10 working days.

The review will:

- Be conducted by a senior manager not previously involved;
- Review the handling and outcome of Stage 1;
- Issue a final response within 20 working days.

5.4 Continuous Improvement

Where complaints are upheld, OTHM will consider:

- Policy amendments;
- Staff training;
- Process improvements;
- Additional monitoring activities;
- Regulatory notifications where required.

6. Regulatory References

- A4:** Conflicts of Interest
- A5:** Availability of adequate resources and arrangements
- A6:** Identification and management of risks
- A7:** Management of incidents
- A8:** Malpractice and maladministration
- B3:** Notification to Ofqual of certain events
- C1:** Arrangements with third parties
- C2:** Arrangements with Centres
- D3:** Reviewing approach
- D4:** Responding to enquiries and complaints procedures
- I1:** Appeals process
- I2:** Compliance with Ofqual's appeals and complaints process

7. Version Control

Policy Owner: Will Smith

Version: 4.0

Effective Date: 23 June 2026

Review Date: May 2027

Version Number	Date Published	Change Log
4.0	23 June 2026	• Updated definitions • Updated procedures • Updated roles and responsibilities • Updated regulatory references