



The Open University Handbook for the Higher Technical Education Boost for Further Education (Validation)

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A Introduction and Background

A1 Introduction

The Open University's mission

The Open University (OU) was founded by Royal Charter in 1969. It has an international reputation for the quality of its teaching through supported open learning. The university is also known for its research and for offering a university education to many students who would not otherwise have had the opportunity to study. The OU's mission can be summarised thus: The Open University is open to people, places, methods, and ideas.

A1.1 Institutional Approval and Validated Awards

OU validated awards are conferred under the OU's Royal Charter. They are of comparable standard to those made to students directly registered with the OU and other UK universities. They are available to approved partner institutions, who can demonstrate their ability to quality assure their own provision or working closely with the OU to quality assure their own provision, in a validated relationship with the OU. Any organisation offering programmes of study at higher education level may seek to become approved by the OU and offer programmes leading to its validated awards.

The approval of an institution wishing to offer OU validated awards is required before programmes of study can be validated. Once an institution is approved, a legally binding institutional agreement will be in place, setting out the relationship between the OU and the institution and defining their responsibilities. Institutions may not market or recruit students to any validated programmes until they are in receipt of the legally binding institutional agreement and Institutional Approval Letter.

A1.2 Authority for Institutional Approval, Review and Reapproval

The authority for approving, reviewing and for reapproving partner institutions, and validating and revalidating programmes, rests with the OU Senate and is exercised through the OU's Curriculum Partnership Committee (CuPC) for all decisions concerning Institutional Approval, Review, Reapproval and Programme Validation and Revalidation.

A1.3 The principle of peer review

Institutional Approval, Review and Reapproval, Validation and Revalidation processes are based on the principle of peer review delivered through a panel of suitably qualified and experienced academics and industry experts. The authority for all approval rests with the CuPC. The approval process is complete once the conclusions have been considered at the committee and all conditions have been met by the partner institution.

Each panel must include an appropriate balance in its membership and operate in the context of the OU's requirements for Institutional Approval and Programme Validation as set out in this handbook.

A1.4 The supporting role of the OU

In addition to establishing the conditions for institutional and programme (re)approval, the OU supports the validation and revalidation processes and seeks to promote and maintain high academic standards by:

- Providing a framework of policies designed to foster the development of institutions as strong, cohesive, and self-critical academic communities.
- Acting as a source of information and advice about good practice in respect of all matters relating to academic quality and standards.
- Providing a forum for debate on matters of academic and institutional development.
- Facilitating collaboration and interaction between the OU, institutions offering programmes leading to its awards, and national and international organisations, including professional bodies, employers, and students.
- Appointing External Examiners for validated awards and attending all examination or assessment boards where awards are made in the OU's name or where progression is agreed.

A1.5 The powers of the OU

The assurance of the academic standards of the validated programmes offered as OU validated awards is a matter of prime importance to the OU. The OU will take any action it considers necessary under its Royal Charter to protect the quality of validated programmes of study and the standard of its validated awards.

A1.6 Quality assurance and Compliance

As a UK University, the OU is subject to the requirements and expectations of UK Higher Education, as represented by the Quality Assurance Agency for Higher Education (QAA) and the expectations of the Office for Students (OfS) for conditions of Registration, the Universities' primary regulator in England.

The QAA publishes the *UK Quality Code for Higher Education*, guidance on academic credit, subject benchmark statements and a range of associated guidelines. For more information, see <http://www.qaa.ac.uk>.

The OU expects partner institutions to demonstrate knowledge and understanding of the UK Quality Code and to take account of this in their institutional quality assurance arrangements, programme submissions and delivery of validated programmes.

The OfS publishes their expectations for Higher Education Institutions registered in England, and these expectations extend to any institution working in partnership with the OU. For more information, see [Advice and guidance - Office for Students](#).

A1.7 Definitions of key processes for Institutional Approval and Validation

Institutional Approval

Institutional approval is the process through which an institution and its underpinning administrative and operational processes and procedures are judged to meet all the principles set out in Section B2 of this handbook and to provide a satisfactory environment for the presentation of programmes leading to OU validated awards.

Approval of a partner institution is a prerequisite for the approval of any programme of study and it follows that, where institutional approval is withdrawn, programme approval is also suspended or withdrawn.

Programme Validation

Programme validation is the process whereby a judgement is reached about whether a programme of study is designed to lead to an OU validated award, or the award of credit¹ meets the principles and requirements for that award. OU validated awards must be equivalent in standard to comparable awards throughout higher education in the United Kingdom.

Institutional Reapproval

Institutional Reapproval is the process whereby a partner institution is critically reviewed, appraised, and considered for reapproval at intervals of not more than five years, and through which plans for change are considered.

Interim Review

An Interim Review may be required and instigated, where it is deemed necessary and at any point during the validation period. This is usually required following a change in the partner institution's circumstances or as a result of concerns raised in relation to the quality of the provision, or the academic standards of the OU Validated Award.

Programme Revalidation

Programme revalidation is the process whereby a validated programme of study is critically appraised at intervals of not more than five years, and through which plans for change are considered.

Monitoring

Monitoring is the regular internal process by which an institution critically appraises the operation of each validated programme of study and ensures that appropriate standards are maintained. The OU requires annual programme evaluation reports from partner institutions and separate Annual Monitoring and Institutional and Programme Monitoring reports that evaluate the effectiveness of monitoring and other quality assurance arrangements.

OU validated awards

Open University Validation Partnerships (OUVP) manages the approval and review of institutions and the validation of their programmes on behalf of the OU. All communications should therefore be directed to OUVP at: ouvp-enquiries@open.ac.uk.

¹ This relates to those students who achieve an exit award within a programme of study.

A2 What are OU validated awards?

A2.1 The nature of OU validated awards

OU validated awards are designed to ensure that they meet the requirements of the Higher Education Qualification Frameworks of England, Wales and Northern Ireland (FHEQ) or where relevant the Scottish Framework (SCQF). See the *Regulations for validated awards of The Open University* for details.

From 1 September 2015 all partner institutions are required to comply with the [Regulations for validated awards of The Open University](#).

Partner institutions are also responsible for maintaining the academic standards of the OU (see the UK Quality Code) and are therefore required to align their programmes to the UK Quality Code in the same way.

A2.2 Approval of new awards

The Senate will take advice from the Curriculum Partnerships Committee before proposing the establishment of any new type of validated award to the OU Council.

The OU will consider proposals in the context of its Curriculum Strategy, and the whole range of OU validated awards and their relationship to each other and to the awards of other bodies. In particular, the OU will consider the:

- Characteristics and level of the proposed award, what would both distinguish it from existing awards and relate it to them, and the place of the award in the relevant national qualifications framework.
- Suitability of existing awards for the proposed programme of study.
- Likely demand for, and recognition of, the proposed award by institutions, students, and employers.

B The Institutional Approval and Reapproval process

B1 Criteria for initial consideration

Partners applying for enabled validation with The Open University through the Department for Education scheme will need to supply a valid Higher Technical Education Boost for FE application. This application will be assessed in relation to the criteria for a successful application as detailed by The Open University and The Office for Students.

Further information about the application process, please visit www.open.ac.uk/he-with-fe

Successful institutions will be subject to the same criteria as laid out in sections B1.1 to B1.6, however, based on an assessment of institutional capabilities, extra support will be provided by The Open University where needed to ensure policies and procedures comply and align with the expectations of the OU, OfS, QAA and relevant legislation.

B1.1 Preconditions concerning financial security, legal standing, and administrative infrastructure

The approval of an institution as suitable for the conduct of programmes leading to awards of the OU implies a commitment on the OU's part to ensuring that registered students will be able to complete their programmes.

The OU will seek assurances that the institution's financial status is sufficiently robust to honour its commitments to registered students, that the institution has appropriate organisational structures to ensure the separation of financial and academic decision making, and that the institution is of appropriate legal status.

This assurance will be sought by undertaking a process of due diligence and the OU reserves the right to seek such information as it considers appropriate to provide reasonable assurance that the institution meets the above criteria.

As part of the approval process, the OU also undertakes a Compliance Review of the institution.

Where an institution has a current or former relationship with another UK awarding institution for the validation of programmes, the OU will make enquiries of that awarding institution about the standing and effectiveness of the institution seeking Institutional Approval. The reasons for terminating their partnership (if applicable) will also be sought.

B1.2 Equality and diversity

See relevant sections of the UK Quality Code for Higher Education.

University policies can be found on the [Equality and Diversity website](#).

B1.3 Safeguarding (Student Welfare)

The OU requires all institutions wishing to be approved to offer Validated Awards, to declare whether anyone associated with the institution in any capacity (e.g., staff, student, governor, trustee, volunteer) currently or in the past, have any investigation or allegation against them (substantiated or otherwise) of abuse or neglect against a child or vulnerable adult. Partner

institutions will also be required to report this information to the OU, as soon as they become aware of any such incidents.

Data regarding safeguarding incidents should be reported on an annual basis.

B1.4 Prevent

The [University's Prevent Principles](#) are available for reference.

B1.5 The OU's vision of a fair and just society

Please see Section H for more information.

B1.6 Health and Safety

The OU expects its partner institutions to have Health and Safety policies and procedures, which includes Fire Safety, that are compliant with any local legislation and compatible with those of the OU.

B2 The principles and process of Institutional Approval

The primary focus of Institutional Approval is to give assurance to the OU that an institution can provide an appropriate context for the delivery of programmes of study that lead to higher education awards.

Institutions that have applied for and have been successful in securing the funding to cover the OU approval process will be required to provide evidence to demonstrate their alignment with the OU's Principles for Institutional Approval. Where necessary, institutions will be provided with support to work towards and subsequently demonstrate their alignment with the OU's Principles for Institutional Approval.

These are:

1. Provision of an appropriate learning environment.
2. Independence of institutional ownership from the exercise of academic authority.
3. Appropriate academic organisation and the administrative structure to support it.
4. Robust and rigorous quality assurance and enhancement informed by the UK Quality Code.
5. Relations with the wider academic community.

Principle 1: Provision of an appropriate learning environment

The institution should display a commitment to providing an open intellectual community that expects critical reflection and personal educational or professional development by both staff and students.

The institution should have sufficient, appropriately qualified, and skilled staff to deliver a high-quality academic experience. It is expected that academic staff engaged in designing and delivering programmes will hold an academic qualification or have equivalent experience at the level above that which they are teaching and assessing.

The institution must be able to provide sufficient and appropriate facilities, learning resources and student support services to deliver a high-quality academic experience.

The institution should have a commitment to continuity of the teaching, learning and assessment of a programme(s) in the event of staff absence or departure, and ensuring the minimisation of disruption to the student experience.

All teaching staff should have a shared understanding of the learning outcomes of a programme and the strategies for ensuring that these are properly achieved and appropriately assessed. The institution should support all students to achieve successful academic and professional outcomes.

Effective arrangements should be in place for ensuring that approved programmes of study reflect advances in their subject disciplines and in pedagogical practice.

The institution should design and/or deliver high-quality courses. Staff teaching on a programme should ideally have contributed to its design and be involved in student assessment.

There should be regular opportunities for the staff and student body to contribute to academic and institutional policy, determination of priorities and discussion of issues affecting the institution's academic performance and direction. The institution should

actively engage students, individually and collectively, in the quality of their educational experience.

Principle 2: Independence of institutional ownership from the exercise of academic authority

There should be a governance structure that protects and assures the integrity of academic decision making and actively encourages student engagement in academic governance.

There should be an independent body established within the organisation with a clear remit for academic development, quality assurance and academic decision making. This must be independent of all arrangements that the organisation may have for commercial or financial activity.

Where the institution is a company, the owner, shareholders, or trustees should not exercise direct authority for academic decision-making since this could lead to role conflict and jeopardise the stability of the academic environment.

Principle 3: Appropriate academic organisation and the administrative structure to support it

There should be an organisational structure that is understood within the institution and assigns clear executive, administrative and academic responsibilities to individuals and groups to run the institution's programmes.

There should be a separate governing body of the institution that ensures there are adequate controls in place to safeguard institutional sustainability with effective systems for risk management and control.

There should be a set of institutional policies, procedures, guidelines, and a regulatory framework in place to support the delivery of OU Validated Awards. All processes involved in the student lifecycle, from recruitment, through to completion of students must comply with the Open University Regulations for Validated Awards (see section D). A periodic review cycle, that includes approval, as these policies should be documented. Such mechanisms should be informed by good practice in the UK Higher Education sector.

There should be an appropriate committee structure to support the delivery and assessment of HE programmes that includes effective student representation at all levels of the structure.

There should be an appropriate administrative structure to support and provide quality assurance of the underpinning processes and procedures related to OU validated HE programmes.

There should be a commitment to sharing good practice in teaching and learning and assessment.

The organisation should have effective systems and processes in place that are not reliant on individuals.

Principle 4: Robust and rigorous quality assurance and enhancement informed by the UK Quality Code and Professional, Statutory or Regulatory Bodies

There should be a system in the institution's academic organisation that defines the processes for academic quality assurance and identifies responsibility for decision-making.

The institution's systems should ensure that:

- There are strategic principles for monitoring, evaluation, and reporting of institutional and programme performance, to ensure processes are applied systematically and operated consistently.
- Information generated from monitoring is evaluated, analysed, and used to learn and improve.
- Outcomes from monitoring and evaluation are communicated to staff, students, and external stakeholders.

The respective roles, responsibilities, and authority of different individuals and bodies are clearly defined. Those involved are fully briefed about their role and the hierarchy of procedures are made clear.

Mechanisms for institutional and programme evaluation should be informed by feedback from the governing body, teaching staff, students, External Examiners, external peers, Academic Reviewers, statistical information such as student progression and retention, external data sets such as National Student Survey, external quality reviews, previous monitoring exercises, professional, statutory, or regulatory bodies, employers, and The Open University.

Procedures should take account of the UK Quality Code, OfS conditions of registration and any professional, statutory, or regulatory body requirements, including those of the OU.

Principle 5: Relations with the wider academic community

The institution should ensure that the threshold standards for its qualifications are consistent with the relevant national qualification frameworks. The institution must be aware of and responsive to UK national and international standards for the subjects it offers, current practice in UK higher education and benchmarks, and (where appropriate) international expectations.

Institutions will need to demonstrate their use of the UK Quality Code, OfS requirements and professional requirements as external reference points. Institutions should use one or more external experts and where relevant employers, as advisers to provide impartial, independent scrutiny on the review and development of all provision.

Effective teaching and learning should be informed through reflective practice and institutions should enable staff to engage in relevant, timely and appropriate professional development and research that supports students' learning and high-quality teaching.

B3 Stages in the approval process

The following sections contain information on the approval process for institutions applying for validation with The Open University through the Department for Education Scheme. This follows the Enabled Validation model.

The approval process involves scrutiny of the institution's formal documentation submission and culminates in the formal Institutional Approval event.

Institutions that wish to continue to offer OU Validated Awards after the initial period of approval, will be subject to periodic Institutional Reapprovals and Compliance Reviews. Together with annual monitoring, these are key processes that the OU uses to satisfy itself that partner institutions continue to maintain a suitable environment for the conduct of validated programmes.

Stage 1: Application to the Scheme

The applicant institution will need to submit a valid Higher Technical Education Boost for FE application by the application deadline.

Stage 2: Application Assessment

This application will be assessed in relation to the criteria for a successful application as detailed by The Open University and The Office for Students.

Further information about the application process, please visit www.open.ac.uk/he-with-fe.

During the application assessment process, it may be necessary to discuss questions relating to the application. In this case an initial call will be arranged; Initial due diligence on the Institution will also be conducted by The OU.

On completion of the application assessment process all applicant institutions will be contacted by The OU and advised of the outcome of their application to the Department for Education scheme. Institutions that are successful in securing funding from the scheme will be provided with a contract for the period of the scheme. If they wish to accept the terms of the contract, the applicant institution may also be asked to supply further documentary evidence to support the due diligence process conducted by The OU.

Stage 3: Discovery Phase

During the Discovery Phase, The OU will work with the Institution to assess their capabilities and to determine a Partnership Development Plan. See Appendix 4 for an example Partnership Development Plan. This document will evidence how the institution will be supported towards successful Institutional Approval and Programme Validation. It will also determine the likely period of development required.

The first step is an initial visit, undertaken by OUVF representatives, either remotely or at the premises of the applicant institution. During this period, The OU will also undertake desk-based research and conduct enhanced due-diligence using documentary evidence supplied by the applicant institution.

The initial visit enables a more detailed discussion about the potential relationship and requirements on both sides of the partnership and discussions regarding potential timescales to proceed to the next stage.

The meeting is divided into three sections, the first dedicated to the requirements for the Policy Compliance Review, the second section a detailed discussion on the procedures and requirements for Institutional Approval and the third dedicated to the process and requirements of Programme(s) Validation.

See Appendix 5 for a sample agenda for discovery visits.

The OU may, at this stage, advise the applicant institution that they will appoint an independent Higher Education consultant and/or programme subject expert to support the applicant in the approval process and where necessary, on an ongoing basis.

The OU will determine at this stage if any Preliminary reviews (as detailed below in Stage 4a and 4b) are needed prior to the final Approval Events.

Stage 4: Preliminary Policy Compliance Review and Facilitation Visit

Following the completion of Stages 1, 2 and 3 the OU may determine that a Preliminary Policy Compliance Review and/or a Facilitation Visit is required.

These visits provide early scrutiny of the institution to provide developmental feedback prior to Stage 5: Policy Compliance Review and Stage 6: Institutional Approval.

This involves desk-based scrutiny of the documentation for both the Policy Compliance Review and Institutional Approval by experts within the OU and the Facilitation Visit Panel.

Stage 4a: Preliminary Policy Compliance Review

If it is deemed beneficial to the process to undertake a review of policy compliance earlier than planned, the OU will work with the applicant institution to arrange a preliminary policy compliance review. This will be agreed on a case-by-case basis.

Stage 4b: The Facilitation Visit

If it is deemed beneficial to the process, a Facilitation Visit will be planned. The Facilitation Visit will explore the applicant institution's readiness to proceed to the final event of Institutional Approval. The panel will provide advice about academic structures, processes, and systems for the pursuit of approved status.

Central to considerations are the institution's processes for internal quality assurance and the ways in which these can be brought into alignment with the OU's processes. Where the institution is required to make major adjustments to its policies and procedures or infrastructure, a period of additional support and development will be necessary.

The institution must provide a draft of its submission the Facilitation Visit, electronically at least six weeks prior to the visit.

The submission must include all the documents (whether finalised or in draft) that are required for the Institutional Approval (see Stage 6) and must include a Self-Evaluation Document (SED) and appendices. The OU provides a [self-evaluation document template](#) that the applicant institution should complete. This self-evaluation document will cover the following:

- Institutional mission, strategy, and purpose.
- The track record of the organisation in managing quality and standards.
- The means by which the organisation sets and maintains academic standards.
- How the organisation ensures and enhances academic quality.

The outcome of this stage, in all cases, is a report setting out what further development work and any additional support is required to prepare a full submission for OU approval and to set a timetable for the rest of the process. This report will be noted by Curriculum Partnerships Committee (CuPC). A copy of a [sample facilitation visit agenda](#) can be found on the OUV P website.

Stage 5: Policy Compliance Review

The purpose of the Policy Compliance Review, which usually takes place before Stage 6: Institutional Approval, and forms a part of the process to approve an institution as a partner, is to:

- Assess the operational and management infrastructure of the institution, including the support in place for students studying OU validated awards.
- Assess the policies, procedures, and guidance documents for staff and students relevant to the OU award to ensure compliance with relevant legislation and Regulatory requirements.
- Confirm that it is fit for the purpose of supporting OU validated programmes.
- Conclude due diligence checks.

The Policy Compliance Review covers a wide range of administrative, financial and governance issues, including (but not limited to) financial viability, risk management, the student journey, health and safety, safeguarding and prevent, administrative staffing and processes, IT structures, IT support and Information security, and communications.

The Policy Compliance Review is a two-step process:

1. A desk-based scrutiny of the institution's submitted documentation by a team of expert readers within the OU.
2. A series of meetings, either face to face or virtual, with the institution by a team of OU experts to test, clarify and confirm the information submitted in the documentation, assess the data security and compliance of the institution's virtual learning environment, website, and student record system; confirm examination process and storage facilities and assess the appropriateness of site facilities particularly in relation to health and safety, security, and safeguarding.

Where necessary, additional support will be provided to the institution for policies that require development or enhancement to ensure legal or regulatory compliance or alignment with the OU. Any outstanding due diligence of policies and procedures will also be explored at the visit.

Policy Compliance Review Documentation

Information will be requested from institutions to assist with the Policy Compliance Review and in preparation for the meetings.

The information and documentation (which is discussed during the Advisory Visit) will be requested well in advance of each policy review meeting. A proforma mapping document will be provided to the Institution detailing all the required documentation required for the review.

Submission documents should be uploaded to a dedicated Microsoft Teams Site along with the Mapping Form detailing which policy, or page within a policy, the Expert Readers should refer to for each area of scrutiny.

The OU should receive the submission by the date provided for each policy/area of scrutiny so that it can be considered and reviewed before the meetings take place. Supplementary information may be needed after the documentation has been examined; this will be requested if required.

The required documents fall into the following areas of scrutiny:

- Financial status, planning, other external funding arrangements.

- Administrative Staffing Structure (including the role of Quality management) and HR Policies/Staff Handbooks.
- IT Infrastructure, to include Service Level Agreements, IT disaster Recovery Plans, IT/Data Security and Back up.
- Student life cycle, to include but not limited to: Student Handbook, Admissions, Complaints and Appeals, Recognised Prior Learning, and Examinations and Assessment processes, all of which must be compliant with legislation (e.g. Consumer Law) or Regulatory requirements (e.g. Office for Students (OfS) or Office of the Independent Adjudicator (OIA)).
- Diploma Supplement and Transcript.
- Publicity (including Competitions and Market Authority compliance in all published materials and online tools such as the institution's website).
- Equality & Diversity.
- Health and Safety (including Fire Safety & Prevention), Safeguarding and Prevent.
- Data Retention, Data Protection and Freedom of Information.
- Business Continuity Plans, Strategic Plans, Recruitment Strategy, and Risk Registers and Risk Management.

Process

The institution will be provided with information about the review meetings once dates have been agreed; this will include details of the required documentation, draft agenda, and the review process.

The review meetings will include discussions with Senior Managers of the Institution as well as relevant members of administrative staff responsible for the areas of scrutiny as detailed previously.

Face to Face meetings will also include a tour of administrative areas, such as the examinations office and secure storage, student recruitment and support teams, the Learning Resources Centre, as well as any on- site student accommodation and student facilities.

This will allow the OU team to become familiar with the operation of administrative processes, meet members of staff, and provide assurances for the support, suitability of facilities, and safety for students when onsite.

A separate online demonstration of the student record system and virtual learning environment will also be arranged.

A branch or campus approval visit will be required at all locations where delivery of OU validated programmes is to take place.

Outcomes

The reviewers will agree a set of Conditions and Recommendations based on the outcome of the submission and subsequent discussions. Where good practice is identified, Commendations will also be made.

Where Conditions are set, the institution will be provided with support to address these Conditions and a final submission must be approved by the OU as satisfactory before Institutional Approval is granted.

The institution's response to any Recommendations must be reported in the first Institutional and Programme Monitoring to the OU and tracked in subsequent Institutional and Programme Monitoring reports.

The conclusions from the Policy Compliance Review will also be fed back to the panel who will be conducting the Institutional Approval.

Conditions for the Policy Compliance Review need to be fully cleared before the prospective partner institution may market any OU validated programmes or students are permitted to register for any OU validated programmes.

Follow-up

When required, a follow-up visit may be undertaken by the OU to confirm that Conditions have been met. This provides an opportunity to examine areas that have been subject to Conditions and/or where development was being undertaken at the time of the original review – for example, the introduction of new IT systems, buildings, or facilities in development.

Changes to processes, policies, guidance documents or infrastructures because of changes within the institution or due to regulatory or legislative changes, should be reported to the OU as soon as the change is known. Any documents revised as a result of changes should be submitted to the OU for review and approval.

As part of the Institutional and Programme Monitoring process, institutions are also expected to provide a statement of any substantial changes to their administrative systems and practices, or confirmation that they have not changed.

The OU reserves the right to ask for audited accounts and conduct due diligence of the partner institutions at regular intervals as part of the University's review and assurance processes.

Stage 6: Institutional Approval

The final stage of Institutional Approval activity will be an approval visit to the institution by a panel of experts determined by the OU.

The institution must provide its submission for Institutional Approval electronically at least six weeks before the date of the final approval meeting. This should include a self-evaluation document. The OU provides a [self-evaluation document template](#) that the institution should complete. This self-evaluation document will cover the following:

- Institutional mission, strategy, and purpose.
- The track record of the organisation in managing quality and standards.
- The means by which the organisation sets and maintains academic standards.
- How the organisation ensures and enhances academic quality.

More specifically, the OU will be looking at an institution's self-evaluation for analysis of:

- How well the institution has demonstrated its alignment with the five Principles for Institutional Approval.
- How effectively the institution ensures that approved programmes of study are maintaining a satisfactory standard and are being taught, managed, and operated satisfactorily in the light of, for example, the UK Quality Code, Office for Students, Subject Benchmark Statements and Professional, Statutory or Regulatory Body requirements.

- How effectively the institution ensures that approved programmes of study reflect advances in their subject disciplines and in pedagogical practice.
- How the institution satisfies itself that new and existing work is adequately resourced.
- What provision is made for the welfare of students and for enriching their experience of higher education.

Institutional Approval panel members are asked to review the institution's documentation before the meeting and identify the issues for the agenda. The panel will be asked for its feedback in advance (which will be shared with the institution), although this does not preclude other matters being raised during the meetings.

Institutional Approval Documentation

Information will be requested from institutions to assist with the Institution Approval and in preparation for the visit.

The information will be requested well in advance of the visit. The OU should receive it no later than six weeks before the date of the visit so that it can be considered and interrogated before the visit takes place. Supplementary information may be needed after the initial documentation has been examined; this will be requested if required.

Submission documents should be uploaded to a dedicated Microsoft Teams Site along with the Mapping Form detailing which policy, or page within a policy, the Panel Members should refer to for each area of scrutiny.

The final submission should be received no later than six weeks prior to the event. They should be uploaded and referenced in clearly annotated folders. Care should be taken to ensure document titles are short in length to enable them to be accessed easily.

Details of the required documents will be provided at the Advisory Visit but will fall into the following areas of scrutiny:

- Provision of an appropriate learning environment:
 - Student guidance and support.
 - Teaching, Learning and Assessment strategy & assessment policy.
 - Staff recruitment, training and development.
 - Independence of institutional ownership from the exercise of academic authority.
 - Organogram diagrams for governance and management, organisational structure.
 - Role descriptors for key senior posts.
- Appropriate academic organisational and the administrative structure to support it
 - Five-year strategic plan. This should include the mission and strategic vision, goals, measures of success and financial objectives.
 - Academic Regulations that align to the OU template. This should include the following:
 - Admissions policy and procedure.
 - Admissions Appeals and Complaints policy and procedure.

- Periods of registration.
 - Attendance requirements.
 - Assessment policy.
 - Academic Misconduct policy.
 - Extenuating circumstances policy.
 - Membership of Boards of Examiners.
 - Academic Appeals and Complaints policy and procedure.
 - Ethics policy and procedure.
 - Recognition of prior learning.
 - Terms of Reference & Organisational Chart for:
 - Governing Body of the Institution.
 - Academic Board.
 - Sub-committees e.g. Higher Education Committee.
 - Quality Committee.
 - Course Teams.
 - Assessment boards.
- Robust and rigorous Quality Assurance and enhancement informed by the UK Quality Code and requirements of the Office for Students:
 - Risk registers.
 - Summary of quality processes relating to Higher Education. To include development, monitoring, approval and review of programmes.
 - Student feedback mechanisms.
 - Proposal for the briefing and induction of external examiners (if applicable)
 - External examiner reports.
- Student Protection Plan (SPP):
 - We require all partner institutions to have their own risk assessment and SPP in place in the event of course closure, institutional closure or the end of a validation relationship with the OU. This is a requirement even if the institution does not have plans to register with the Office for Students, the OU's own principal regulator.
 - It must include course changes, withdrawal and site moves, detail the options for students to transfer to an alternative provider where the risk of whole institution failure is assessed as high or medium and explain any refund and compensation options.
 - Where the closure of the course is due to the partnership with the OU coming to an end, the wording must reflect the OU's own SPP: The OU will work with any validated partner institute whose relationship with us is being brought to an end with the aim of ensuring that you are able to complete your qualification or a suitable alternative.
 - All SPPs will be reviewed as part of the Institutional Approval. Recommendations and comments for further enhancement may be provided. SPPs should be reviewed on an annual basis. Any changes or updates made will need to be submitted to the OU. All SPPs need to be published on a partner institutions website.
- Office for Students Access and Participation Plans / Statements
- Relations with the wider academic community
 - UK QAA Quality Code mapping.

- Reports from external agencies.
- Sample validation documents:
 - Details of programmes to be validated.
 - Sample programme handbook.
 - Sample programme specification.
 - Sample programme review documentation.

During the Institutional Approval event, the Panel should have access to the following documents within the base room:

- Institutional documents:
 - Examples of assessed student work, if applicable.
 - Recent annual monitoring reports, if applicable.
 - Minutes and agendas for committee meetings to evidence the working practice of the governance structure.

Detailed guidance for the submission of documentation will be provided at the Advisory Visit. The Institutional Approval Visit

In order to explore how an institution is proposing to meet, or is fulfilling, the requirements for Institutional Approval, the panel will meet the groups set out below.

The Institutional Approval panel will include external representation but will be chaired by a senior OU member of staff and will include a member of CuPC. The balance of membership will be weighted towards OU membership, and its composition will be decided on the basis of the requirements for expertise and experience.

An indication of typical issues for discussion is included, however, other issues may also be explored, and the panel will often wish to explore the same issues with more than one group. An example of an [agenda for an Institutional Approval](#) can be found on the OUVV website.

Meetings with senior management and Board of Trustees (or equivalent body)

Issues to be discussed with representatives from the governing body of the institution will typically include:

- Institutional mission, strategic planning, and development.
- Institutional management, policy making, and executive and academic structures.
- Commitment to equal opportunities.
- Staffing and staff appraisal and development.
- Finance and resources.

Meetings with members of the academic board or board of studies

Issues to be discussed with those responsible for the standard and quality of programmes will cover:

- Academic responsibilities and quality assurance.
- Institutional level policies and regulations.
- External examining arrangements.
- Institutional assessment policy.

- Research and staff development.
- Appeals, complaints, and disciplinary procedures.

Meetings with those responsible for programme development and monitoring

Issues to be discussed with those responsible for programme development and monitoring,² such as an academic standards committee, include:

- Arrangements for programme design, internal approval, and monitoring.
- Provision for equal opportunities.
- Employer links and provision for student placements, where applicable.
- Provision for personal development planning (PDP).
- The role of external input and feedback from students and, where applicable, employers in programme development and enhancement.

Meetings with teaching staff

Issues to be explored with representatives of teaching staff will include:

- The staff experience of the institution's academic community.
- Understanding and ownership of quality assurance processes.
- Opportunities to contribute to programme development.
- Staff development and research.

Meetings with students including student representatives

Issues to be explored with students will include:

- The student experience of the institution's learning environment including, where applicable, work placements.
- Student representation within the committee structures and the opportunities for feedback to staff.
- Adequacy of student support, including support for students with special educational needs and disability support (SEND)
- Adequacy of learning resources.

Meetings with employer representatives

When an institution will use apprenticeship delivery for some or all its Higher Education programmes, it will be necessary to include a meeting with employer representatives. This

² OUVF recognise that teaching staff are often responsible for programme development and monitoring; therefore, this meeting and the teaching staff meeting can sometimes be combined.

may also be appropriate for delivery of Foundation Degrees. This would enable the Panel to explore how these relationships are managed to ensure the student experience.

Review of learning resources

The activity will also include a review of the teaching and learning resources and other facilities of the institution, including library, computing facilities and VLE provision.

B4 Decisions arising from Institutional Approval meetings

The approval panel will agree its recommendation regarding Institutional Approval for consideration by the OU's CuPC and this will be reported to the institution at the end of the final meeting. Once a conclusion has been collectively agreed by the panel, panel members will not raise further issues or make substantive amendments to any conditions of approval or to recommendations to the institution. CuPC may, during their considerations, decide to amend or add Conditions and Recommendations.

Final approval by CuPC will be subject to the satisfaction of any Conditions set at both the Policy Compliance Review and Institutional Approval. Final approval is also subject to the signed institutional agreement between the OU and the institution and in line with the Approval Letter issued from the Director.

Following recommendation of Institutional Approval, the institution can then seek validation for programmes leading to OU validated awards.

If, following Institutional Approval, programme approval is not achieved, or recruitment to approved programmes is not successful, approval status will be reviewed within one calendar year of the date of the final approval meeting. The partner institution will be required to meet any financial commitments to the OU as outlined within the agreement.

Approval

Where initial approval is recommended, this will normally be for a full period of five years. However, the OU reserves the right to instigate an Institutional Review at any time during the initial period of approval.

Conditions of approval

A recommendation for approval may be conditional on further work by the institution to be completed before approval is confirmed.

Institutions will be allowed up to two attempts to fulfil the conditions of approval (an initial response to the conditions, plus a resubmission if the panel requests further work to be undertaken). A third submission will only be allowed at the invitation of the OU.

Conditions for the Institutional Approval need to be fully cleared before the prospective partner institution may market any OU Validated Programmes or students are permitted to register for any OU validated programmes.

Recommendations to the institution

The panel may also make recommendations to assist institutional development. These will be followed-up in the institution's annual reports to the OU.

Institutional Approval reports

A draft report on the outcomes of the approval visit will be sent to the institution for comment on matters of factual accuracy before being presented to the OU's CuPC.

Non-approval of an Institution

In circumstances where a conclusion to not recommend an institution for approval has been collectively agreed by the panel, the Chair will report the findings to the institution representatives at the end of the final meeting.

Within four weeks following the event, a report will be submitted to the institution that provides detailed feedback on areas for development and highlights the rationale behind the decision for non-approval. The institution will be required to meet its financial commitments to the OU to date.

Where an institution would like to reapply for Institutional Approval, then a period of 12 months will need to have elapsed before the proceedings can begin.

B5 Institutional Reapproval

An Institutional Reapproval is required in the academic year leading up to the expiry of the previous Institutional Approval, unless there are exceptional reasons for holding an earlier review then an Interim Review will be conducted. The process for an Institutional Reapproval is very similar to that for the Institutional Approval, including the holding of an Advisory Visit (see Section B3 Stage 2) and a Policy Compliance Review.

Policy Compliance Review

The Policy Compliance Review forms part of the process to reapprove an institution as a partner and usually takes place before the Institutional Reapproval. The purpose is to reassess the management and operational infrastructure of the institution, including the support in place for OU validated students:

The Policy Compliance Review covers a wide range of administrative, financial and governance issues, including (but not limited to) financial viability, risk management; the student journey; health and safety, safeguarding and prevent; administrative staffing and processes, IT structures, support and security, and communications.

The process and documentation for Policy Compliance Review is the same as at Institutional Approval. Please refer to Stage 4 of the Institutional Approval Process.

Policy Compliance Review Outcomes

The reviewers will agree a set of Conditions and Recommendations based on the outcome of the submission and subsequent discussions. Where good practice is identified, Commendations will also be made.

Where Conditions are set, a submission to address these Conditions must be received by the specified date and must be approved by the OU as satisfactorily met before Institutional Reapproval is granted.

The conclusions from the Policy Compliance Review will also be fed back to the panel who will be conducting the Institutional Reapproval.

Conditions for the Policy Compliance Review need to be fully cleared before the partner institution may recruit any new students on OU validated award.

Policy Compliance Review Follow-up

When required, a follow-up visit may be undertaken by the reviewers to confirm that Conditions have been met. This provides an opportunity to examine areas that have been subject to Conditions and/or where development was being undertaken at the time of the original review visit – for example, the introduction of new IT systems, buildings, or facilities in development.

Changes to processes, policies, guidance documents or infrastructures as a result of changes within the institution or due to regulatory or legislative changes, should reported to the OU as soon as the change is known. Documents revised as a result of changes should be submitted to the OU for review and approval.

As part of the Institutional and Programme Monitoring process, institutions are also expected to provide a statement of any substantial changes to their administrative systems and practices, or confirmation that there have not been any significant changes.

The OU reserves the right to ask for audited accounts and conduct due diligence of the partner institutions at regular intervals as part of the Universities review and assurance processes.

Institutional Reapproval

In addition to the evidence listed for an Institutional Approval, documentation for Institutional Reapprovals must include the following:

- Self-evaluation document for Institutional Reapproval ([template available](#)).
- A year's series of minutes and papers of key committees that evidence effective engagement with the OU's principles of Institutional Approval and with the UK Quality Code, and that demonstrate a consistent attention to quality assurance and enhancement.
- An account of the institution's response to any issues arising from external examiners reports, the attendance of University representatives at Board of Examiners, Quality Assurance Committees, Academic Boards and Programme Committees at the institution in the year leading up to the Institutional Reapproval.
- An evaluation of the outcomes of all external reviews, including QAA engagements, accreditation, inspection, or reviews, either of the institution or of its OU validated provision.
- An evaluation of the outcomes of institutional and programme monitoring in the last three years together with an institutional overview of these, including an account of how issues have been addressed.

The institution should also invite the representative student body to contribute towards the self-evaluation document or to write a separate document reflecting on arrangements for teaching and learning in respect of OU validated awards and the student experience. This should be included in the papers. If the representative student body declines to contribute, this should be recorded.

B5.1 Interim Review

An Interim Review may be triggered, outside of the Institutional Reapproval schedule, to consider wider concerns at institutional level. Although not an exhaustive list, this event will arise if there are:

- Changes to the legal ownership or status of the partner institution.
- Wide re-structuring in terms of senior leadership and institutional governance.
- Unsatisfactory outcomes from IPM submission.
- Significant changes to administrative staffing structure or processes that have an impact on the quality of the management and delivery of Higher Education.
- Across the organisation, issues that have an impact on the quality of teaching, learning, assessment, or the student experience.
- Issues that have the potential to impact on the future on academic standards.
- A lack of senior leadership and support for the delivery of Higher Education validated programmes.
- Limited oversight and coordination of quality assurance across validated programmes.
- Repeated problems with the preparation and/or management of examination boards.
- Issues identified by regulators or by professional, regulatory, and statutory bodies.

An Interim Review will usually require the Institution to submit documentation for review by the OU as well as a panel visit from the OU. Details would be provided to the Institution.

B5.2 Institutional Approval of overseas institutions and validation of non-English programmes

General principles

The approval of overseas institutions and of foreign providers located within the UK is subject to the same principles, regulations, and requirements as all other institutions.

Institutions that are located outside the UK will need to provide written evidence that the partnership with the OU has the approval of the competent governmental authorities and is not contrary to any national laws. The institution will be responsible for consulting these authorities and securing any legal approvals at its own expense.

The OU will not normally consider approving an institution if its validated awards are unlikely to be recognised in the host country.

Institutions may seek validation of programmes that are designed to also lead to other awards, such as those leading to professional qualifications and US or European degrees and diplomas. Although dual awards are permitted by the OU, such programmes will only be considered for validation if they can meet in full the OU's requirements for validated awards.

All agreements between a partner institution and the OU shall be governed in accordance with UK law. All disputes arising from such agreements, or in relation to them, shall be subject to the non-exclusive jurisdiction of the UK courts. Notwithstanding this requirement, in the event of a dispute, both the partner institution and the OU would be expected to negotiate in good faith and endeavour to resolve the matter amicably.

Any additional costs that the OU incurs in sustaining an overseas partnership must be met, directly or indirectly, by the partner institution. The OU will agree with each institution the financial arrangements to be set out in the agreement.

B5.3 Language of instruction and assessment

Programmes leading to validated awards of the OU will normally be written, delivered, and assessed in English.

Where the programme (or any significant part of it) is to be delivered and assessed in a language other than English, whether overseas or in the UK, it will be necessary for evidence to be provided that there is a sufficient number of people fluent in the delivery language and English, with subject expertise at the appropriate level, with first-hand knowledge of the standards of UK degrees and from sufficiently diverse backgrounds to:

- Enable balanced initial validation and subsequent revalidation panels to be formed.
- Provide a sufficient number of External Examiners over a number of years.
- Deal with any student appeals.

It must also be established that there is a sufficiently large and experienced bilingual peer group to allow the OU to validate and monitor programmes.

English will be the language of communication between the OU and all institutions. English must be used for key documentation including institutional agreements, submissions for Institutional Approval and validation, definitive programme documents, annual monitoring, External Examiners' reports, registration and conferment records, and minutes of assessment boards deciding final awards. Institutional Approval, Institutional Reapproval, validation and revalidation panel discussions will be carried out in English.

Partner institutions will be required to provide the OU with English translations of programme handbooks and any advertising, publicity and public information relating to OU validated programmes. The OU may require translations of other institutional documents, assessment strategy, marked student scripts, records and student transcripts.

Except where otherwise agreed, translation of materials will be the responsibility of the partner institution at its own expense. The partner institution must ensure that any translations are made faithfully and accurately by a competent and independent translator.

The OU's award certificates will indicate where a programme has been delivered and/or assessed in a language other than English.

It is suggested that the minimum IELTS score for postgraduate study is 6.5, and for undergraduate study is 6.0.

It is also suggested that the minimum score within each test area is 6.0 for postgraduate and 5.5 for undergraduate.

IELTS Score ³	TOEFL iBT® Equivalent Score ⁴	Cambridge English Scale Equivalent Score ⁵
5.5	46-59	162
6.0	60-78	169
6.5	79-93	176

B5.4 Approval of new teaching facilities within the United Kingdom

When an institution expands the number of teaching venues, between their Institutional Reapproval visits, a site approval visit will need to take place.

With our existing portfolio, OUVP undertake two different types of delivery site approvals.

Model 1: Branch or campus approval – In this instance teaching, assessment, and some quality processes, such as moderation of assessments and recording of results may be undertaken.

Model 2: Tuition sites – In this instance elements of teaching will be delivered, but staff will not be based there. In addition, there will be no other student services available at the venue, such as library or pastoral services.

Model 1 – Branch or Campus approvals:

Panel Members:

OUVP will determine the constitution of the panel. Typically, this will be:

- Academic Reviewer and/or Institutional Review panel Chair.

³ International English Language Testing System

⁴ Test of English as a Foreign Language Internet Based Test; <https://www.ets.org/toefl/score-users/scores-admissions/compare/>

⁵ <https://www.cambridgeenglish.org/Images/461626-cambridge-english-qualifications-comparing-scores-to-ielts.pdf>

- SQPM.
- Policy Compliance Reviewer.

Process:

A visit will be arranged for the panel to inspect the site. The event will comprise of a tour of the facilities, a meeting with students taught at the facility, if appropriate, and a meeting with the senior management of the institution that should include a health and safety representative as well as the Head of Quality. The agenda and documentation submission will be tailored to the type of site approval, for example the development of a brand-new facility or delivery of a programme at an existing site that has not been approved.

The panel will agree its recommendation regarding the approval of the teaching site for consideration by the OU and this will normally be reported to the institution at the end of the final meeting. Once a conclusion has been collectively agreed by the panel, panel members will not raise further issues or make substantive amendments to any conditions of approval or to recommendations to the institution. Ordinarily, any conditions set will need to be met before students are enrolled and or taught at the premises. Exceptionally, there may be individual circumstances that arise where it is necessary to both set and or meet conditions whilst students are in site. The OU may, in the course of their considerations, decide to amend or add conditions and recommendations.

Following approval, two copies of a letter will be sent from the OU. The institution will then sign and date one copy and return to OUVP. This will provide a definite agreement by both parties.

Model 2 – Tuition sites

With the approval of blended learning programmes and apprenticeship programmes, some institutions may wish to deliver elements of their validated programme at multiple sites. These premises may range from rented office space to venues within the premises of employers.

Process:

In this instance, an External Venue Audit Form will need to be completed by the institution in advance of any programme delivery taking place. The External Venue Audit Form template will need to be agreed by the SQPM, prior to use. This along with any service level agreement for the tutorial venue should be sent to OUVP. The institution's completed External Venue Audit Form and service level agreement will be considered by the OU for approval and whether additional conditions and recommendations should be applied.

Contract:

For partners who intend to deliver at multiple tuition sites, the OUVP Approval and Validation Agreement will be amended to reflect this.

C Procedures following Institutional Approval or Reapproval

C1 Institutional agreement

C1.1 Signing an agreement

Following Institutional Approval or Institutional Review, a formal institutional agreement (see [sample institutional agreement](#) on the OUV P website) must be signed between the OU and the institution. This sets out the terms and conditions under which the OU agrees to confer partner institution status.

C1.2 OU requirements

The OU has these requirements regarding the approval and monitoring of partner institutions' publicity materials/publicly available information:

General requirements

Institutions cannot publish any co-branded publicity materials or produce any materials that imply in any way that they have been approved by the OU before the OU has confirmed their Institutional Approval via the formal approval letter from the Director.

Once they are formally approved by the OU, all institutions must publicise their relationship with the OU in all the relevant materials, whether in print or online.

Similarly, partner institutions cannot publicise a programme of study as being validated by the OU before validation has been confirmed via the formal programme approval letter.

Where a programme of study leads to a validated award of the OU, this should be clearly stated in all the publicly available information about this programme, including in print or online.

Compliance with the OU publicity requirements are a key element of the Policy Compliance Review and Institutional Review processes. Our ongoing due diligence checks seek to ensure that all publicly available material is compliant with Competition and Markets Authority (CMA) requirements.

C1.3 Use of the OU logo and wording

Partner institutions of the OU are allowed to use the OU logo in accordance with the OU brand guidelines. This does not include use of the OU crest which cannot be used to promote the partnership. Brand guidelines and a high-resolution logo can be obtained from the Partnership Engagement Manager at OUVP-info@open.ac.uk. A general guide is that the OU logo should not be used on any Partner's own correspondence. Use of the logo in this manner, for example on letters, could be misleading to applicants and students as it gives the impression that the decision or content of the letter has been made or endorsed by the OU, whilst this is not the case.

Partner institutions must use the following wording to describe their relationship with the OU:

"[Institution] is approved by The Open University as an appropriate organisation to offer higher education programmes leading to Open University validated awards."

Or:

"[Institution] is a partner institution of The Open University."

Partner institutions should use the following wording to describe validated programmes/modules:

“Programmes/modules in [XYZ] subject(s) have been developed and will be delivered by [organisation]. They have been validated through a process of external peer review by The Open University as being of an appropriate standard and quality to lead to The Open University validated awards of [full title of award(s)].”

Or:

“[Title of programme/This award] is validated by The Open University.”

Further guidance, as well as additional content regarding The Open University and its validated provision can be obtained from the Partnership Engagement Manager at OUVP-info@open.ac.uk.

C1.4 Sign-off and monitoring processes

To ensure the accuracy of all publicly available information referring to its validated provision the OU must be involved in the sign off of institution publicity, as detailed in the table below.

The table also includes details of the audits and checks carried out by the OU. Furthermore, it outlines the responsibilities of the different stakeholders involved in the sign off and monitoring processes, both at the OU and in the institutions.

	Activity	OU requirements
1.	Annual Prospectuses	<ul style="list-style-type: none"> Printed or online annual brochures and prospectuses must be shared with the OU in draft form for approval prior to publication. Drafts must be sent to the Partnership Engagement Manager at OUVP-info@open.ac.uk. A production schedule must be sent in advance/at the earliest opportunity for the year ahead for planning purposes. A minimum 7 (working) days' notice must be given for all approval requests.
2.	Student Handbooks	<ul style="list-style-type: none"> Student handbooks related to OU validated programmes must be published on publicly accessible web pages (where no password is required). The OU will carry out a yearly check, over the summer months, in order to ensure that student handbooks are publicly available and that their content is accurate. Amendments may be required where necessary.
3.	Regulations for Validated Awards of The Open University	<ul style="list-style-type: none"> An up-to-date version of the regulations must be made publicly available on institution websites (on a page where no password is required). The OU will carry out a yearly check, over the summer months, in order to ensure that the most up-to-date version of the regulations is publicly available. Amendments may be required where necessary.
4.	Programme Specifications	<ul style="list-style-type: none"> All programme specifications must be made readily available on your website where no password is required to access the information.
5.	Leaflets, external advertisements	<ul style="list-style-type: none"> We do not normally approve leaflets and external adverts prior to publication. However, these will be routinely checked during visits at the partner institution and any issues in relation to these will be reported to the partner institution.

6.	Institution websites	<ul style="list-style-type: none">• The OU will carry out an audit of all institution websites every year in the summer. Amendments may be required where necessary.• Partner institutions must inform the Partnership Engagement Manager at OUVP-info@open.ac.uk where significant changes are to be made to their website (e.g. web re-development or re-branding).
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Please note: Institutions are required to keep a record of all the printed and electronic information produced to describe their validated programmes and their relationship with the OU. They must keep this information for the maximum period for which students might be registered on the relevant programmes.

Institutions are required to ensure that the above referenced publications are current and accurate.

C2 Information about the OU to students and staff

Information relating to validated programmes and the nature of the institution's relationship with the OU, including the *Handbook for Enabled Validated Awards*, Regulations for Validated Awards of The Open University and programme handbooks, must be made available to students, staff, and other interested parties. This will include details of the respective responsibilities of the institution and the OU.

The [Student's Guide to Studying on a Programme Validated by The Open University](#) aims to introduce students to the OU, as well as explain what being registered on a programme validated by the OU means to them.

An electronic copy of the guide must be circulated annually to all the students registered on a programme validated by the OU. In addition, the electronic version of the guide must be made available and clearly signposted on the institution's website.

C2.1 Information about engagements with the QAA, Office for Students (OfS) and Professional, Statutory and Regulatory Bodies (PSRBs)

In respect of information about engagements with the QAA, OfS, PSRBs, and other external agencies, partner institutions are required to:

- Inform the OU in advance of all external audit, accreditation, inspection, or review, either of the institution or that will include provision validated by the OU. If required, the OU will provide support with the preparation for and outcomes of the visit.
- Provide draft self-evaluation documents in good time for the OU to consider and offer comment, where appropriate.
- Copy to the OU all communications from the external agency or body following the review, including initial judgements or findings and draft reports.
- Provide the OU with an opportunity to consider a draft action plan and to make comment, as appropriate.
- Keep the OU informed of progress with the action plan and any further communication with the external agency or body.
- Provide the OU with a copy of their Office for Students registration or refusal letter (including details of any conditions of registration) and copies of any other communications from Office for Students, including Access and Participation Plans (APPs).

C3 Relationships with University staff

Following approval, the OU will provide advice, guidance, academic support and oversight of quality and standards. This will be provided by Academic Reviewers, SQPMs, QPMs or other University representatives and external consultants as required, who support the quality assurance and enhancement of validated provision.

All individuals have the right to work in an environment which is free from bullying and harassment. The OU is committed to providing a workplace in which all individuals are given the dignity and respect to which they are entitled. Anyone who believes that they have been subject to conduct which they regard as bullying and/or harassment should consult the [Open University's Bullying and Harassment Policy](#).

C3.1 Attendance of University representatives at key committees and boards

In addition to boards of examiners, at which decisions on OU awards are made, University representatives will attend some or all the key committees and boards such as academic boards, programme committees, or quality standing committees or their equivalents. The meetings to be attended by university representatives will usually be decided at planning meetings between the OU and the partner institutions.

The Institution will provide the OU with all papers and minutes of such committees in the year leading up to Institutional Review.

Guidelines for university representatives at key committees at partner institutions are to:

- Attend board and committee meetings of the institution as per prior agreement.
- Chair the board or committee (if required by the partnership development plan).
- Observe the conduct of the boards and committees in accordance with the institutional procedures.
- Provide a source of advice on the interpretation and application of university policies and of guidance offered by QAA in the UK Quality Code and elsewhere.
- Alert the institution and the OU to policies, procedures or circumstances which seem likely to impede the effective functioning of the boards and committees or the discharge of their responsibilities.
- Report to the OU, including Institutional Review panels.

The OU representative will prepare a checklist report, noting whether:

- The meeting was competent and quorate to conduct business in accordance with the institutional structure and procedures and was conducted in accordance with its agreed terms of reference.
- An appropriate officer took minutes.
- Everyone was familiar with and understood the terms of reference for the meeting.
- The agenda was appropriate and adequately supported by relevant documentation.
- Members had appropriate opportunity to familiarise themselves with the documentation to participate in the decision-making process.
- If applicable, minutes and follow-on action from previous meetings were dealt with.
- There was evidence of appropriate record keeping.
- All participating members present at the meeting were given an adequate and structured opportunity to contribute to discussion.
- There are any other observations.

A copy of the report prepared by the OU representative on the conduct of meetings will be submitted simultaneously both to the institution and to the OU.

C4 Institutional post-approval changes

Arrangements approved at Institutional Approval or Reapproval are usually expected to remain in place for the duration of the approval period. Where material changes are required, for example: for enhancement purposes, to comply with external stakeholder requirements, or to address a concern, it is likely that the OU will undertake an Interim Review.

C4.1 Interim Reviews

See section B5.1.

C4.2 Suspension of Registration

If the OU has concerns about an institution or a programme within it, it may decide to suspend student registrations. Concerns could be related to quality, academic standards, reputation, or financial matters. Where there are delays in a Partner meeting any conditions of Institutional Reapproval or administrative audit, new registrations may also be suspended.

C5 Exiting the Partnership

If a partner institution decides to exit from the validation arrangement with the OU, in accordance with the Validation Agreement, written notification should be submitted to the Director OUVF and SQPM/QPM at the earliest opportunity. The institution should provide written notice, signed by the institution's director or equivalent and state a reason for the exit, along with any other relevant key information.

In any exit scenario the consideration to any existing students should be paramount. Both parties may agree for currently validated programmes to be taught-out over an agreed period. Alternatively, it may be possible for students to transfer their studies to another awarding body (e.g. if the institution obtains their own degree awarding powers). For further information see section D7.11 *Programme closure*. The SQPM/QPM will work with the institution to ensure no students are disadvantaged and that communication with all relevant bodies (including students) is managed.

If the OU decides to withdraw from the partnership, it will be guided by section 18. *Termination* of the Grant Funded Approval and Validation Agreement (Sample agreement can be found in Appendix 6).

Institutions should ensure that due consideration is given to the contents of their Student Protection Plan to mitigate any risks associated with exiting.

D Validation and Revalidation

D1 Principles for Validation and Revalidation

All programme proposals must meet the principles below in order to be validated and revalidated. Validation and revalidation panel members will refer to the principles from the early stages of the process until the final approval event. The principles inform the agenda for events as well as the structure of (re)validation reports.

The principles relate to:

- The rationale, aims, and intended learning outcomes of the programme of study.
- The curriculum and structure of the programme of study.
- Teaching and learning.
- Programme management and monitoring.
- Admissions and transfer.
- Assessment regulations.
- Staffing, staff development and research.
- Teaching and learning resources.
- Other resources for students.
- Information publicly available to students, their advisors, employers, and other stakeholders.
- Equality and diversity.
- Arrangements for any work-based learning aspects of the programme.
- Approval of the embedded academic element of any Apprenticeship programmes.

D1.1 The rationale, aims and intended learning outcomes of the programme of study

Rationale and aims

Validated programmes will reflect the mission, strategic direction, and academic goals of institutions, and they will fulfil a demonstrable market demand.

They must stimulate an enquiring, analytical and creative approach, encouraging independent judgement and critical self-awareness.

The aims of a validated programme will be appropriate to the award to which they lead.

Learning outcomes

The intended learning outcomes for the programme will be clearly identified and appropriate to the aims of the programme. They will include the development, to the level required for the award, of a body of knowledge and understanding appropriate to the field of study and reflecting academic, professional and occupational standards in that field as well as [subject benchmarks](#). The levels are defined in the [QAA Frameworks for Higher Education Qualifications](#) and the [SEEC Credit Level Descriptors](#).

Learning outcomes will also relate to the relevant external reference points and the requirements of any professional or statutory body requirements, and to European reference points as appropriate.

Generic transferable skills

Learning outcomes will incorporate generic transferable intellectual and practical abilities and skills, appropriate to the level of the proposed award.

External reference points

Learning outcomes will relate to the relevant external reference points, including the QAA Frameworks for Higher Education Qualifications, QAA Subject Benchmark Statements, and the SEEC Credit Level Descriptors.

Learning outcomes will relate to the requirements of any professional or statutory body requirements, apprenticeship standard and to European reference points as appropriate.

English Language Requirements

For programmes approved through the DfE scheme the language of instruction and assessment will be English.

D1.2 The curriculum and structure of the programme of study

Curriculum design and content

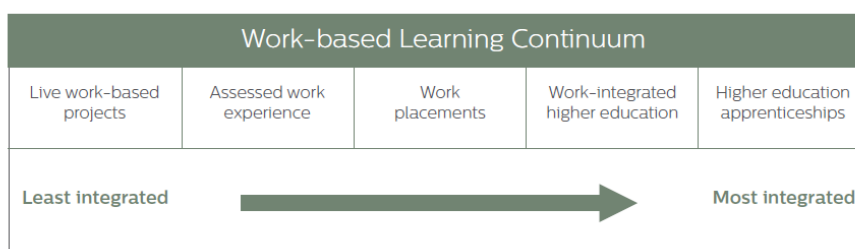
Curriculum design and content of validated programmes will enable students to achieve the intended learning outcomes in terms of knowledge and understanding, cognitive skills, practical and professional skills, and key transferable skills. Curriculum design will also take account of students' progression to employment, research or further study, and personal development.

The curriculum design and content will be informed by recent developments in techniques of teaching and learning, by current research and scholarship, and by any changes in relevant occupational or professional requirements. Mechanisms will exist to maintain the necessary links. Partners should use external expertise such as employers and professional bodies, in their programme development process.

A programme must demonstrate balance in relation to academic and practical elements, to personal development and academic outcomes, and to breadth and depth in the curriculum. It must also demonstrate coherence to ensure that the overall experience of a student is logical and has an intellectual integrity.

Where relevant, the role of practical project work or work-based learning (as defined by QAA in Advice and Guidance Work-based Learning) and how it is integrated in the programme will be specified.

Figure 1: Work-based learning continuum.



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The curriculum must also specify any proposals for any dissertation or written projects, including approval of chosen topics and arrangements for supervision.

Programme structure

The programme documentation will indicate links with other programmes (e.g. common foundation year, common modular structure, top-up award) and opportunities for transfer and progression. Where a foundation degree is put forward for validation, a clear progression route must be articulated within the documentation. For a Top-up degree, entry routes and pre-requisites are to be clearly articulated (this may include the provision of programme specifications for the Foundation Degree feeding into the Top-up degree).

The documentation should include provision for exit awards. Exit awards must have their own learning outcomes articulated within the programme specification.

Adaptations will be made to the structure to meet the needs of students following different modes of study and with different backgrounds at entry or special educational needs and disabilities.

The determination of core and optional elements and of any prerequisites or constraints on choice will be clearly defined.

Where relevant, the structure will specify the distinction between the honours route and routes leading to other awards within the same scheme such as Diploma of Higher Education and unclassified/ordinary degrees.

Provision for Work-based Learning (including placement) or study abroad

Where appropriate (and with reference to QAA Advice and Guidance Work-based Learning) provision for supervised work experience, community experience or experience abroad will be made, and the way that such elements fit with the rest of the programme must be clarified. As part of the validation and revalidation process, partners must demonstrate in their programme documentation and during the validation event that they are fully aware of and can adhere to all professional body requirements.

D1.3 Teaching and learning

The teaching and learning strategies for validated programmes will be appropriate to the aims, learning outcomes and diversity of the student intake.

There must be adequate levels of staffing with appropriate experience to support the proposed programme.

The institution must have in place policies that will ensure continuity of the teaching and assessment of programmes and ensure contingency in the event of the departure or prolonged absence of particular members of staff. These will include policies for staff recruitment, deployment, and development and for the development, availability and sharing of teaching, learning and assessment materials. Partners must inform their SQPM

⁶ Taken from page 6 of [QAA 2018 Work-based Learning Advice and Guidance](#)

immediately of any changes in staffing levels on OU validated programmes. They must also inform their SQPM when they appoint a new member of staff on the OU validated programme and should also send a copy of the CV along with the completed cover sheet (using the [new staff proforma template](#)).

Staff must be properly and appropriately qualified and experienced, and their teaching must be informed by their active participation in research or relevant scholarly, professional or consultancy activities. It is expected that academic staff engaged in designing, leading, and delivering programmes will hold an academic qualification or have equivalent experience at the level above that which they are teaching and assessing.

There must be effective engagement with and participation by students, including the opportunity to serve on committees at all levels as appropriate. Mechanisms will be in place for collecting student feedback, implementing changes, and communicating them to students.

There must be an appropriate overall strategy for academic support, including written guidance, which is consistent with the student profile and the overall aims of the provision. There will be clear and effective arrangements for academic support and supervision, including the arrangement for student support and supervision during any work-based learning or study abroad where applicable.

Where common teaching with other programmes is proposed, there should be a clear strategy setting out how this common teaching will be managed.

Panels need to be able to assess that personal development planning (PDP) is visible in the programme documentation (whether discrete or embedded).

D1.4 Principles related to programme management and monitoring

There must be arrangements in place to enable programme teams to review and seek to enhance standards taking account of developments in techniques of teaching and learning, current research and scholarship, and any changes in relevant occupational or professional requirements.

Institutions are expected to review the continuing relevance of the programme in light of changes to external reference points, such as subject benchmark statements, or the requirements of professional, statutory and regulatory bodies.

Institutions must have mechanisms in place to ensure the effectiveness of arrangements for collecting and acting upon feedback from students and staff and for identifying and acting upon any difficulties which may arise from changes to the staff team. There must be student representation at all levels of institutions' governance committee structure where issues concerning students, learning support, and physical and staffing resources are discussed. In particular, there must be at least one student representative on each of the groups or committees dealing with programme-level matters. It should always be explicitly clear that students have been consulted in preparation for programme (re)validations, and (re) validation panels will wish to meet with students and hear their views. Student representatives must be given adequate induction to their role and support in fulfilling their responsibilities.

Mechanisms must be in place to ensure that recommendations for appropriate action are followed up to remedy any shortcomings identified as a result of these engagements.

Where programmes have employer links, such as in the case of foundation degrees and work-based learning, there will be mechanisms in place for obtaining and acting upon feedback from employers.

Engagement with External Examiners and consideration of External Examiners' reports constitute a key mechanism through which institutions routinely monitor the effectiveness of programmes.

Consideration may also be given to feedback received from engagement with the programme by the academic reviewer.

D1.5 Admissions and transfer

All validated programmes must have effective criteria and arrangements for admission that relate to the level of the programme, its learning outcomes, teaching and learning methods, and assessment. For further guidance see QAA Advice and Guidance Admissions, Recruitment and Widening Access.

See the *Regulations for validated awards of The Open University* for more information. The regulations will also give guidance on Recognition of Prior Learning (RPL).

D1.6 Assessment regulations

Since 1 September 2015 all institutions were required to comply with [The Open University's regulations](#).

The purpose of assessment is to encourage effective learning and enable students to demonstrate that they have fulfilled the learning outcomes of the programme and achieved the standard required for the award. The assessment process must be undertaken by impartial internal and External Examiners, who are competent to make judgements about the performance of individual students both in relation to the assessment criteria and learning outcomes and to students on other comparable programmes.

All programme / module assessment regulations must be in line with the *Regulations for validated awards of The Open University* and should be clearly articulated in relevant documentation reviewed at (re)validation.

The assessment strategy

The assessment strategy will have an adequate formative function in developing student abilities. The assessment process will enable learners to demonstrate achievement of the intended outcomes. Criteria for success will be made clear to students and will relate to the intended learning outcomes.

The assessment strategy will provide evidence that the standards achieved by learners will meet the minimum expectations for the award, as measured against relevant QAA Subject Benchmarks and the QAA Framework for HE Qualifications. As part of the validation process, any QAA Subject Benchmarks and QAA Framework for HE Qualifications which are listed in in the validation documents will be checked for consistency and accuracy purposes.

The assessment process

There must be full confidence in the security and integrity of assessment procedures. The arrangements proposed to ensure the validity and objectivity of the assessment process must be clear. Staffing arrangements for the programme must be such as to ensure continuity of the assessment process should particular members of staff leave or be absent.

Arrangements will be in place for the involvement of External Examiners in the assessment process. There will be criteria that enable internal and External Examiners to distinguish between different categories of achievement. The criteria for assessment will be clearly specified and measures taken to ensure that they will be understood and applied by all the examiners involved.

The composition of the board of examiners will be in accordance with the OU requirements for boards of examiners set out in section F4 of this handbook. In particular, where a

complex scheme requires a tiered structure of assessment boards, there will be adequate arrangements for the examiners to take an overall view of each student's performance.

D1.7 Staffing, staff development and research

Both teaching and support staff must be adequate in number and appropriately qualified for the aims and learning outcomes of the programme to be fulfilled. Where the number is less than adequate, a firm undertaking that deficiencies will be made good and that key staff will be in place in time for the delivery of the programme, must be made. This applies equally to the staff involved in learning support services (including library and media services, computing, and information technology) as well as to technical and administrative support staff.

There should not be over-reliance on one or two staff members. The arrangements for staff deployment and development must ensure continuity of the teaching programme in the event that particular staff are no longer available to the programme. Staff should be able to draw upon research, scholarship, or professional activity to inform their teaching, and there will be arrangements for supporting staff in these activities.

Where a programme involves a period of external work-based learning or residence abroad, the institution must demonstrate that they can provide adequate student contact with tutors or supervisors during this period.

Where part-time or visiting staff are used to deliver a programme, adequate mechanisms must be in place to promote their integration and access to staff development opportunities.

D1.8 Teaching and learning resources

The physical resources needed to teach the programme must be adequate. These may include accommodation, relevant library (including e-resources) and computer provision, media resources, specialist laboratory or studio facilities and specialist equipment, and facilities for students with disabilities.

If all of the necessary resources cannot be made available within the institution, appropriate arrangements must be in place to secure access to resources elsewhere (e.g. through collaboration with other institutions). The OU reserves the right to inspect accommodation used for teaching purposes. Any accommodation acquired after the (re)validation process has taken place and where OU validated programmes will be taught and assessed will require inspection and approval prior to teaching and assessment taking place.

Where not all the required resources are available at the start of the programme, appropriate plans for their provision later must be in place and articulated via a resourcing plan made available to the (re)validation panel.

For distance learning programmes, the essential physical resources include printed or online learning materials, and other media, backed up by an efficient delivery system.

D1.9 Other resources for students

Opportunities should be available for students to interact within and across programmes to allow students to engage in collaborative activities.

The institution must make provision for student guidance and support relevant to the programme, for example induction, career services specific to the programme, personal tutoring, and support of students with disabilities.

D1.10 Information publicly available to students, their advisors, employers, and other stakeholders

All validated programmes must have a programme specification (including module descriptors) and a student handbook. The programme specification should be clear and accurate, and – together with module/unit specifications, the student handbook, and any

relevant institutional regulations – should include all the programme-related regulations and procedures needed by applicants, students, staff, and External Examiners. The student handbook, programme specification and regulations should be made available to potential students through a public facing part of the institutions' website – see the OUP website for [guidance on the content of the student handbook](#).

D1.11 Equality and diversity

All regulations and procedures related to programme design (as well as admissions, delivery, staffing, assessment, learning resources, and guidance and support services) will give due regard to preventing discrimination and promoting equality of opportunity and good relations, and make provision for responding effectively to the different needs and circumstances of students. Such policies and procedures should align with those of the OU which can be found on the [OU's Equality and Diversity website](#). See [Section H](#) for further information.

D2 Validation and Revalidation

Validation is the process by which the OU considers proposals of programmes of study leading to OU validated awards. The OU offers two different models of validation – delegated and enabled. This handbook refers to the enabled validation model. A separate handbook is published for delegated validation.

Validation will include analysis of the institution's internal quality assurance arrangements at programme level with the OU's validation requirements.

All proposals for validation or revalidation will be judged against the criteria for validation (see Section D1). The criteria inform the processes of validation and provide the basis for the agenda for validation events and for the structure of validation reports. The criteria, therefore, will assist institutional staff responsible for programme development and for validation submissions.

Where significant changes are proposed to a programme at revalidation stage, OUVF would normally consider this as validation of a new programme. This should be raised with the SQPM at the earliest opportunity.

D2.1 Development of new programmes

Partners applying for enabled validation with The Open University through the Department for Education scheme will have proposed new NQF Level 4 or 5 programmes for validation as part of their original application.

Through an annual workload request in February to March each year, institutions are asked to indicate any additional validation plans, including major changes to programmes currently in validation, for the next two academic years. Any additional programmes which are not approved through the Department for Education scheme will be subject to the commercial terms of the OU.

All new programme proposals must allow sufficient time to complete the OU's approval process. The OU cannot guarantee that a proposal will be scheduled for validation if it is not included in the workload return.

Requests for new programme validations should be carefully considered. Once a validation has been included in a planning meeting, costs may be incurred if the event is subsequently cancelled.

The initial proposal, developed by a programme development team which must include a programme leader, should be completed by referring to the [SEEC Credit Level Descriptors for Higher Education](#) and forwarded as a completed [template for Programme Descriptions](#) to the OU at least one month before the planning meeting. The programme development team may be supported by the Academic Reviewer, OU faculty members and/or external subject experts.

The programme description outlines the basic details of the proposal, including:

- A provisional title and programme content.
- Target market and supporting market research.
- Resource implications and consideration of financial viability.
- Relevant subject benchmark statements and any other relevant aspects of the QAA Quality Code.
- Number of entry points expected per academic year.

If there is not a programme leader within the discipline, then an academic award should not proceed to validation until some permanent appointments have been made. A Validation Panel would need to be able to speak to appropriate members of the academic staff who will be delivering the proposed award.

A validation planning meeting will take place. Part of this meeting will discuss plans for the validation of new programmes, the revalidation of existing ones and any other events such as the Institutional Review or external review by public, statutory or regulatory bodies.

Core members of the planning meeting may include:

- Senior representative(s) of the programme development team(s).
- Institutional quality assurance person(s).
- Learning resource representative.
- OU Senior Quality and Partnerships Manager (SQPM – the institution’s first point of contact).

D2.2 Outcomes of a (re)validation planning meeting

The following will be discussed at the (re)validation planning meeting:

- The proposed start date of the programme(s).
- Details of key personnel involved in the development of the proposal(s).
- Identification of an institutional officer responsible for ensuring that the process is recorded and, in particular, for demonstrating that account is taken of the panel members’ comments in finalising the proposal(s).
- Date for a preliminary (re)validation.
- Composition of the preliminary (re)validation panel including an (optional) IPPM.
- Date for a final (re)validation meeting.
- Composition of the final (re)validation panel.
- Provisional programme title(s), including modules, duration of programme, credits and start date.
- Programme development timetable and management of the (re)validation process to include the consideration of such issues as:
 - Involvement of professional, statutory, and regulatory bodies and whether any additional (re)validation documentation is required.
 - Involvement of OU representatives or external subject consultants with reference to the Partnership Development Plan that was developed during the Discovery phase.
 - Nature and extent of external subject involvement during the programme development and (re)validation process.
 - Identification of any specific issues on which external comment is required.
 - Timetable of meetings of the programme development team.
 - Timetable for circulation of papers to external panel members.

- Timescale and responsibility for an internal audit of the adequacy of learning resources.
- Programme delivery mapped against academic calendar for accelerated routes/multiple intakes within academic year.

A formal record of the meeting with action points should be produced as soon as possible by the institution after the meeting.

The planning meeting will help inform whether a (re)validation is to be held in person or can be conducted remotely.

Following the planning meeting

Throughout the (re)validation process the institution must use the [templates](#) provided by the OU (actual documentation required will be discussed in the planning meetings). These documents must not be amended. They have been designed to minimise duplication and for ease of reference for all involved, particularly panel members and institutional staff. If necessary, additional supporting information may be provided as appendices.

For practice-based programmes, it is expected that the documentation will express the articulation, balance, and sequencing of theory and practice in the curriculum. This will be reflected in the intended learning outcomes of practical/performance work and how they will be assessed.

Where the (re)validation of distinctive pathways within a programme are required, institutions should ensure that they provide a separate rationale and learning outcomes for each route, in particular where the alternative routes branch out to quite distinct subject areas. The Regulations for Validated Awards of The Open University recommend a minimum requirement of 25% subject specific credits for pathways.

Where appropriate, the proposal should include the (re)validation of exit qualifications and ensure that the programme specification includes distinctive learning outcomes for such qualifications.

Where the programme is offered in different modes of attendance (e.g. part time, distance learning or apprenticeship) panels must ensure that there is parity of the student experience across all modes of attendance. The documentation should therefore detail which additional mechanisms are in place for the support and guidance for part time, distance-learning or apprenticeship students.

The programme development team should produce the following draft documentation required for the preliminary (re)validation meeting (OU faculty or external subject experts may provide support in developing the documentation required, as outlined in the Partnership Development Plan):

- Programme-specification.
- Module specifications.
 - If (re)validating a level 6 top-up programme, modules specification from the level 4 and level 5 of the associated foundation programmes should be provided.
- Student handbook.
- Background document with required appendices.
- Critical appraisal (for revalidations) with required appendices.
- Sample of assessment briefs for each level of the programme.
- Regulatory framework including:

- Admissions policy and regulations for the programme.
- Staff development policy.
- Work-based learning policies and regulations including study abroad regulations.
- RPL Policy and procedures.
- Work-based learning resources and quality assurance resources for example Handbooks developed for the employers and mentors (if relevant).
- Mapping against PSRB requirements (if relevant).

D2.3 The preliminary (re)validation meeting

It is expected that an institution will hold a preliminary (re)validation meeting. This meeting, organised by the institution, will be held with a panel that could include a Process Panel Member (PPM) and an Institutional Process Panel Member (IPPM). The Partnership Development Plan will determine if other attendees such as an external subject expert, OU faculty or SQPM should also attend. For programmes which are not approved through the Department for Education scheme, the institution will meet any associated costs. The institution should confirm to the OU who the IPPM for the preliminary event will be in advance of the event. The dates for preliminary and final (re)validation meetings will be separated by sufficient time to allow a response to issues identified at the preliminary stage. A minimum period of six weeks between these two events is required.

The purpose of the preliminary (re)validation meeting is to confirm that the programme proposal is fit for purpose and may proceed to final stage (re)validation. This also provides an opportunity to iron out any issues with the documentation.

Nomination of an OU representative as a PPM

The OU may nominate a representative as a process panel member, who will offer comments relevant to validation during the development of the programme. The process panel member will be a member of both the preliminary (re)validation meeting organised by the institution and a final (re)validation meeting organised by the OU.

Whenever possible the OU nominee will be a member of OU academic staff, although, the important criterion is that the person nominated has specialist expertise relevant to the proposal.

Nomination of an IPPM by the institution

An existing institution is invited to identify one external panel member for the preliminary (re)validation panel who can also take part in the final (re)validation, subject to approval by the OU. The aim of this provision is to give an opportunity for institutions to have a nominee who can link between the preliminary and the final (re)validation meetings.

Approval of such institutional nominees to sit on final (re)validation panels will be subject to the submission of a CV to the SQPM. The nomination will be submitted at an early stage, ideally in advance of the planning meeting. The following criteria will be considered:

- The nominee will be someone with expertise relevant to the proposal.
- Impartiality, i.e. the nominee will not have had formal links with the institution in the last five years as an External Examiner or a former member of staff, for example.
- Prior experience of teaching on programmes at the same level or above.

- Where appropriate, professional expertise from a relevant professional background.
- Individuals who have been engaged by the institution as external consultants for the proposal should not be nominated as process panel members.

Where it is not feasible for the OU, or the partner institution's PPM to attend the meeting in person, the expectation is that they participate via MS Teams or other remote attendance software.

Following the meeting the PPM will be asked to confirm with the SQPM:

- That the programme documentation contains all specified requirements, including a complete and appropriate programme specification.
- That appropriate learning resources to support the programme have been properly evaluated and that a strategy and plan to meet the needs of the programme are in place and have full institutional support.
- That the proposal demonstrates how the programme is aligned with the UK Quality Code and the requirements of any relevant professional, statutory, or regulatory bodies where appropriate.
- That the regulations for the programme meet the OU's requirements for validated awards and are in accordance with the regulatory framework.
- That the proposal should proceed to a final (re)validation meeting.

The partner institution is required to produce a summary report of the preliminary (re)validation. The report should summarise:

- Issues that have arisen and how they have been resolved.
- Outstanding issues, together with proposals for their resolution.

The report will be received as part of the documentation for the final (re)validation meeting.

If the outcome of the preliminary (re)validation meeting is that the proposal needs further work before it can proceed, a decision will be taken by the OU on whether the final (re)validation meeting should be cancelled or deferred (depending upon the likely time needed to undertake the required work). The views of the institution, the SQPM, external subject expert and the PPM will be considered.

D2.4 Documentation for the final (re)validation meeting

The submission for the final (re)validation meeting should include the institution's revised documentation, as listed under section D2.2 (Following the planning meeting), as well as the preliminary summary report. Please refer to the [Guidelines on Document Submission for Programme \(Re\)validation](#) available on the OUPV website. The paperwork must include responses to any recommendations set at the preliminary meeting.

Institutions must provide documentation for consideration by panel members at least three weeks in advance of the final (re)validation meeting. This documentation includes the documents required for the preliminary event plus any other documents agreed with the SQPM. This deadline is important and must be adhered to so that panel members have sufficient time to give it due consideration.

Final (re)validation meeting

The OU arranges the final (re)validation event. It will be set up and organised as agreed at the planning meeting. This would normally be scheduled to occur at the partner institution or virtually for a whole or half day depending on the complexity of the proposal and the nature

of the issues identified during the programme development and preliminary (re)validation phases.

The final (re)validation panel will have a Chair and at least three panel members, although exceptionally panels may be larger or smaller dependent upon the spread of subject expertise. Its composition will include an OU academic member of staff (who may undertake the role of the Chair) and external panel members as appropriate:

- The external member(s) nominated by the OU who may have been members of the preliminary (re)validation meeting (PPM).
- The external member nominated by the institution who may also have been a member of the preliminary (re)validation (IPPM).
- Other external subject specialists (which may include one member of academic staff from another OU Collaborative Partner Institution).
- For programme revalidations one panel member from the previous event, if possible.

The Senior/Quality Partnership Manager will produce the report from the event.

Observers at final (re)validation meetings

Institutional agreements make provision for the staff of the proposing institution to observe the (re)validation process. The OU encourages observers nominated by the institution to overview the (re)validation process and, as appropriate, attend any meetings, *except* those with students.

Observers are not decision-making members of the panel but are encouraged to assist the panel by contributing information and intervening if the panel appears to be making incorrect assumptions. If, however, a situation should arise where the participation of an observer is likely to inhibit discussion or the formulation of decisions, the Chair has the discretion to ask observers to leave until recalled. This action should only be necessary on rare occasions.

Observers will not normally be nominated from the senior management of the institution or from persons involved with the management or teaching of the programme under (re)validation.

Where an Institutional Review and (Re)validation of a programme take place concurrently, observers may be invited subject to the agreement in advance of the Chair. In such cases the observers would normally be nominated from external members of the academic board or its equivalent body, or from the governing body of the institution.

The agenda for the final (re)validation meeting is set by the SQPM in discussion with the partner institution. Core agenda items will include:

- Meeting with the Senior Management Team.
- Meeting with the Programme Team.
- Meeting with a representative group of students.
- Tour of facilities (including a demonstration of the Virtual Learning Environment (VLE)).
- Private panel meetings.
- Meeting with employer representatives (where the programme encompasses work-based learning or is aligned to an apprenticeship).

A [sample agenda](#) can be found on the OUV website.

The final (re)validation meeting offers the opportunity for the panel and the programme team to discuss the process of programme design and related academic requirements, and for the

panel to resolve any outstanding matters relating to the academic rigour of the proposal and the ability of the institution to support it and deliver a good student experience. It is not expected that the final (re)validation meeting will be concerned with matters of regulation unless there are specific professional accreditation regulations to be met. It also allows the panel the opportunity to scrutinise assessed student work if the programme has been (re)validated previously.

The final (re)validation panel reserves the right to assure itself of the adequacy of learning resources, and it will scrutinise them before giving final approval to the proposal.

At the end of the final meeting the panel will propose the outcome, and detail any commendations for good practice, conditions for approval and recommendations. This will be in the form of an oral report to the institution. The final approval decision will be made by the OU Committee, Curriculum Partnerships Committee (CuPC). The period of (re)validation is in all cases subject to satisfactory institution and programme monitoring.

The written report should be available within four weeks of the final meeting. The institution will be invited to comment on matters of factual accuracy.

D2.5 Possible outcomes of (re)validation

The following (re)approval decisions may be proposed by the panel and may be amended by the CuPC:

a. Full-term (re)approval

A programme may be (re)approved for a specified period of not more than five years subject to revalidation before the end of the (re)approval period. Where an institution fails to register students on a programme⁷ of study for two consecutive academic years its (re)validation will be required to undergo a short re-approval process before it can be offered again.

b. (Re)approval for a shorter period

(Re)approval may be granted for a shorter period, where there is a clear rationale such as the impact on the curriculum of the accreditation by a professional body that is due to take place in a shorter period of time. In such cases revalidation of the programme will be necessary before the end of the specified period.

c. Conditional (re)approval

(Re)approval may be made conditional upon the fulfilment of certain requirements, by a specified date(s). Institutions are responsible for ensuring that such conditions are met in accordance with the terms of the requirements set out in the validation report. Students may not be enrolled until the panel has confirmed that a formal (re)approval letter may be issued.

Institutions will be allowed up to two attempts at fulfilling the conditions of (re)validation (an initial response to the conditions, plus a resubmission if the panel requests further work to be undertaken). A third submission will only be allowed at the invitation of the OU.

d. Recommendations

The panel may make recommendations for ongoing follow-up by the institution and a response will be required through the continued monitoring process (see Section E) for the programme. Recommendations focus on longer-term developments and areas of enhancement.

⁷ A programme in this context can also be defined as a Foundation Degree and directly associated Level 6 Top-up award.

e. Non-approval

The panel may decide not to recommend (re)approval of the programme.

f. Retrospective validation

Programmes leading to validated awards must be approved prior to commencement.

Following (re)validation and before the start of the programme, a definitive student handbook must be lodged with the OU. A copy (or access to an online version) of the handbook must be issued to each student registered on the (re)validated programme(s) before they start their studies.

Whenever approved changes are made to the programme, a replacement handbook must be provided to both the OU and to students.

The OU holds the definitive documents of all its validated programmes, which act as a comprehensive programme archive, facilitating the gathering of information on programme development.

Student handbooks must be available for public scrutiny including being accessed through the institution's intranet without password protection.

The approved student handbook will always be a 'snapshot in time' and some detailed information may be expected to change during the lifetime of the programme. Such changes in the detail of these policies are not modifications to the programme. However, it is essential that such changes are made to the document and that both students and the OU are made aware of them. The OU must be advised of any significant changes to personnel, organisational structure, or policy for interim approval.

D2.6 Correspondence events

A correspondence event follows the same rigor and scrutiny as a full (re)validation event and requires a quorate panel (as described in section D2.4). Complete documentation is required and panel meetings with representatives and students from partner institutions are ordinarily conducted online or by tele-conference. The outcomes are the same as for a revalidation i.e. a recommendation of either approval or not, which may be with or without conditions and recommendations.

A minimum of six months should be allowed for this process, although it can, dependent on the circumstances, take longer, and partner institutions will incur a financial charge by the OU.

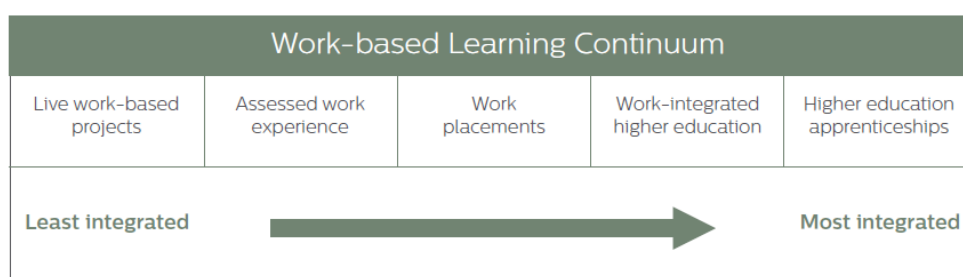
A correspondence event is appropriate for institutions who have had a programme validated but have not recruited to this programme for a period of two years. If partner institutions then wish to recruit for the remainder of the approval period, they would need to reassure the OU that the programme is still current and appropriate resources are still in place.

D3 Work-based Learning

Work-based learning for higher education courses describes courses that bring together higher education providers and work organisations to create learning opportunities. This theme needs to be considered in conjunction with other regulatory requirements including providers' academic regulations, funding body requirements and Professional, Statutory and Regulatory Bodies' (PSRB) rules and regulations.

While work-based learning brings benefit to students, education organisations and employers, it does bring with it challenges, particularly in terms of ensuring quality and standards potentially across a range of different partners with different expectations. Where work-based learning counts towards credit and credit-bearing awards, the education organisation must have the responsibility for setting and maintaining oversight of quality and standards.

Figure 1: Work-based learning continuum.



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D3.1 Approval of foundation degrees

Those involved in the design and validation of foundation degrees are advised to use the [QAA's foundation degree characteristics statement](#) as an external reference point.

All proposals for validation or revalidation of a foundation degree should comply with the following expectations. Proposals should contain evidence of:

- Systematic and formalised arrangements for maintaining effective links with employers and practitioners in the relevant field.
- Inclusion of at least 25% (60 credits) of work-based / related learning across the programme. Please see figure 1 above taken from the QAA Work-based Learning Advice and Guidance document.

Formally agreed progression routes to specified honours degrees, together with arrangements for approved bridging units.

D3.2 Approval of awards leading to Higher or Degree Apprenticeships

It is acknowledged that validated institutions of the OU will require the validation of Foundation Degrees, Undergraduate Degrees and Masters Qualifications for Higher and Degree apprenticeships.

Institutions may wish to have specialist / specifically designed qualifications validated in order to deliver against an apprenticeship standard. These could be fully integrated i.e., the qualification encompasses all elements including the end point assessment, an example of which is the Digital and Technology Solutions Professional standard. Alternatively, these

⁸ Taken from page 6 of [QAA 2018 Work-based Learning Advice and Guidance](#)

could be partially integrated i.e., the end point assessment and potentially other requirements would sit outside of the academic qualification. An example of this is the Chartered Manager Degree Apprenticeship (CMDA) standard.

When putting forward a fully integrated degree apprenticeship for approval, institutions need to provide the University with evidence that they are on the Register of End Point Assessors for the programme in question. It is important to note that the OU cannot undertake the role of an End Point Assessor for any validated fully integrated degree apprenticeship.

Conversely, institutions may seek to use existing validated qualifications to deliver against an apprenticeship standard. In these circumstances, apprenticeship students may be studying alongside non-apprenticeship students and how parity of experience is ensured, would be a key consideration.

In all models, the responsibility of the OU will lie with the Higher Education qualification element of the apprenticeship, the wider apprenticeship responsibility of delivery against the apprenticeship standard, being that of the partner and employer.

However, the student experience will clearly be a matter of concern to the OU and therefore any factors impacting this (including the wider apprenticeship) could, if necessary, fall within their remit.

Subject to approval at validation, direct entry to the Level 6 CMDA degree apprenticeship is possible. If students wish to apply using the Chartered Management Institute (CMI) Level 5 apprenticeship this can only be accepted as part of the evidence to support a Recognition of Prior Experiential Learning (RPEL) claim. Alongside the CMI Level 5 award, a potential student should provide evidence of previous academic study and other activity such as management or supervision experience beyond the CMI Level 5 apprenticeship study. Cases of direct entry should also consider that it may be necessary for students entering CMDA at L6 to study longer than an academic year to have enough time to develop a robust portfolio to take them to the assessment 'gateway'.

The latest QAA guidance, Quality Assuring Higher Education in Apprenticeships: Current Approaches, and the QAA Degree Apprenticeship Characteristics Statement should be used to inform the development of awards for apprenticeship delivery.

D3.3 Procedure for use of existing validated awards for Apprenticeship delivery

Institutions should submit the following which will be considered under a major change process. The programme specification template has been updated to include apprenticeship specific requirements and partner templates now also include an apprenticeship specific background document.

- A covering rationale of the proposal articulating any amendments required to the award. A re-validation may be required if the amendments are significant. Your Senior Quality and Partnership Manager will be able to offer guidance.
- Background document for degree apprenticeships.
- Revised programme specification.
- Work-based learning quality assurance documents. For example, but not limited to, handbooks or guides created for the employers, mentors, and apprentices.
- Confirmation that apprenticeship students will be tracked separately from the rest of the cohort. OUVF will require an institution to report on apprenticeship students separately in annual monitoring in the same way that part time students are considered.

- A copy of the commitment statement that will be used for the students. This is a key document that all institutions will have in line with the Skills Funding Agency requirements.

D3.4 Approval of specific awards for apprenticeship delivery

The approval process will mirror that of any other award, with the following amendments.

Additional documentation will be required for both the preliminary and final validation event which should include:

- An example commitment statement that will be used.
- Work-based learning quality assurance resources for example Handbooks developed for the employers and mentors.

Programme documentation templates have now been updated to include apprenticeship specific requirements. Programme teams completing these should be mindful to ensure that all apprenticeship specific requirements within these are completed.

Preliminary and final validation meetings:

- Employers (either prospective or current) seeking apprenticeships should be present to give their views at both meetings. At the final event the Panel could either speak with them as a discrete group, or in conjunction with the programme team.
- Panels will be directed to undertake additional scrutiny of how the work-based learning elements will be delivered, monitored, and assessed and how they are integrated within the award.
- Panels will also be directed to explore how the apprenticeship will impact upon the student experience, with particular attention focused on the workload for students and how the notional hours of study required for the award can be covered.
- End point assessment will be an additional area of interest to panels, especially for awards following a fully integrated assessment plan.
- The composition of a validation Panel will include practice expertise in the relevant field as well as academic.

As with all validated programmes, partner institutions are responsible for summative assessments which contribute to the academic award, and this cannot be delegated.

D4 Approval of flexible and distributed learning courses and programmes

The OU allows (re)validations to be undertaken for learning modes other than purely face-2-face delivery.

The (re)validation process detailed in section D2 concentrates on programmes with a traditional classroom-based delivery. If an institution wishes to move away from this delivery method, the (re)validation panel will be required to consider additional requirements to meet the additional level of scrutiny for programmes delivered using distance learning elements. The term 'distance learning' is used in this section to cover all forms of delivery other than 100% face-2-face.

A partner institution wishing to submit a distance learning programme for (re)validation will be expected to make this clear in the template for programme descriptions and in the planning meeting discussions with the SQPM. It is acknowledged that an institution may wish to use delivery methods combining face-2-face and distance learning methods). The anticipated division of the methods should also be clear in the template for programme descriptions and specifications. The partner institution will be required to submit the programme documentation set out in section D2.2 making clear reference to the delivery methods which are to be used.

In addition to the standard documentation, the partner institution should be able to provide the (re)validation panel with online information which clearly shows the panel the following:

- What the students will see while studying each module.
- How the students and tutors will interact with the online material.
- How the online material links in with the classroom delivery (if relevant).
- The additional support systems which will be in place to assist students working with a distance learning delivery.

As well as ensuring the programme content, the (re)validation panel will also be ensuring the support systems both for tutors delivering the programme, and students receiving the programme.

It is acknowledged that one of the benefits of providing distance learning delivery is that it allows the programme to retain currency and adjust quickly. The partner institution must pass all changes to the validated programme through to OUVF in line with the major/minor change process in section D5.

D5 Accelerated Degrees

The OU will consider proposals for the validation of 'accelerated' degrees in its partner institutions. It has broadly adopted the Office for Students definition of accelerated degrees that includes several elements:

- They are structured differently to traditional degrees.
- They deliver the same number of credits (360) as a three-year degree.
- They offer the same number of teaching weeks as a three-year degree, but they are scheduled so they are (or can) be completed in a shorter period. They reduce the overall duration of the course by utilising the traditional summer holiday for teaching and learning.
- They effectively reduce full-time study time to two years and part-time study to four years.

An OU (re)validation panel will be guided to consider additional requirements for the approval of degrees in an accelerated mode of delivery. These include:

Programme design and structure

The programme documentation will need to evidence how the timing and sequencing of levels, modules, pathways, and intakes within the programme will work in an accelerated context. Accelerated programmes should offer the same amount of teaching as standard programmes but are scheduled to complete in shorter periods (for example a common model is to use the summer holiday period as a third semester or fourth term). Accelerated degrees also have the same credits as a traditional degree (360) but normally deliver 180 per year rather than 120. There must be a clear rationale for any elements of blended learning or work placement incorporated into the programme. When designing the programme and assessments, the additional challenges students may face on an accelerated programme should be considered. Many students on accelerated degrees may be particularly driven to succeed, have a strong work ethic, and may be keen to complete their studies with a good degree and return to the workplace. However, this may be hindered by the increased workload, reduced time for reflection and other external influences.

Student support and guidance

The partner institution will need to provide assurance that students on the accelerated programme will receive the same level of support as students on traditional modes of delivery including access to tutorial and peer support, pastoral advice, and guidance and financial assistance.

Staffing

The partner institution must provide assurance that students on accelerated programmes will have access to teaching staff through the duration of their studies including periods normally considered vacations. The institution must also ensure that appropriate staffing levels are maintained throughout the validation period, staff workloads are appropriately managed, and that staff have sufficient time for staff development and research due to the concentrated teaching load.

Access to facilities and resources

It is expected that students on accelerated programmes will have access to study facilities, learning resources and ICT services throughout the calendar year including periods normally considered vacations. Students who study on an accelerated route may require access to learning resources outside of the traditional working day, therefore, greater consideration of

their needs should be demonstrated within the development and approval of accelerated degrees.

Arrangements for assessment

The assessment timetable and the timing of progression and award boards (including for re-sits) will need to be adapted to suit the accelerated time frame. There will need to be sufficient time for marking and moderation in order for students to receive feedback and grades on time to progress onto the next stage of the programme.

Programme admissions

The admissions criteria must ensure that only those students with the sufficient motivation and aptitude to cope with accelerated study will be admitted onto the programme. For example, this may be assured by the inclusion of compulsory interviews as part of the admissions process, or the programme could be tailored specifically for mature professionals with significant relevant work experience. Institutions may also choose to introduce different admissions points onto the programme.

Administrative systems

Accelerated degree programmes may require additional administrative systems for the operation of credits and Recognition of Prior Learning and for tracking students. The OU will expect partner institutions to track and monitor student outcomes for accelerated degree programmes so that any issues regarding parity of experience with traditional modes of delivery can be identified and addressed.

Programme transfer

The partner institution should consider embedding arrangements for students on accelerated programmes to transfer onto traditional programmes within the same subject area if they find the 'fast track' option is not suitable for them.

D6 Changes to programmes of study

Introduction

Changes to approved programmes of study may be made in between formal revalidation. The OU expects partner institutions to review and adapt approved programmes in response to the outcomes of monitoring and evaluation and in accordance with their commitment to continuous improvement.

The OU recognises three types of change: minor changes, moderate changes, and major changes.

D6.1 Minor changes to programmes

Minor changes to programmes of study are those which do not change either singly or incrementally the basis on which the validation of the programme was made. They will usually not involve any significant change to the programme specification.

Some examples of minor changes are:

- Change of module title.
- Replacement of a module in a pathway with another OU-approved module where this does not change the overall learning outcomes for the pathway.
- Minor changes to teaching or delivery methods.

These changes are reported via AMR/IPM. It is good practice that partner institutions consult with their External Examiner(s), Academic Reviewer and SQPM regarding these changes.

D6.2 Moderate changes to programmes

Moderate changes may concern minor curriculum adjustments, or teaching and assessment matters, but are of a type and extent that are unlikely to conflict with the decisions of the original validation panel.

- Change of programme title (without changing curriculum).
- Change of pathway title (without changing curriculum).
- Change to an exit award title (without changing curriculum).
- Change to module learning outcomes (not overly significant).
- Minor change in assessment.
- Change to teaching and learning strategy.
- Change to the number of intakes per year.

These changes are approved by OUVF's Quality Management Group. Partner institutions are also expected to consult with their Academic Reviewer, External Examiner(s) and SQPM.

D6.3 Major changes to programmes

A change categorised as 'major' is one that materially and significantly alters the curriculum content, or the way it is taught or assessed, and is of a type that would typically have been a topic of some discussion when the programme was validated.

Some examples of major changes are:

- Change title of degree.

- Introduction of new modules or pathways within a programme changes of syllabus content which significantly affect learning outcomes so that it becomes a new module or pathway.
- Significant changes to assessment or other programme relations.
- Significant changes to learning outcomes and change to programme learning outcomes.
- Significant changes to programme delivery/mode of study.

These changes are approved by The OU's Curriculum Partnerships Committee. Partner institutions are also expected to consult with their Academic Reviewer, External Examiner(s) and SQPM. Major changes will be scrutinised by a panel of external subject experts as part of the major change process.

D6.4 Process for approval of changes to programmes

Where a partner institution is considering a major, moderate, or minor change the OU must be consulted in advance of the change being implemented.

Where experience of running a programme, developments in the subject area or advice from External Examiners leads to minor changes, these must be approved in accordance with the agreed procedures of the partner institution, and in consultation with the OU. The SQPM may wish to consult the Academic Reviewer before allowing minor changes to be implemented. The OU expects that programme teams will make full use of the ability to make minor changes in the interests of keeping programmes relevant and up-to-date, and in response to the outcomes of quality monitoring. The institution must provide a brief account of such changes and the approval process for these changes to be given in the subsequent annual monitoring report (see section E) for the programme in question.

Moderate changes to a programme will require formal approval by the OU. The request should be submitted at least 6 months prior to the date on which the change is expected to come into effect. The form that the approval process takes will depend on the scale of the changes, but a rationale for the changes must always be provided. In most cases, consultation with external advisors will be required. The SQPM will decide the level of academic scrutiny required and then obtain approval from the Quality Management Group. CuPC will be informed of the changes made under this category.

Major changes to a programme will require formal approval by the OU. Proposals for changes should be submitted as part of the Annual Workload Request. If this is not possible for any reason the request should be submitted at least 6 months prior to the date on which the change is expected to come into effect. The form that the approval process takes will depend on the scale of the changes, but a rationale for the changes must always be provided. In most cases, consultation with external advisors will be required.

Major changes are generally approved by correspondence (see section D6.3). The documentation required to support the change should be discussed with the SQPM. The SQPM will send the proposal for changes electronically to a panel of usually three academics, one of whom will usually be an OU academic reviewer and one of whom will usually have been a panel member during the most recent (re)validation. The outcomes will be the same as for a (re)validation event, i.e., a recommendation of either approval or not, which may be with or without conditions and recommendations.

Where the changes being proposed are of such a magnitude that the programme specification requires significant revision, a full programme revalidation will be required. It is also possible that several smaller changes made to the programme during the approval period could also lead to a full programme revalidation. Changes affecting the assessment or progression of students must receive the explicit written consent of the approved External Examiners for the programme. All changes must be requested to the OU by submitting the

[Programme Change Form](#) to your SQPM. Guidelines on how to complete the form are also available for your assistance on the OUVV website.

All changes will be incorporated into definitive programme handbooks which must be sent to the OU before the start of the academic session to which they will apply.

It is essential that plans for how the changes, if approved, will be communicated to students are included in documentation submitted as part of the change process.

The form to be used to indicate that a change is required can be found on the OUVV website. This should be submitted to your SQPM in the first instance.

D7 Other validation and revalidation issues

D7.1 Approval of study below HE Level 4

The OU does not validate study below Level 4.

However, study below Level 4 can be either incorporated as part of the degree at the time of initial programme validation event or introduced later.

Students must register from the outset for the whole qualification of which the pre-Level 4 study forms part.

Study below Level 4 does not constitute a qualification by itself and carries credit at Level 0; it should be described in terms of student learning hours.

Students will either pass or fail below Level 4.

Students who pass pre-Level 4 are deemed to be at the appropriate level to commence Level 4 and must be guaranteed progression to Level 4 of the relevant named award.

Students who pass pre-Level 4 study but leave without progressing will be provided with a transcript by the partner institution. The transcript will state that such students have completed a course that would have enabled them to meet the admissions criteria for Level 4 of the relevant degree programme had they chosen to continue.

The institution must make sure that the Regulations for Validated Awards and the student handbook include the following:

- The options available to students who fail pre-Level 4 study and indicate arrangements for resits and progression.
- The options available to students who pass pre-Level 4 study but do not wish to progress immediately.
- The time limit within which students must progress to Level HE4 after completion of pre-Level 4 should suitably reflect the length of time the skills gained at the latter are likely to remain current with the former.
- In the case of foundation degrees, the time limit within which students may progress from pre-Level 4 to Level HE4 should reflect the length of time the skills gained at the former are current in the latter.

D7.2 Validation of programmes approved by other authorities

The OU values the fact that many Professional, Statutory and Regulatory Bodies (PSRBs) accept that programmes leading to OU validated awards fulfil their requirements for professional accreditation.

The OU will agree procedures for joint validation with PSRBs where this is appropriate. A major objective of such agreements is to minimise duplication of effort.

D7.3 Dual approval

Where a programme is approved or recognised by a Professional or Statutory Body or another authority, the institution must ensure that the body concerned is informed of proposals for validation and of the outcome.

D7.4 Approval of programmes offered in new subject areas

The OU will consider the approval of programmes offered in areas not previously the subject of study leading to higher education awards. It will be the responsibility of the institution submitting proposals to establish a case for their consideration. In making such proposals factors to be considered should include whether:

- There is sufficient intellectual depth within the subject itself to provide the challenges demanded by degree level study.
- A body of scholarship and sufficient subject expertise exists in the area.
- Published research in the area is available in refereed journals.
- There are formal constituted body of practitioners or people employed in the area.
- In the sciences, technology, and health studies areas, a well-accepted scientific or medical basis exists for the theories embodied in the study.
- When practice is involved, a reasoned causal explanation for the techniques involved and the evidence of scientific study and assessment of the results of practice are available.
- Those proposing the programme are appropriately qualified in established areas of study.
- Qualifications are available at sub-degree levels.
- Well-established qualifications are available in closely associated areas of study.

Where a partner proposes to offer a non-cognate subject or new curriculum area, these will be discussed and approved with the relevant OU faculty.

D7.5 Approval of programmes offered in collaboration between institutions

The QAA Quality Guide Advice and Guidance: Partnerships specifically deals with these arrangements.

Any collaboration (for example joint or dual degree arrangements) in respect of the delivery and assessment of a validated programme requires explicit approval by the OU.

The OU will seek assurances, through the validation and revalidation procedures, that the collaborative programme fulfils the OU's educational principles, and that the collaborating institution provides a suitable learning environment for students undertaking programmes leading to OU validated awards. However, it should be noted that serial arrangements are not permitted.

The OU requires programmes to be delivered through collaborative arrangements to be validated, approved, and revalidated in accordance with the requirements set out in this Handbook, and subject to the same criteria as a programme offered by a single institution.

Particular attention will be paid to the appropriateness of the higher education learning environment provided for students in each institution, to the suitability of the staff to teach the approved curriculum, and to the arrangements made for the staff to collaborate on programme planning, delivery, and the exchange of good practice.

The details of the proposed arrangements and locus of responsibility must be set down in a memorandum of co-operation in accordance with the paragraph below and be approved as part of the validation or revalidation process for each programme.

D7.6 Programmes with multiple intakes per academic year

Special consideration needs to be given to those programmes which plan two or more intakes per academic year. The following should be addressed within the submission documents:

- How each intake will be ensured an equivalent experience.
- Access to resources.
- Adequacy of staffing levels.
- Implications for external examiner workload.
- Arrangements for exam boards, resubmissions, retakes aligned with an academic calendar for the programme.
- Compliance with OU Regulations for Validated Awards.

Further information on the implications of multiple intakes will form part of your workload discussion with your (S)QPM.

D7.7 Memorandum of co-operation

A memorandum of co-operation must be agreed for each joint programme, the purposes of which are:

- To define the means by which the academic standards of the programme will be maintained.
- To ensure that collaborative arrangements are clearly set out and operate smoothly, and that clear channels of authority, accountability and executive action are identified.

A memorandum of co-operation must specify:

- The name of the programme and the qualifications to be conferred.
- The names of the institutions or bodies which are parties to the agreed memorandum.
- The allocation of authority for the oversight and maintenance of quality assurance, and procedures for resolving any differences which might arise in respect of the programme between the collaborating institutions.
- Procedures and responsibilities for the initial validation, approval and subsequent revalidation of the programme, including provision for the implementation of changes to the programme required by validation, revalidation and annual monitoring in the collaborating institutions.
- Procedures and responsibilities in respect of programme management and monitoring and if these are to be divided between institutions, the details of each institution's procedures and responsibilities will be specified.
- Assessment and examination arrangements where these involve collaboration between institutions.
- Procedures for agreeing all necessary financial arrangements and the provision of resources, both physical and human.
- Responsibility for communication of all necessary reports and other information to the OU.

- Responsibilities in respect of all administrative arrangements, including student registration, the location and general welfare of students, decisions relating to student progression and assessment, and the nomination, appointment, and remuneration of External Examiners.

The memorandum of co-operation must be signed and dated on behalf of each institution or body by the Principal, Director, or designated representative.

D7.8 Approval of programmes validated by other validating universities

The OU will require an OU approved institution wishing to transfer a programme to the OU from another validating body to undergo a full validation.

As part of this validation process discussions will include:

- Ownership and management of the Intellectual Property.
- The possibility of transferring External Examiners from the original validating body to the OU.
- The arrangements to be made in respect of students already following the programme.

D7.9 The charge for validation and revalidation

Fees invoiced by the OU for the validation of any new programmes which are not included in the Department for Education scheme are non-refundable in the event that the programme is not approved.

D7.10 Procedures for appeals against panel judgements

The OU cannot consider appeals against panel judgements on programme approval but may consider complaints about the relevant process and conduct leading to a judgement. Complaints should be made to the Director OUVF in the first instance.

D7.11 Programme closure

If the decision is made that a programme will cease to recruit students, the OU should be informed without delay. The OU will require the institution to confirm the means by which quality and standards will be maintained for any students remaining on the programme; or that students are enabled to transfer to a suitable alternative programme elsewhere to complete their qualification. A decision to cease student recruitment to a programme will apply to recruitment to any level of that programme. The institution and the OU are responsible for the teach-out of all students on the programme that is closing until such a time that there are no remaining students actively registered, and until all student awards have been conferred. Please consult with the Senior Quality and Partnerships Manager if the programme is due for revalidation during the teach-out period.

D7.12 Student Debtors

As part of the requirement for delivering HE qualifications or programmes, all Validated partners are expected to observe and uphold the Competition and Markets Authority (CMA) or equivalent guidance in this area.

The CMA guidance makes it clear that partners cannot withhold certain services or prevent progression of students if they owe certain debts to the Institution they are studying at. Please see [CMA UK higher education providers – advice on consumer protection law](#) for further guidance.

Validated partners cannot withhold services that have been paid for nor can they use sanctions which are disproportionate to a student's conduct.

Partner institutions should also ensure that examination boards routinely consider progression and award decisions for all students regardless of debt status.

The CMA has also previously investigated the fairness of terms allowing an HE provider to impose academic sanctions against students in a blanket and disproportionate fashion for non-payment of non-tuition fee debts and considered these to be potentially unfair.

Therefore, Validated Partners need to ensure they are aware of CMA Guidance, and any changes or updates to this guidance, and that Validated Partners have policies, processes and procedures in place that align with CMA requirements.

E Institutional and Programme Monitoring

E1 What is Institutional and Programme Monitoring?

Once approved, partner institutions are required to develop and deliver OU validated programmes within a quality assurance and enhancement framework defined by the OU. One key element of this framework is the Institutional and Programme Monitoring process. Institutional and Programme Monitoring is designed to:

- Ensure that partner institutions demonstrate how they meet these responsibilities.
- Enable partner institutions to reflect on issues arising from programme and institutional level reports and evaluate the effectiveness of their quality assurance and enhancement arrangements.

Reports should consist of:

- An institutional overview that includes responses to recommendations resulting from Institutional Approval/Review, and reflection on institutional quality management activities, external reviews, student feedback, staff development and resourcing.
- Progress records and reflection on action plans set in previous reports, as well as a forward-looking plan resulting from reflection and issues identified during the academic year.
- Details of changes made to key policies, procedures, or institutional structures since the latest Policy Compliance Review or the latest institutional and programme monitoring cycle (see Policy Updates Section on the Institutional Overview template).
- A written statement confirming that the Institutional and Programme Monitoring process has been comprehensively and satisfactorily carried out, and that programmes have been taught, managed, and operated in accordance with the procedures agreed at validation.
- Programme evaluation reports reflecting on information as detailed in Figure E1 below.
- Relevant attachments as specified in the Institutional Overview and Programme Monitoring templates.

It is important that the requirements outlined in this section are met in full. The Institutional and Programme Monitoring templates should be used for both reflection on the previous year's activity as well as action planning for the year ahead. Evidence to support these should include the good practice shown in Figure E1.

The OU has standard [templates for the institutional overview and programme evaluations](#) which are available on the OUVF website.

<p>Partner institutions gather information from various sources which should include:</p> <ul style="list-style-type: none"> • Statistical information. • Outcomes of student feedback. • Outcomes of teaching staff feedback. • Employer/placement provider feedback, including apprenticeships (where applicable). • A copy of the programme specification. • Programme team minutes. • Reports and feedback from External Examiners and Academic Reviewers. • The OU's feedback from the previous year's institutional and programme monitoring exercise. • The list of recommendations arising from the programme validation or latest revalidation. • Issues that have arisen over the year related to learning resources, staffing, engagements with employers, the QAA, the OfS, professional, statutory, and regulatory bodies and UKVI. • Issues that have arisen in Boards of Examiners meetings and responses to actions as set out by the University's Module Results Approval and Qualifications Classification Panel (MRAQCP).
▽
<p>Programme teams:</p> <ul style="list-style-type: none"> • Meet to review the information above. • Critically evaluate the evidence base and External Examiners' reports. • Reflect on engagements with Academic Reviewers. • Reflect on student, staff, and employer feedback. • Set out an enhancement plan for the following Academic Year.
▽
<p>Programme teams:</p> <ul style="list-style-type: none"> • Draft programme evaluation reports and responses to External Examiners.
▽
<p>Programme committee (or equivalent):</p> <ul style="list-style-type: none"> • Considers all programme evaluation reports. • Agrees responses to External Examiners. • Identifies institution-wide issues for the attention of academic board.
▽
<p>Academic board:</p> <ul style="list-style-type: none"> • Considers a draft report for final approval. • Agrees the content of the institutional overview and institution-level action plan.
▽
<p>Head of institution:</p> <ul style="list-style-type: none"> • Signs off institutional and programme monitoring reports and forwards to the OU as per agreed time frames.

Figure E1 Flow chart showing good practice.

E2 Institutional Overview

The academic standards committee or academic board must agree the content of the institutional overview, which must include:

- Details of the progress made to date on recommendations from the Institutional Approval or latest Institutional Review.
- Details of progress and reflection on action taken towards issues identified in the previous year's reporting.
- Identification of cross-institution themes and issues.
- An evaluation of student feedback practice and outcomes across the institution.
- An evaluation of personal development planning (PDP) policy and practice across the institution (particularly considering employability and degree outcomes).
- An evaluation of how appeals, complaints, disciplinary matters, and plagiarism have been dealt with; including cases dealt with formally, informally and by mediation (this should also indicate whether any particular student categories – such as, for example, students with disabilities or from ethnic minorities – are making a disproportionately high number of complaints or appeals)
- Identification of significant achievements and good practice that will be disseminated across the institution and how these will be disseminated.
- An evaluation of how the institution engages with the UK Quality Code for Higher Education and requirements of the Office for Students including, where applicable, an updated mapping of institutional policies and practices against the Code and details of any measures taken as a result of the mapping.
- Details of action taken in relation to any QAA or other external reviews, including UKVI applications, during the year.
- An account of staff development priorities and activities.
- An institutional enhancement agenda for the following year.

E3 Programme Monitoring

Programmes should be monitored and critically reviewed throughout each academic year. Each programme team must complete a programme evaluation report for submission to the institution and the OU. Each programme report forms a part of the overall institutional and programme monitoring to the OU, as outlined in Section E1.

Programmes are reviewed to:

- Contribute to their enhancement.
- Contribute to the maintenance of academic quality and standards.
- Consider assessment procedures.
- Monitor the quality of students' learning experience.
- Evaluate the effectiveness of quality assurance arrangements.
- Record issues to be addressed and determine actions.

- Identify and disseminate good practice.
- Ensure ongoing, appropriate levels of qualified staffing, expertise, and resources.

Programme Monitoring focuses on the following key areas:

E3.1 Student Recruitment (Submission A)

Institutions must submit programme statistics on student recruitment in the format prescribed. Programme statistics should be provided separately for part-time and full-time student cohorts, degree apprenticeship students and for accelerated programmes students.

E3.2 Progression and Achievement (Submission B)

Institutions must submit programme statistics on student progression, retention and achievement in the format prescribed. Data on appeals and complaints should be included in the report and institutions should evaluate the effectiveness and fairness of these procedures and reflect on their outcomes for the purpose of enhancement. Monitoring and evaluation of appeals and complaints should include cases dealt with formally, informally and by mediation.

Internal systems, such as student records, should identify whether any student categories (by age, disability, ethnicity, and gender as a minimum) make a disproportionately high number of complaints or appeals. Any emerging patterns should be monitored in other areas such as student retention and achievement.

Programme teams should evaluate how the data compares with previous years, the HESA data, and any other relevant comparative data, and reflect and comment on it under each heading of the programme evaluation report. The data, together with data on student feedback, may be used as evidence of:

- Maintaining standards.
- Adequate learning resources.
- Meeting intended learning outcomes.
- Student satisfaction.

E3.3 Reflection and Feedback (Submission C)

Programme teams are required to reflect on the following areas, providing detailed analysis and appropriate actions to address any uprising issues.

Programme Reviews by the OU and External Bodies

Programme teams should include details of actions taken to progress the following areas:

- Feedback received from the OU about the previous cycle's programme monitoring report.
- Recommendations made at the latest validation or revalidation.
- Issues following engagements with QAA, OfS, Ofsted and other Professional, Statutory and Regulatory Bodies, including local accreditation bodies for overseas partners.

Feedback from External Examiners

Programme Teams are required to consider comments and issues raised by External Examiners as detailed in the External Examiner reports submitted to the institution. These should be clearly identified and a response to the External Examiner report must be produced, reflecting on the report's contents, and detailing any actions generated to address the External Examiner's comments. The response to the External Examiner's

report should be submitted separately to the OU by the Programme Team, as part of Submission C.

Feedback from OU Academic Reviewers

Academic Reviewers, who are the OU's Faculty representatives, submit a summary of their engagements over the year. Where comments relating to particular programmes are submitted, these should also be considered. It is expected that Academic Reviewers will engage with students at least once a year and will include feedback about these meetings in their reports. More information on what the [Academic Reviewer role](#) consists of can be found on the OUP website.

Feedback from External Subject Experts

Where an External Subject Expert has been appointed to support a programme team, their comments should also be considered.

Staff Feedback

The programme team should reflect upon the success of the programme and consider whether amendments are desirable in the areas of:

- Curriculum design, content, and organisation.
- Teaching, learning and assessment.
- Student progression and achievement.
- Student support and guidance.
- Learning resources, including staffing and staff development.
- Quality management and enhancement.

Employer and Workplace Feedback, as appropriate

Include employers' feedback in the programme evaluation, particularly in the case of foundation degrees or degree apprenticeships. It is evidence of the achievement of intended learning outcomes and can inform the review of programme specifications, teaching methods and assessment strategies. Where a programme includes student placement or work enrichment activities, include an account of the effectiveness of the arrangements in place and whether they can be enhanced, using student and employer feedback. In the case of foundation degrees, include an account of the continuous involvement of employers in the programme design and assessment.

Student Feedback

Institutions must formally obtain students' views, including suggestions for possible improvements, for each programme and specify how this is obtained and analysed. Feedback should be evaluated in the following areas:

- Teaching quality.
- Learning resources.
- Assessment and feedback to students on assessment.
- Student support and guidance.
- Personal development planning opportunities.

Institutions should indicate action taken or planned as a result of student feedback.

Learning Resources, Student Support and Staffing

Comment on the adequacy of learning support and physical and staffing resources. Evidence could include student evaluation, feedback from meetings involving student representatives, minutes of Teaching and Learning committees, programme committees (or equivalent), External Examiners' reports, student progression and achievement data, and reports from professional accrediting bodies or the QAA and programme validation or revalidation reports.

Include a staff list and ensure that this reflects all staff appointed since the last monitoring cycle or the latest validation or revalidation activity, together with an evaluation of the consequences of staff turnover. The relevant Academic Reviewer is asked to comment on the appropriateness of staff appointed and CVs should be submitted to OUVF throughout the year after any new academic appointment. The OU should be informed of any changes to the staff team, even if these changes are temporary.

Programme Specification

Programme teams must ensure that the programme specification and information to be published are up to date. The following areas should also be checked to ensure that:

- The programme description and reading list are up to date.
- The teaching methods, coursework requirements and assessment arrangements for the academic year in question are clearly stated.
- Minor changes arising from the monitoring process (refer to section D5 for major, moderate, and minor changes) are made and reported to the OU.
- Any changes made following programme evaluations are publicised.

Proposals for Enhancement

Examples of enhancement include:

- Presenting proposals for the programme's future enhancement and solutions for any problems that need to be addressed.
- Identifying good practice that might be incorporated into other programmes and providing a timescale for implementation.
- Reporting on preparation for forthcoming events or interactions with QAA, the OfS and other professional, statutory, and regulatory bodies; or any actions arising from them.
- Reference to any programme amendments that are proposed for approval during the coming year.

Programme teams must also ensure that any major or moderate changes approved by the OU are detailed and reflected upon with regards to their impact on the programme and student experience.

Intended Learning Outcomes

Programme teams are expected to evidence how the programme continues to support the intended learning outcomes, from the narratives provided throughout the report. These might include feedback from external sources such as Professional, Statutory and Regulatory Bodies or employers, student evaluation, graduates' feedback, comments from External

Examiners, student progression and achievement data, and employment and destination data.

E3.4 Action Plans

Institutions must provide an action plan that addresses all issues arising from a programme evaluation. Both strengths and weaknesses should be included. The action plan should include the timescale and responsibility for each action and cross-referencing the section number of the report where the action was originally identified. Action plans should be updated with each submission, where appropriate.

E4 The Institutional and Programme Monitoring Cycle

E4.1 Submission Deadlines

Institutions are required to submit their Institutional and Programme Monitoring reports on the dates agreed with their respective S/QPMs. Submission dates are confirmed in the Institutional and Programme Monitoring letter sent to all institutions. The submission deadlines are typically set as below:

- Institutional Overview: within eight weeks following the end of the Academic Year.
- Programme Evaluation; Submission A: Within eight weeks following each registration deadline.
- Programme Evaluation; Submission B: Within two weeks of each progression and awarding Board of Examiners.
- Programme Evaluation; Submission C: Submitted alongside the Institutional Overview.

The above windows may vary depending on institution-specific attributes including size, recruitment patterns and academic calendar structures. Institutions should note that these dates may also be subject to change by the OU.

E4.2 OU Feedback on Institutional Reporting

Once submitted, institutional reports are considered by the OU via designated S/QPMs, who will return their comments to the institution for their attention. Such comments may refer to:

- Commendations on practices, achievements, positive feedback and other aspects of programme delivery and management.
- Immediate Actions: Issues arising from the reports where further information or immediate resolution is required.
- Actions to be taken throughout the current Academic Year and reported on next year's Institutional and Programme Monitoring cycle.
- Actions identified in the previous Institutional and Programme Monitoring cycle that are not fully resolved. Such items are classified as immediate actions by default.
- Other reportable items, e.g., risks, mitigating actions, etc. identified by the OU that have not been addressed in the institutional reporting.

Please note that institutions are required to address immediate actions within a specified time frame and re-submit their updated reports for further consideration by the OU. This process may repeat until all immediate actions are satisfactorily addressed. A letter of

completion of the current cycle will be sent to institutions once all immediate actions at both institutional overview and programme evaluation reports have been addressed.

Institutional and Programme Monitoring reports are also considered by a subgroup convened by the Curriculum Partnerships Committee, the Annual Monitoring Review Group (AMRG). From the partnership portfolio, arising themes, along with minutes from the working group, are reported to Curriculum Partnership Committee. Institutions should retain documentation associated with Institutional and Programme Monitoring so that the OU or outside agencies can review it, if necessary, in the context of a Re-validation, Institutional Review or relevant accreditation review.

F Assessment and External Examiners

F1 Assessment regulations for validated awards

F1.1 Definition and purpose of assessment

Assessment is the means by which a student's ability, progress and achievement are measured against agreed criteria. It provides the basis on which decisions can be made about a student's learning needs and whether a student is ready to proceed or to qualify for an award. It also enables students to obtain feedback on their learning and helps them improve their performance. As such it must be an integrated aspect of a programme's teaching and learning strategy.

The purpose of assessment is to enable students to demonstrate that they have fulfilled the intended aims and learning outcomes of the programme of study, and achieved the standard required for the award they seek. The OU therefore requires that students are assessed in accordance with those aims and learning outcomes.

Assessment should be designed in a way that promotes effective learning, to minimise the potential for plagiarism or other forms of unfair practice and to encourage academic integrity. When developing assessment student feedback should be utilised.

The institution's arrangements for quality assuring assessment constitute a key area that the OU will support and monitor closely following initial approval of a partner institution.

F1.2 Examiners' judgement

Assessment must be carried out by competent and impartial examiners, and by methods which enable them to assess students fairly. In order to achieve this end, the OU requires External Examiners to be associated with all assessment that contributes towards an OU validated award, and to be involved whenever there is progression from one level to the next in a validated programme. Their particular role is to ensure that justice is done to the individual student and that the standard of the OU's validated awards is maintained. This will include confirmation of assessments before they are issued to students.

Within the constraints imposed by the requirements of section F1.1, boards of examiners have discretion in reaching decisions on the awards to be recommended for individual candidates. They are responsible for interpreting the Regulations for Validated Awards of the Open University and good practice in higher education. Their academic judgements cannot, in themselves, be questioned or overturned.

The OU's requirements related to the remit and powers of boards of examiners for enabled validated awards are further detailed in section F4.

F1.3 Types and methods of assessment

Most assessment is likely to fall into one or more of the following categories:

- a. Diagnostic assessment, which provides an indicator of a learner's aptitude and readiness for a programme of study and identifies possible learning problems or study needs.
- b. Formative assessment, which is designed to provide learners with feedback on progress and informs development but does not count towards the students' final grades.
- c. Summative assessment, which provides a measure of a learner's achievement in relation to the intended learning outcomes of a programme of study, through formal

grading which counts towards the final award.

A variety of assessment methods or instruments should be used. Each method may involve more than one of the three types of assessment defined above. The OU requires that the methods and types of assessment encourage and support effective student learning and relate closely to the learning outcomes and subject matter of the programme of study. Such learning should be consistent with agreed subject benchmarks where available.

Programme assessment strategies must include compulsory forms of assessment that aim to ensure the integrity of the award (i.e., examinations, presentations, etc) and the module specifications should clearly state whether module grades are determined by a threshold score (40% at levels 4, 5 and 6 and 50% at level 7) for each weighted assessment component (multiple assessment) or a straight average of all the assessment tasks (single component assessment).

For single component assessment, students are still required to demonstrate all the module learning outcomes and achieve an overall weighted average score of at least 40% at undergraduate level or 50% at postgraduate level. Approval of single component assessment strategies may also be subject to professional body requirements and are not normally permitted at level 6.

F1.4 Regulations on assessment

All new student cohorts on programmes leading to an OU validated award are subject to the *Regulations for Validated Awards of The Open University*.

In addition, each programme of study leading to a validated award must have assessment regulations covering all the matters set out in the sections below, in accordance with the OU's requirements and expectations. It is expected that assessment regulations governing different programmes will be as consistent as possible across the institution. Assessment regulations specific to a programme of study will be validated at the point of programme approval and subsequent revalidations.

The assessment regulations for a programme of study must state the basis on which students will be assessed for an award. They will relate the assessment requirements to the general educational aims and learning outcomes for OU validated awards, to the programme specification, and to any special assessment requirements associated with the award.

Assessment procedures must state clear criteria for marking and grading assessments, including learning outcomes-based assessment and assessment of employability skills. In order to support this, the module specifications are expected to identify which assessment elements are to be achieved in order for the module to be passed (see section 15 of the *Regulations for Validated Awards of The Open University*).

Institutions are expected to review the continuing fitness for purpose of programme assessment regulations on a frequent basis and amend these as necessary. Review of assessment regulations may be undertaken following discussion with the SQPM, through the annual programme evaluation (as part of the institutional and programme monitoring process), engagement with External Examiners, and preparations for revalidation. Any changes of a significant nature need to be approved by the OU (please see section D6 for more information).

F1.5 Scheduling, timing, and volume of assessment

The scheduling, amount and weighting of assessment types must be appropriate to the level of the award, the programme of study and the delivery mode. These issues are considered at validation and revalidation, but institutions are expected to keep them under review and monitor their effectiveness. The general underlying principles are that the amount and timing of assessment should ensure that intended learning outcomes are assessed, and that they enable effective measurement of student achievement. The scheduling of assessment must

be such that students have adequate time to reflect on learning before being assessed, and that they can benefit from feedback. Assessment must be designed to minimise plagiarism and encourage academic integrity.

F1.6 Examination Centres

If a partner institution intends to use a third-party examination centre, they must notify their SQPM six months in advance of the examination date. If the centre is not affiliated with the British Council, a decision will be made by the OU regarding the approval of the centre.

F1.7 Staff development and training related to assessment

The OU expects that institutions will provide any necessary support and training to members of academic staff involved in the assessment of students to ensure that they fully understand the application of assessment criteria. It is also expected that administrative staff will be given training in order to understand the assessment regulations and manage the administrative aspects of the assessment process effectively. The OU may also provide staff development and training related to assessment if this has been identified in the Partnership Development Plan

Good practice would be to ensure the following areas are considered:

- Understand the theory and practice of assessment and its implementation, including the different purposes of formative and summative assessment.
- Ensure effective ways to evaluate the extent to which learning outcomes have been achieved.
- Ensure effective ways to engage with students to enable and promote dialogue about, and reflective use, of feedback.
- Are aware of the importance of designing assessments that minimise opportunities for plagiarism and other forms of unacceptable academic practice.
- Have opportunities to learn about new approaches to assessment and devise new methods, as well as the best way to operate existing methods.
- Develop awareness of assessment implications for a diverse range of students, including cultural diversity, differences in learning methods and the need for inclusivity.
- Have other training opportunities related to the interpretation of regulations, chairing assessment meetings, and record-keeping at boards of examiners.

F1.8 Assessment guidelines to students

The assessment of an individual programme of study will be subject to both Regulations for Validated Awards of the Open University and regulations specific to that programme, and so students must be made aware of the detailed requirements of both sets of regulations.

The institution must ensure that the assessment requirements for programmes of study that are made known to students include the type, volume, weighting, and timings of assessments. Such information should be given to students at the beginning of each study phase before any assessment is taken. Assessment regulations for each programme must be included in the student handbook.

F1.9 Feedback to students on performance

Students should be encouraged to reflect on their own performance. The OU requires institutions to provide constructive and timely feedback to students on assessed work in order to promote effective learning and facilitate improvement. There is a need for adequate marking time to be available for staff to ensure this.

Feedback should be based on clear assessment criteria and should provide students with an understanding of the way the mark was derived, and the extent to which learning outcomes have been met.

As noted in section F1.5 above, the scheduling of assessment must be such that it ensures that students can benefit from the feedback, as in the case of summative assessment following formative assessment.

F1.10 Assessment arrangements for students with impairments

If a student is unable to be assessed by the methods specified in the assessment regulations, the OU expects institutions to try to accommodate that student by making special arrangements for examination or assessment.

The External Examiner may agree a variation in the methods as appropriate bearing in mind the learning outcomes of the programme and the need to assess the student on equal terms with other students.

The institution must have procedures in place for approving any special arrangements in advance of a student's first assessment. Institutions are expected to ensure that reasonable adjustments are made to accommodate students' needs, while having regard to any applicable legislation.

Failure to implement any special arrangements which have been formally agreed may be grounds for an appeal (section H of the Regulations for Validated Awards of the Open University).

F1.11 Identification of all elements of assessment

Programme assessment regulations must cover all assessments which formally contribute to progression or final award recommendations, at whatever point in the programme they are undertaken. The regulations on assessment must identify all the elements that will be assessed, including any assessed supervised work experience.

Regulations and module specifications must specify which or how many elements must be passed to obtain an award and what weighting each carry in the assessments.

The minimum and maximum number of elements to be attempted must be identified in the regulations and module specifications.

Regulations for Validated Awards of the Open University define when and how each of the assessment elements will be assessed by internal examiners, and the role of External Examiners in moderating assessment.

F1.12 Processes for internal moderation of marks

The OU expects that institutions have transparent and fair mechanisms for internal marking and moderation of marks. The QAA Quality Code Advice and Guidance on Assessment points out that the use of clear assessment criteria and, where appropriate, marking schemes are key factors in assuring that marking is carried out fairly and consistently.

Programme assessment regulations must specify arrangements for second marking by internal examiners and other measures used to ensure that the first marking is fair and consistent with the marking scheme and to ensure comparability of assessment across a cohort. Institutions are required to establish procedures whereby marks generated by a first marker (or marking team) are scrutinised to verify the appropriateness of the marking and also bring a second judgment, particularly in relation to very good and very poor performance.

In accordance with good practice, institutions are asked to consult the Regulations for Validated Awards of the OU and their associated policies in considering the following:

- How borderline marks or grades are defined and treated. Only in exceptional circumstances may the Board of Examiners consider borderline cases (See the Regulations for Validated Awards of The Open University, Section 19.5.)
- In the assessment of larger groups of students, the criteria for sampling of assessment for the purposes of moderation. This includes the determination of the size of the sample to be drawn from each group of assessed work.
- The circumstances that warrant the second marking of the whole batch of scripts as a consequence of any significant discrepancies between the first and second marking.
- The method of reconciliation of the first and second marking where applicable. Where two markers cannot agree a final mark, a third marker (if this stage is included in the institution's assessment policy), the Board of Examiners, or a subsidiary committee, will determine a final mark in consultation with External Examiners.
- In order to ensure consistency and fairness to students, how amendments to the marks of the sample as a result of internal moderation must be applied to the rest of the cohort.

F1.13 External moderation of marks

Following internal moderation, all assessment that contributes towards an award must be moderated by External Examiners, and advice provided to internal examiners as appropriate. The sample selected for external moderation should normally include all summative work for an agreed selection of students from a given cohort, based on the marks agreed by internal examiners.

F1.14 Provision for exit awards

Programme specifications must make provision for exit awards at intermediate levels, for which clear achievement criteria must be stated. These will be approved by the OU at validation and revalidation.

Exit awards can only be classified as pass or fail. A distinction or merit cannot be given for an exit award.

F1.15 Penalties for late or non-submission of work

The Regulations for Validated Awards of the OU set out the consequences and penalties incurred for late or non-submission of material for assessment. This information must be widely available to students.

F1.16 Identification of requirements from professional, statutory, and regulatory bodies

Programme regulations must set out clearly any specific assessment requirements that must be met in relation to professional bodies or accreditation requirements relevant to the programme of study.

Programme regulations must set out clearly any assessments under the regulatory framework of another awarding body which contribute to the award.

F1.17 Programme regulations on progression and attendance

Partner institution programme regulations must set out the way(s) in which students progress through the programme and identify the elements that are compulsory or optional.

Where attendance is compulsory for certain elements, the regulations must give details of the attendance requirements to be met by students.

The regulations must give details of any formal arrangements designed to monitor students' progress and warn students of possible failure.

Regulations must specify the provision for exclusion from the programme on academic grounds.

F1.18 Definitions of academic misconduct

The Regulations for Validated Awards of the OU defines misconduct in respect of assessment, in particular what constitutes cheating or plagiarism. The institutions' regulations must also set out penalties and provide for procedures to be followed in cases where these offences are suspected or alleged.

F1.19 Procedures for dealing with academic misconduct

Boards of Examiners should be responsible for confirming decisions in relation to suspected cases of misconduct which have been reported to the exam board via an Academic Misconduct panel or equivalent. As part of the Regulations for Validated Awards of the OU, the OU requires that institutions have detailed procedures for investigating and documenting alleged misconduct in assessment within the following broad guidelines:

- Where a case of misconduct is suspected the Board of Examiners should not come to a decision on the candidate's result until the facts have been established. The institution should establish a process via a formal panel that will allow all evidence to be collated and documented before a case is reported to the Board of Examiners.
- Where a case of misconduct has been established, the Academic Misconduct panel or equivalent should judge the significance of the academic misdemeanour and exercise its discretion as appropriate to the case. If it is established that a student has attempted to gain an unfair advantage, the panel should be given the authority to rule that the student has failed part or all of the assessments, and the authority to determine whether or not the student should be permitted to be reassessed.
- All such cases should be treated seriously and should be reported to the Board of Examiners and passed to the Academic Board for their information.
- Where evidence becomes available in subsequence to the recommendation of the Board of Examiners it should be possible for the matter to be reopened.
- Procedures dealing with misconduct must be applied consistently across the validated provision. Institutions must establish procedures that allow an institution-wide overview, that includes the AMBeR Tariff.

F1.20 Reassessment and resits

Within section 17 of the Regulations for Validated Awards of the OU guidance is provided on options for the repeat of study, which includes partial and full repeat of a stage.

Boards of Examiners have discretion to interpret regulations for reassessment on a case-by-case basis. This is subject to the requirements of the OU's principle that a validated award is only made when a candidate has fulfilled the programme's learning outcomes and achieved the required standard.

Regulations make it clear that Boards of Examiners shall not unreasonably withhold permission for a student to be reassessed in accordance with programme regulations.

The reassessment section of the regulations provides guidance to Boards of Examiners and students on the circumstances under which consideration will be made for:

- a. Compensation.
- b. Resit failed assessment.
- c. Retake a module.

- d. Take a replacement assessment.
- e. Take an alternative replacement module.

Reassessment regulations also specify the criteria for the capping of marks for reassessed elements. Students who have already passed a module shall not be allowed to be reassessed for that module nor retake it in order to improve marks.

A candidate for reassessment may not demand reassessment in elements which are no longer current in the programme. The Board of Examiners may, at its discretion, make such special arrangements as it deems appropriate in cases where it is not practicable for students to be reassessed in the same elements and by the same methods as at the first attempt. However, where a validated programme is discontinued, provision must be made to ensure fair assessment opportunities for all students who have been enrolled. This must include appropriate provision for resit opportunities and for students who intermit, interrupt, or intercalate in accordance with the validated programme regulations.

Where programme regulations permit, the Board of Examiners may determine that the candidate has achieved the level required for a lower award and may offer the candidate the choice of accepting the lower award immediately or resitting for the higher award.

F1.21 Provisions for compensation

Within the Regulations for Validated Awards of the OU, the conditions for the application of compensation at stage level is detailed.

Assessment regulations and/or module specifications must make clear any provision for compensation for failure in assessment and identify any elements that may under no circumstances be the subject of compensation for failure. Compensation should not be applied to an element:

- That forms a substantial proportion of the assessment for the award.
- That is central to the fulfilment of programme aims.
- Specifically precluded from compensation by programme regulations.

F1.22 Extenuating circumstances

Section F of the Regulations for Validated Awards of the OU provides information on procedures for extenuating circumstances.

F1.23 Aegrotat

An Aegrotat award may be recommended, where it is available, when the Board of Examiners does not have enough evidence of the student's performance to recommend the award for which the student was a candidate or a lower award specified in the programme regulations, but is satisfied that, but for illness or other valid cause, the student would have reached the standard required.

Before a recommendation of an Aegrotat is submitted to the OU the student must have signified willingness to accept the award and understand that this implies waiving the right to be reassessed.

F1.24 Provision for *viva voce* examination

Section 16 of the Regulations for Validated Awards of the OU provides information on provision for *viva voce* examination.

F1.25 Procedures for the conduct of assessment

In addition to procedures included within the Regulations for Validated Awards of the OU, partner institutions must produce regulations or codes of practice which set out arrangements for the conduct of assessments. The OU may provide support to partner institutions, if required, in developing these including:

- Respective student and staff responsibilities. This should include, for example: any requirements for staff to mark and return annotated work in a timely manner, or requirements for students to retain material for a specified period.
- Invigilation requirements setting out, for example, the minimum ratio of invigilators to candidates and the duties of invigilators for collection and handling of scripts.
- Arrangements to ensure the security of assessment papers and other forms of assessment, such as arrangements for tracking and return of drafts sent to External Examiners and originals sent for secure printing.
- Arrangements to ensure that students taking an assessment are the same as those against whose names the marks are recorded by, for example, checking against (photo) identification.
- Special arrangements that may be necessary for the assessment of materials based on work placements or periods of study abroad, where such assessment cannot be conducted by an overseas partner.
- Arrangements for recording and publishing assessment decisions, communicating results to students and clarifying when results will be ratified if they are provisional.
- Arrangements for the retention of assessed materials, whether by students or the institution, normally until the last opportunity for appeal has passed.

The procedures and arrangements above will be monitored by the OU at Institutional Approval and Reapproval through Policy Compliance Review. Ongoing support arrangements will be identified in the Partnership Development Plan. In addition, institutions are required to report any significant changes to such processes in their annual monitoring or institutional and programme monitoring report.

F1.26 Appeals and complaints procedures

Underlying principles

- a. The OU requires institutions to have clear and well-publicised appeals and complaints regulations and procedures, including the grounds for academic appeal defined below. The OU may provide support to the institution, if required, in developing its Appeals and Complaints Procedures as part of the Institutional Approval process.
- b. The QAA recognises that there may be times when what is expressed by a party presenting a case as a complaint contains within it an appeal and vice versa. It recommends that institutions make it possible for complaints and appeals to be reclassified in consultation with the person complaining or appealing (QAA Quality Advice and Guidance; Concerns, Complaints and Appeals). It also suggests that institutions may find it helpful to describe their general approach to handling complaints and appeals where these are linked.
- c. Although the underlying principles and some of the operational procedures may be common to complaints and appeals, there are distinctions between what may constitute an appeal and what may constitute a complaint. Whereas appeals are restricted to requests for revision of decisions by a Board of Examiners, a complaint can be raised over a wider range of matters. The QAA defines a complaint as 'the expression of a specific concern about matters that affect the quality of a student's learning opportunities' (QAA Quality Advice and Guidance; Concerns, Complaints and Appeals).
- d. Institutions are required to monitor, evaluate, and review the effectiveness of their formal appeals and complaints procedures, considering current good practice and having regard to any applicable law. The OU monitor and review institutions' internal procedures through its annual reporting and at Institutional Approval and Reapproval through Policy Compliance Review. Policy Compliance Reviews also monitor how

information about formal appeals and complaints procedures are made available to students. The latter should cover both the OU's and the institution's own internal appeals procedures.

The Regulations for Validated Awards of the OU, section H, provides information on academic appeals and complaints that includes information on:

- General requirements related to appeals and complaints procedures.
- Grounds for appeal.
- Consideration of appeals by the Academic Board or its appointed sub-committee.
- Procedures of the appeals committee or equivalent.
- Consequences of established cases of procedural irregularity.
- Action following completion of complaint or appeal procedures.

Report to the OU

As part of institutional and programme monitoring, institutions are required to provide an annual report containing an analysis of how cases of academic appeals and complaints have been dealt with, including the nature and outcomes of such cases.

The OU reserves the right to require a further report from the Academic Board if it has reason to believe that the standard of a validated award may be at risk or that the Regulations for Validated Awards of the OU may have been breached. The OU will intervene directly if concerns remain after all institutional procedures have been exhausted.

Appeals to the OU

If students have exhausted all institutional procedures open to them in requesting a review of a decision of a Board of Examiners, they have the right to submit a formal appeal to the OU. The OU will conduct its procedures for appeals and complaints as detailed in Appendix 1.

The institution concerned has a right to be heard and to present its case in relation to any formal appeal or complaint made against it to the OU. In such cases an institution is expected to:

- a. Respond in an open and timely manner to any requests made by the OU in relation to a formal appeal or complaint, without disadvantage to the student.
- b. Act in accordance with the outcome of a formal appeal or complaint to the OU.
- c. Report to the OU that action has been taken in response to a formal appeal or complaint.

The Office of the Independent Adjudicator⁹ has published an excellent good practice framework which can be downloaded.

F1.27 Staff at Partner institutions studying OU awards

The OU requires partner institutions to have formalised procedures for the consideration of assessments for staff within their own institution undertaking OU validated awards. The procedure should be as follows:

⁹ Reference to the Office of the Independent Adjudicator is only available for institutions in England and Wales. Other jurisdictions should refer to the appropriate body where applicable.

- a. The OU should be made aware at the beginning of each academic year if there are members of staff enrolled on OU validated awards.
- b. The External Examiner for the programme(s) in question should be made aware of any employees taking the award.
- c. All summative assessments taken by employees must form part of the sample sent to the External Examiner.
- d. Funding bodies should be made explicitly aware of any employees taking an award as part of an apprenticeship framework to ensure that they meet the funding eligibility criteria.
- e. Minutes from the Academic Board, or equivalent meeting, where any changes to procedures are approved to safeguard the integrity of the award should be forwarded to the OU along with the amended procedures.
- f. An employee would not be permitted to be a member of the Examination Board for an award for which they are studying.
- g. A declaration document should be produced that employees and their line-manager sign to confirm that they do not have access to beneficial assignment or examination material in relation to the award. The document should also state that employees and their line-managers are responsible for informing the Examination Board and University if this situation changes during their studies so appropriate action can be taken. Copies of the declaration form should be sent through to the OU when registering employees for the award.

F2 Regulations relating to External Examiners

See relevant sections of the QAA Quality Code Advice and Guidance: External Expertise.

The following are available on the OUVF website:

- [Guide for External Examiners of OU validated awards](#)
- [External Examiner report template](#)
- [Application forms for appointment/extension of appointment of External Examiners](#)

F2.1 Institutions' responsibilities related to External Examiners

Partner institutions are responsible for:

- Providing External Examiners with an institutional and programme briefing and induction (in addition to OU briefing).
- Ensuring External Examiners are sent samples of student work in a timely manner (at least five working days) in advance of Boards of Examiners.
- Ensuring that reports of External Examiners are formally considered and, where necessary, that appropriate action is taken.
- Sending External Examiners, a response setting out the action taken following receipt of reports. The OU may aid in compiling this response.
- Providing the OU with an account of the responses made to the issues raised by External Examiners in an annual programme evaluation report.
- Making External Examiners' reports available, in full, to students, with the sole exception of any confidential reports made directly to the head of institution.
- Including the name, position, and institution of their External Examiners in module or programme information provided to students. External Examiners must refer any direct correspondence from students back to the institution, and institutions should include this in their guidance to External Examiners.

It is the partner institutions responsibility to manage the working relationship with External Examiners.

F2.2 The OU's responsibilities related to External Examiners

External Examiners are nominated by, appointed by, and report to, the OU. The terms under which they engage with the partner institution and the programmes to which they are appointed are those determined by the OU.

The OU sets and keeps under review the regulations and procedures related to external examining.

The role of the External Examiner is critical to the OU's confidence in the quality and standards of its validated provision. The OU places great value on the External Examiner system and requires its partner institutions to give a high priority to responding to their advice and feedback. More information on the [External Examiner role](#) can be found here.

F2.3 The rights and responsibilities of External Examiners

The OU appoints External Examiners for two main reasons: to benefit from direct experience of relevant standards in other universities, and to subject its examining methods and

processes to external assessment.

The role of External Examiners appointed by the OU for a validated programme or group of modules, is to ensure that justice is done to the individual student and that the standard of the OU's validated awards is maintained. To carry out these responsibilities, External Examiners must:

- Be able to judge students impartially based on the work submitted for assessment without being influenced by previous association with the programme, the staff or any of the students.
- Be able to compare the performance of students with that of their peers undertaking comparable programmes of higher education in the UK and in the light of subject benchmarks and qualification descriptors, as appropriate.
- Moderate and approve the final draft of each examination paper, end-of-module component, and reassessment task together with the related marking scheme or notes for the guidance of markers. This activity should include scrutinising the form and content of examination papers, coursework and other assessments that count towards the award in such a way as to enable the External Examiners to judge whether students have fulfilled the aims and learning outcomes of the programme and reached the required standard. This activity should include alternative assessments and adjustments made for students with declared disabilities or impairments, in order to ensure that all students will be assessed fairly in relation to the programme syllabus and regulations.
- Be consulted about and agree to any proposed changes to the approved assessment regulations or assessment strategy which will directly affect students currently on a programme.
- Have access to all assessed work and see samples of the work of students proposed for each category of award and for failure, in order to ensure that assessment criteria have been interpreted correctly and that there is parity of assessment across the cohort.
- Consider the reliability of the mode of monitoring the marks of module assessments and the final end-of-module component (e.g., examination) and report to the Board of Examiners on such revisions as they consider necessary.
- Have the right to moderate the marks awarded by internal examiners where this is within the regulations for the programme and does not bias the overall assessment or cause unfairness to individual candidates.
- After consultation with the University, have the right to meet students and, where appropriate, conduct a viva voce examination of any candidate.
- Ensure that the assessments are conducted in accordance with the approved programme regulations.
- Attend the meetings of the Board of Examiners at which decisions on recommendations for award are made and ensure that those recommendations have been reached by means in accordance with the OU's requirements and normal practice in UK higher education.
- Participate as required in any review of decisions about individual students' awards taken during the examiner's period of office.
- Report back to the OU and the partner institution on student performance and academic standards as well as on the effectiveness of the assessments and any lessons to be drawn from them.
- Report in confidence to the OU's Vice-Chancellor on any matters of serious concern arising from the assessments which put at risk the standard of the OU's validated

award.

Within the terms of programme regulations, it is for External Examiners to decide in detail how to fulfil the responsibilities described above. The OU requires programme regulations for validated awards to describe the nature and methods of assessment and show how External Examiners will be involved in assessment. External Examiners should be involved in all assessment that counts towards the recommendation of an award, including progression from one stage of the programme to the next.

Programme regulations related to external examining will take into account the operation of any tiered Boards of Examiners where applicable. As noted in section F4, terms of reference of subsidiary boards need to be approved by the OU, normally at validation and revalidation.

F2.4 Non-attendance at Boards of Examiners meetings

A Board of Examiners which does not include approved External Examiners is not authorised to assess students for an award or to recommend the conferment of an award upon a student. Recommendations to the OU for the conferment of an award will not be valid without the written endorsement of the External Examiners. See also Section F5 on the role of the OU's representative.

All External Examiners are required to attend relevant Board of Examiners meetings including any resit boards, and it must not be assumed that a board can be held without the presence of the External Examiner. Where unplanned circumstances prevent attendance and an External Examiner is the sole examiner, the institution and the OU should be informed so that a decision can be made regarding the postponement of the board. Where an External Examiner is a member of a pair or team of examiners, they should also inform fellow examiners of their absence.

In the event of non-attendance, External Examiners must indicate this in their written report at paragraph 9, 'The administration of the assessments, operation of examination boards...' and confirm that they were fully involved in the moderation of assessment and the external examining process. The written report should be submitted in advance of the meeting of the Board of Examiners so that the External Examiner's comments can be formally considered and recorded.

Non-attendance by an External Examiner without good reason and pre-approval by OUVF would usually constitute grounds for the termination of appointment.

F2.5 Criteria for the appointment of External Examiners

The following sections, up to and including F2.9 are for information only as they detail the criteria by which the OU will nominate and appoint an External Examiners.

An External Examiner should be a senior member of another university or have appropriate standing, expertise, and experience to maintain academic standards in the context of UK higher education as a whole, as indicated by accepted attainments and standing.

There must be evidence of meeting the following criteria:

- An External Examiner must be resident in the UK and have the right to work in the UK. As part of the appointment process, the OU will undertake checks to ensure that these criteria are met to its satisfaction.
- Knowledge and understanding of current UK sector agreed reference points for the maintenance of academic standards and assurance and enhancement of quality.
- Fluency in English and, where programmes are delivered and assessed in languages other than English, fluency in the relevant language(s) (unless other secure arrangements are in place to ensure that External Examiners are provided with the information required to make their judgments).
- Competence and experience in the fields covered by the programme of study, or

parts thereof.

- Relevant academic and/or professional qualifications to at least the level of the qualification being externally examined, and/or extensive practitioner experience where appropriate.
- Sufficient standing, credibility, and breadth of experience within the discipline to be able to command the respect of academic peers and, where appropriate, professional peers.
- Competence and experience relating to designing and operating a variety of assessment tasks appropriate to the subject and operating assessment procedures in assessing students in the subject area concerned.
- Awareness of current developments in the design and delivery of relevant curricula.
- Familiarity with the standard to be expected of students to achieve the award that is to be assessed.
- Competence and experience relating to the enhancement of the student learning experience.
- Meeting applicable criteria set by professional, statutory, or regulatory bodies.

F2.6 Other considerations when nominating External Examiners

It is expected that External Examiners will be drawn from a variety of institutional and professional contexts and traditions in order that the programme benefits from wide-ranging external scrutiny. Phasing of appointments to the team is a way of ensuring continuity. There should be appropriate balance and expertise in the team of External Examiners, including for example:

- Examining experience.
- Academic and professional practitioners.
- The range of academic perspectives.
- Members from different types of institution of higher education.

If someone without external examining experience is appointed, it is expected that they will be appointed to join a more experienced team and/or with agreement that a more experienced External Examiner, from within the same institution to which they are being appointed, will act as a mentor. It may also be possible to arrange mentoring across institutions for those who do not have the numbers of External Examiners to arrange this internally.

Ideally, there should not be an External Examiner within a programme area from the same institution which has provided examiners for that programme area during the past five years.

F2.7 Conflicts of interest

An External Examiner must be independent of the module on which they serve. In line with QAA guidance, an External Examiner should not be appointed if any of the following conflicts of interest are identified. The OU will not nominate or approve anyone who:

- Is a member of a governing body or committee of the OU or one of its collaborative partner institutions, or a current employee of the OU or its collaborative partners.
- Is a member of a governing body or committee of the partner institution or one of its collaborative partners, or a current employee of the partner institution or its collaborative partners.
- Has a close professional, contractual or personal relationship with a member of staff or student involved with the programme of study.

- Is required to assess colleagues who are recruited as students to the programme of study.
- Is, or knows they will be, in a position to significantly influence the future of students on the programme of study.
- Is currently, or has recently been, involved in substantive collaborative research activities with a member of staff closely involved in the delivery, management or assessment of the programme or module(s) in question.
- Is a former member of staff or student of the OU unless a period of five years has elapsed, and all students taught by or with the External Examiner have completed their programme(s).
- Is a former member of staff or student of the partner institution, unless a period of five years has elapsed, and all students taught by or with the External Examiner have completed their programme(s).
- Would replace an External Examiner from the same department in the same institution.
- Is from the same department of the same institution as another member of that team of External Examiners.
- Is a consultant to the Module/Programme Team, or if they contributed to writing the teaching materials. (In exceptional circumstances, the OU may approve the appointment of a person who contributed to the module/programme as External Examiner, if this is not when the module is first presented, and that there is no other eligible person available to serve).
- Has had further engagement with the partner institution beyond their External Examiner responsibilities (unless approved by the OU).

There must not be a reciprocal external examining arrangement involving cognate programmes in two institutions.

A proposed External Examiner should not have been appointed to examine at another OU partner institution within the past five years.

Examiners should not have too heavy a workload in respect of external examining duties. An examiner should normally hold no more than two External Examiner appointments, for taught programmes/modules at any point in time.

A proposed External Examiner should not have been an examiner on a cognate programme in the institution.

F2.8 Nomination of OU staff as External Examiners

The following categories of people are not eligible for appointment as External Examiners on any validated award:

- All salaried staff of the OU (including associate lecturers).
- Open University Residential School staff.
- Visiting members of academic staff.
- Part-time members of OU academic staff holding dual appointments.

F2.9 Nomination of individuals retired from their academic or professional posts

It is the OU's expectation that External Examiners should have current substantive academic or professional posts. However, retirees can be considered provided they have retired recently and still have an affiliation with a UK institution of higher education. The OU will consider this provided that a robust case can be made for that person's continuing academic

or professional currency for the duration of the proposed appointment.

F2.10 Approval and appointment of External Examiners

All External Examiner appointments are made by the OU. The OU will follow its approval process before making any appointment. External Examiners formally report to the OU but are asked to send copies of their reports to the partner institution as well as the OU.

F2.11 External Examiners' term of office

New examiners should take up their appointments on or before the retirement of their predecessors. External Examiners should remain available after the last assessments (including resit boards) with which they are to be associated in order to deal with any subsequent review of decisions.

The duration of an External Examiner's appointment will normally be for four years, with an exceptional extension of one year to ensure continuity. This must include any time already served as an external advisor or assessor on the same module or programme if the programme was validated with a different university prior to OU validation and is not dependent on the frequency of presentation of the programme or module.

An External Examiner may be reappointed in exceptional circumstances but only after a period of five years or more has elapsed since their last appointment.

If External Examiners change jobs, a revised CV must be submitted to the OU to ensure that they are still eligible to externally examine the programmes for which they have been appointed (see F2.5 –F2.9). If an External Examiner takes on additional external examining duties during the period of their tenure, the SQPM must be informed.

If an External Examiner retires whilst in appointment, they will remain as the External Examiner for the remainder of the academic year and up to two years following retirement. If the External Examiner continues to have an affiliation with a UK institution of higher education, they can remain in post for the full duration of their contract.

F2.12 Requests for extension of approval of External Examiners

The nomination process is also used for proposals to extend the period of approval of existing External Examiners or to extend their duties to other related programmes such as a new pathway or a top-up award. Requests for the extension of the period of approval are not generally encouraged but can be considered in extenuating circumstances.

The term of office of an existing External Examiner may be extended in extenuating circumstances, up to a maximum of 12 months beyond the expiry date of the original appointment.

F2.13 Notification of decisions

External Examiners will be appointed by the OU. The OU will send an offer of appointment to the approved nominee. Once a contract acceptance form has been returned by the examiner and any right to work check completed, the OU will send an approval letter to the head of the partner institution, copied to the institutional primary contact.

The OU will write to all newly appointed External Examiners providing them with a copy of the most recent validation report for the programme(s)/modules to which they have been appointed, together with some briefing material. The OU will also provide an official briefing which will consist mainly of clarification regarding the OU's expectations, reporting lines, and the relationship between examiners, partner institutions, and the OU. As noted in section F3, partner institutions are required to supplement this material with a range of institution-specific induction and briefing material that they are expected to provide to External Examiners.

F2.14 Payment of fees

The OU will be responsible for the payment of External Examiner fees and expenses.

F2.15 Termination of approval of External Examiners

All termination of External Examiner appointments must be undertaken by the OU. If a partner institution wishes to terminate the appointment of an External Examiner, the OU must approve the termination and be informed in advance of the grounds for termination. A reasonable minimum period of notice should apply. If possible, termination should occur at a natural point in the assessment cycle, such as after the last meeting of the Board of Examiners at the end of the academic year.

If an External Examiner resigns, the OU should be informed immediately.

The OU reserves the right to terminate the appointment of an External Examiner at any time, subject to approved University procedures, for failure by the External Examiner to fulfil their obligations, for example failure to produce reports in a timely manner or to an appropriate standard.

Other circumstances that may constitute grounds for termination include:

- Failure to attend a Board of Examiners without good reason.
- A new conflict of interest that cannot be resolved (e.g., due to change of the External Examiner's position subsequent to the appointment).
- Discontinuation of the programme.

F2.16 Chief External Examiners

The OU may nominate and appoint a Chief External Examiner should the approved Board of Examiners' arrangements require it. The approval of the appointment of a Chief External Examiner who is to act in this capacity will be subject to the criteria set out above.

The Chief External Examiner role can be useful in a variety of situations, for example:

- For institutions which use a tiered exam board system holding subject then award and progression boards.
- By institutions which have a large provision and wish to be able to oversee Exam Board decisions at Faculty/School level.

The Chief EE should work closely with the partner institution and OUVF, approaching their role with flexibility to ensure they create additional value for the individual programme/subject level External Examiners and institution programme teams.

The following guidance on the role of Chief External Examiners gives some ideas on how their role may be developed. We anticipate that following the appointment of a Chief External Examiner, discussions will be held with the partner institution and the SQPM to formalise key areas of activity.

Guidance on role of Chief External Examiners

- Be able to review a sample of student work across the programmes from selected modules.
- As a last resort, be able to confirm grades for External Examiners who are not able to be physically present (this normally depends on the External Examiner having contacted the Chief External Examiner with a written report confirming they have seen the work and agree with the grades and have provided the Chief External Examiner with their comments).
- Be able to make observations on the conduct of the Exam Boards.
- Discuss the effectiveness of the team of External Examiners with Registry.
- Mentor any new External Examiners without previous experience of external examining.

- Identify where there are disparities, areas of concern or good practice across the faculty provision.

F2.17 External Examiners' reports

External Examiners are required to submit a report following each Board of Examiners to the Academic Board of the partner institution and to the OU on the conduct of the assessments just concluded and on the standards being set and achieved including:

- Whether the standards set are appropriate for the award by reference to any agreed subject benchmarks, qualifications framework, programme specification or other relevant information.
- The quality of the students' work, and their knowledge and skills in relation to their peers on comparable programmes.
- The strengths and weaknesses of students.
- The quality of teaching and learning, as indicated by student performance.
- The quality of the curriculum, course materials and learning resources.
- The quality and fairness of the assessments, in particular their design and structure, relation to stated objectives and learning outcomes of the programme and marking.
- Good practice and innovation related to learning, teaching, and assessment.
- Opportunities to enhance the quality of the learning opportunities provided to students.
- Where the programme has specific work-related learning outcomes (e.g., foundation degrees) the assessment and achievement of these outcomes, including employers' involvement where relevant.
- The administration of the assessments, operation of Examination Boards, briefing of External Examiners, access of External Examiners to essential materials, etc.
- Whether any issues identified in previous External Examiners' reports have been addressed by the institution.

It is expected that such reports will be received no later than two months following the final meeting of the Board of Examiners at which progression and awards are decided. Reports must be received in the relevant academic year for payment to be made. The OU has a [template for the submission of reports](#) which External Examiners must use.

The purpose of the report is to enable the OU and the institution to judge whether the programme is meeting its stated objectives and to make any necessary improvements, either immediately or at the next revalidation. Institutions are required to give detailed written feedback to External Examiners on action taken in response to their reports.

Partner institutions are required under their institutional agreement to provide the OU with an annual report for approved programmes which includes an account of the responses made to the issues raised by External Examiners. Where an External Examiner's report raises issues, which call into question the quality of the programme or the standard of the award, the OU requires an immediate account of the measures being put in place to consider the issues and identify and rectify deficiencies. The OU will need to provide a considered and timely response to any confidential report received, outlining any actions they will be taking or require the partner institution to take as a result.

Institutions must make External Examiners' reports available in full to students, with the sole exception of any confidential report made directly to the head of the institution.

If External Examiners' reports are either too brief or too broadly phrased to provide an agenda for enhancement, the OU will be responsible for taking appropriate action to ensure that more comprehensive reports are submitted.

Where an External Examiner has a serious concern relating to systemic failings with the academic standards of a programme or programmes and has exhausted all published applicable internal procedures, including the submission of a confidential report to the head of the institution, they may invoke the regulatory body's concerns scheme and/or inform the relevant professional, statutory, or regulatory body.

The report presented at the end of an External Examiner's term of office should include a brief retrospective on their experience and perceptions of the programme/module throughout their association with it.

F3 External Examiner briefing

F3.1 Introduction

The OU will provide External Examiners with a briefing and induction. This section offers guidance for institutions on local briefing and induction of new External Examiners. It is recommended that each institution should develop a set of briefing documents for their External Examiners to supplement the regulations set out in section F2, to give a range of further institution-specific information. The OU requirements must be included in the briefing. The OU will approve briefing and induction arrangements as part of the approval process, during follow-up to Institutional Approval for new partner institutions and as part of Institutional Review for others.

The OU will write to all newly appointed External Examiners providing them with a copy of the last External Examiner report for the programme(s)/modules to which they have been appointed, together with some briefing material. This will consist mainly of clarification regarding the OU's expectations, reporting lines and the relationships between Examiners, partner institutions and the OU.

F3.2 Briefing to External Examiners

The written briefing for External Examiners will cover the items below. Some may be addressed in the appointment letter, others through the [OUVP External Examiner induction podcast](#), a briefing paper and by supplying External Examiners with relevant institutional or programme documents.

The OU's written briefing will include:

- A comprehensive list of OU contacts, administrative and academic, with an indication of who to contact about what.
- Term of appointment, with provision for termination on either side. This should indicate the required notice from the External Examiner and give possible circumstances for termination by the institution related to non-fulfilment of responsibilities, such as no provision of the required report and non-attendance at the Board of Examiners without compelling reason, or changes in circumstances affecting the criteria of appointment.
- The Regulations for Validated Awards of the OU, including assessment regulations for the programme of study.
- Arrangements for attendance at Boards of Examiners and any other visits, for example observation of practice, indicating timing and who to contact.
- Information about the membership and remit of the external examining team for the programme, identifying, if required, a Chief External Examiner who will be responsible for the preparation of summaries of External Examiners' findings for publication if relevant.
- Arrangements for the submission of reports.
- Arrangement for payment of fees and expenses.

The institution's written briefing should include:

- A comprehensive list of institutional contacts, administrative and academic, with an indication of who to contact about what. This will vary according to where responsibility for different aspects of the relationship with External Examiners is handled in the institution.
- Information on the institution.

- The programme handbook, incorporating the programme specification, which will include any programme specific assessment regulations, marking schemes and assessment criteria – both generic and module-specific, as appropriate.
- Information about internal moderation arrangements.

Arrangements relating to moderation of assessment:

The Head of Department or Programme Leader is usually responsible for:

- Arranging External Examiners' scrutiny of assessment-setting.
- Arrangements for sampling of assessments which are usually negotiated with the External Examiners, in accordance with the OU's expectations as set out in section F2.3.
- Provision of marking schemes and the internally moderated list of marks for the cohort being assessed.
- Arrangements for attendance at Boards of Examiners.
- Examiners and any other visits, for example observation of practice, indicating timing and who to contact.
- External Examiner involvement in resit examinations, appeals, cases of cheating and plagiarism.

F3.3 Induction meetings

It is recommended that new External Examiners are invited to visit the institution as soon as possible after appointment to clarify their role and responsibilities, to meet staff and, if desired, students. This will also provide an opportunity to discuss interactions during the academic year such as dates of visits and sampling of assessments.

If there is a group of new External Examiners, the institution may wish part of the visit to be a generic induction meeting, introducing general policies and regulations.

Some institutions hold open meetings for all External Examiners to provide general briefing about developments and opportunities for discussion at programme level.

The SQPM or other OU representatives will attend External Examiner induction meetings.

F4 Board of Examiners requirements

F4.1 Appointment of boards of examiners

The Regulations for Validated Awards of the OU, section G, provides information on the appointment, membership, and authority of the Boards of Examiners.

F4.2 Timing of boards of examiners

The OU requires that dates for formal meetings of Boards of Examiners are scheduled by the institution, with input from the SQPM, at the start of the academic year and forwarded to the OU. The OU will send representatives to attend all final award and progression boards of examiners, and institutions must advise the OU of any subsequent change to the dates. In some cases, the OU will chair the meetings of Boards of Examiners. In this scenario, the chair will be a senior member of OU academic staff. This will be confirmed with the institution at the start of each academic year and detailed in the Partnership Development Plan.

Dates should be agreed (with External Examiners) at the earliest opportunity, normally at an annual meeting, for the coming year and not changed thereafter except by agreement of all parties involved. Dates for other events such as approval of draft papers or assignment/project titles should be fixed at the same time and arrangements made for the involvement of External Examiners as appropriate. Arrangements and dates should also be established for dealing with any reassessments. These arrangements will commonly involve agreed delegation to designated members and officers of the board working with the appropriate External Examiners.

F4.3 Delegation of responsibility for assessments

The approved Board of Examiners is responsible for the reassessment or deferred assessment of students. The board may, at the time when it first meets to decide its recommendations, agree arrangements for delegating that responsibility to a sub-group, which must include at least one External Examiner. Such delegation will not be appropriate for all reassessments or deferred assessments and the board must be satisfied that it is appropriate in the circumstances before agreeing to delegate responsibility.

F4.4 Documentation for boards of examiners and record keeping

The OU requires that the institution's Academic Board or equivalent ensures that arrangements are made to appoint a Secretary to each Board of Examiners and that institution keeps detailed and accurate records of each Board of Examiners' procedures and decisions, including the circumstances under which academic discretion is exercised. The OU will provide training and support with these activities, as detailed in the Partnership Development Plan.

The Registrar (or equivalent) or a nominee – acting with the authority of the Secretary to the Academic Board – should normally be appointed as Secretary.

Documentation for boards of examiners will typically include:

- An agenda that is circulated to all board members in advance of the meeting and includes a reminder to members of the need to maintain appropriate confidentiality.
- Minutes of previous meeting(s), confidential and members should be reminded to take appropriate care in their use and storage of them.
- Mark sheets that contain all assessment components completed by students, together with information about pass marks for each component. The University may wish to receive these in advance of the meeting
- Statistical analyses of marks sufficient to allow the identification of any trends in

student performance or marking practice which warrant the board's attention.

- Quantitative data on progression and completion detailed on the OU template, 'Exam Board Data', for each programme being examined, to include:
 - for each stage of the programme, the total number of students being considered at the exam board
 - the number of students awarded a degree
 - the number of students awarded a degree at each classification (as appropriate)
 - if any aegrotat awards have been made these should be included in the totals and details of the award appended separately.
- The regulations for the programme as approved by the OU.
- The OU's regulations on issues such as the treatment of borderline cases, rounding of results, extenuating circumstances, and academic misconduct.
- Reports from any subsidiary boards, including any reports on extenuating circumstances or student misconduct.

Mark sheets will normally be tabled at the meeting and under no circumstances should members remove them afterwards.

Where recommendations for conferment of awards are to be made the Board of Examiners may need appropriate results information from previous assessments in order that it may see overall outcomes and profiles.

The OU requires that institutions have systems in place for verifying that marks are accurately recorded to avoid transcript errors.

Recommendations regarding conferment or classification of awards should be recorded by the Secretary (on the documentation which is to be submitted to the OU) as they are agreed. The list should be read over and confirmed by the Board before being signed off by the External Examiners and before the meeting is closed.

F4.5 Powers of External Examiners

No recommendation for the conferment of a validated award of the OU may be made without the written consent of the approved External Examiners. On any matter which the External Examiners has declared a matter of principle, the decision of the External Examiners shall either be accepted as final by the Board of Examiners or shall be referred to the Academic Board. Disagreements between External Examiners shall be referred to the Academic Board or the OU, as appropriate.

F4.6 Use of Chair's action

If circumstances mean a Board of Examiners has been unable to make a final decision it is possible to use Chair's action to confirm decisions following a Board. However, this should only be used in exceptional circumstances and in agreement with the OU representative.

F5 Role of University representatives attending Boards of Examiners at partner institutions

F5.1 Guiding principles

The OU will be represented at all final examination boards at partner institutions where award and progression decisions are made.

The primary role of OU representatives is to provide support for Boards of Examiners or their committees in the continued assurance of academic standards. Attendance at Boards of Examiners will also provide for the OU an important window on the assessment process for its validated awards. The OU representatives will not participate in making academic judgements but will be able to bring their own knowledge and experience of the assessment process to the discussion of outcomes. F5.2 Terms of reference

The purpose of attendance at Progression and Award Boards is to confirm:

- that the regulations of the OU have been properly observed.
- that the assessment and qualification processes have been implemented with appropriate quality assurance and control procedures.
- that there is confidence that the precisely detailed cohort of students have met the threshold (academic) standards required for eligibility for the identified award of credit and/or qualifications.

University representatives will attend meetings of the institution's Boards of Examiners or their committees to:

- if required, to act as Chair to provide structure and ensure the appropriate running of the Board of Examiners.
- observe the conduct of the Board of Examiners in accordance with the institution's own procedures.
- provide a source of advice on the interpretation and application of university policies and of guidance offered by QAA in the UK Quality Code and elsewhere.
- alert the institution and/or the OU to policies, procedures or circumstances which seem likely to impede the effective functioning of the Board or the discharge of their responsibilities by internal or External Examiners.
- provide feedback to the OU which will be included in briefing for Institutional Review panels.

F5.2 Reports from University representatives attending Boards of Examiners

University representatives will prepare a report confirming (or otherwise) the following:

- Action from the previous meeting.
 - Issues raised at the previous meeting, including those raised by the External Examiner(s) have been addressed.
- Conduct of assessment
 - The assessments have been moderated internally in accordance with approved regulations.

- The assessments have been moderated externally in accordance with approved regulations.

Approved procedures for dealing with students with particular needs, e.g. dyslexia and other disabilities, have been applied.

F5.3 Decision-making

Progression decisions and award recommendations have been reached in accordance with the OU's requirements and normal practice in UK Higher Education. Specifically, that:

- the External Examiners have reviewed a sample of work selected according to the Handbook for Validated Award requirements and any consequent adjustments to marking scales or marks of complete cohorts have been entered in the schedules to be considered (see also QAA Quality Code and Handbook for Validated Awards, Section F2).
- classification bands were properly observed.
- students on borderlines were given appropriate consideration.
- arrangements have been made for who will deal with academic appeals.
- the application of compensation procedures was consistent with agreed regulations.
- any pleas of mitigation entered by the due date have been considered in a fair and equitable manner and in accordance with approved regulations.
- consequences of academic misconduct and other breaches of assessment regulations were discussed and dealt with appropriately and fairly, applying the approved regulations.
- entitlements and arrangements for re-assessment have been confirmed.

F5.4 Conduct of the meeting

- The meeting was competent (and quorate) to conduct the business and was conducted in accordance with its terms of reference (see also QAA Quality Code Advice and Guidance: Assessment, which contains guidance on membership and attendance).
- Mark sheets were available for each level within each award and the sheets were easy to read and understand, and additional data was provided to aid decision making where appropriate.
- An appropriate officer made a record of the Board of Examiners' decisions.
- Everyone present was familiar with and understood the regulations for the programme/award, and any general institutional regulations impacting on the programme and the criteria for progression or award.
- External Examiners were present and made an oral report to the Board.
- Approved procedures for dealing with students with impairments, such as dyslexia and other disabilities, had been applied.
- Consequences of academic misconduct and other breaches of assessment regulations were discussed and dealt with appropriately and fairly, applying the appropriate regulations.
- Partner institutions should ensure that examination boards routinely consider progression and award decisions for all students regardless of debt status.

- Progression decisions were confirmed by the Board and awards signed-off by the External Examiners.
- If the meeting did not consider all students registered for the award, clarification was provided on what arrangements were in place to deal with progress and or reassessment of the remaining students.
- Arrangements were in place for the publication of assessment results and the provision of follow-up support for failing students.
- The confidentiality of marks was secured (by collection of the mark sheets and deletion of all electronic copies).

A copy of the feedback reports prepared by university representatives on the conduct of assessment and or meetings will be submitted simultaneously both to the institution and to the OU, within two working days.

F6 Examination Boards: Requirements for the Approval of Awards

All awards recommended by partner institution Examination Boards are ratified by The Open University's Module Results Approval and Qualifications Classification Panel (MRAQCP). This panel has the authority of the OU Senate to ratify the recommendations of all Examination Award Boards (EAB) after satisfying itself that the recommendations have been determined with due regard to the approved regulations, that the correct procedures have been followed and that the appropriate academic standards have been upheld. This Panel has the authority of the OU Senate to overrule any result recommendation which is contrary to approved regulations. In practice, the Panel would normally refer the concern back to the partner institution in the first instance to arrange for the EAB to reconsider the results.

Results must not be issued to students until they have been ratified and formal notice has been received from the OU that they can be released.

To ensure that MRAQCP can discharge its responsibilities we require our partner institutions to provide key information following examination boards. Additionally, examination board dates must be confirmed well in advance and the recommendation is that the dates for the following year's boards are set at the previous board.

Partner Institutions are requested to provide the following document:

- Award Recommendation List, signed as indicated.

The number of students recommended for awards on the recommendation list must correspond to the number of awards on the spreadsheet (both degrees and exit awards). [Guidance on completing the examination board spreadsheet](#) is available in the Exam Boards section of the OUVS website.

The documents should be sent to the ouvp-examboards@open.ac.uk e-mail address within two working days of the Examination Board. Failure to supply the required paperwork in a timely fashion may result in extra delays in the approval of the results. Once the paperwork has been submitted, it will be checked and dealt with by MRAQCP within 7 working days of receipt. Where MRAQCP raise concerns regarding the Exam Board paperwork, the partner institution will be asked for further clarification. If an immediate response is required a deadline of 6 weeks will be given. If MRAQCP are not satisfied with the response, further action may be necessary.

F7 Graduation Ceremonies

There is no option for individual students to attend OU graduation ceremonies unless this has been explicitly agreed with the individual partner institutions or within the contract.

Should institutions hold local ceremonies for their graduating students there are no Open University stipulations regarding academic dress that need to be followed.

G Registration

G1 Student registration

G1.1 Student registration with the OU

Partner institutions are required to register students enrolled on validated programmes or stand-alone modules with the OU. [Guidelines related to student registration](#) are published every year and can be downloaded from the OUVV website.

Institutions should nominate specific registration contacts who will have access to the OUVV registration portal. Each registration contact will be provided with log-in and password details. A direct line, or mobile phone number will be required for each contact to enable multi-factor authentication at log-in.

There are two main registration sessions, commencing on 1 September and 1 March each year. Institutions who register students outside of the above main registration periods should notify OUVP-Admin@open.ac.uk.

Students' personal data to be submitted to the OU includes full name, gender, date of birth, residential address, contact phone number and email address. It should also include details of the institution; the programme of study and the award being sought. Students should be informed that all information provided to the OU and held on computer files are subject to the institution's registration with the Data Protection Registrar, which allows for access by or disclosure to the OU for registration and conferment of awards.

Full instructions and templates relating to the registration process are sent to individual institutions, on an annual basis.

G1.2 Maintenance of student records

Please ensure that full legal names of students are given at registration. Institutions should also advise students that they need to notify the Institution of any change to their name, prior to conferment. An award certificate will not be amended or reissued in a different name if a change of name is notified after the date the qualification is conferred, except in the case of an error by The Open University or by the Institution, or if a valid request is made under the Gender Recognition Act 2004.

Throughout the year, Institutions are also required to perform regular maintenance activities to ensure that student records are accurate at all times. The student maintenance session will be available all year. The maintenance session gives access to all current student records. Within the maintenance session, institutions should update changes to student names and contact details. The maintenance session should also be used for withdrawing and deferring students. All students withdrawing from a programme should be presented to the relevant examination board and a check made for any exit awards due.

During registration sessions, the maintenance session can also be used to:

- Transfer students to another validated award.
- Re-register students on a higher award.
- Second register on students on unrelated awards.
- Concurrently register a student on an additional award.

The OU will undertake an audit of partner institutions' student records annually.

G1.3 Maximum period of registration

Students will remain registered with the OU for three years beyond the expected duration of

the validated award. This policy applies to both full-time and part-time modes of study. If a student wishes to complete a programme of study after this period, it will be necessary to re-register.

All institutions are required to comply with [The Open University's regulations](#).

G1.4 Staff member registration on OU Validated Awards

The OU requires partner institutions to have formalized procedures for the consideration of assessments for staff within their own institutions undertaking OU validated awards before registering staff members on OU Validated Awards. The full procedures are in Section F1.28 of this handbook.

G1.5 Student Transcripts

As the Validating Institution, the OU has a responsibility to ensure that adequate backup is in place in the event of a Partner Institution no longer being able to issue replacement records of study. In order to meet these requirements, Partner Institutions are required to provide OUVP with transcripts for all students (completing and progressing) on an annual basis. These transcripts should conform to section 4.3 of the [Diploma Supplement](#) which can be found on the OUVP website. The transcripts should be provided by the end of November each year. An annual request for this data will be sent out with detailed guidance.

Transfer of the student records will be via a secure file transfer system and the files received will be securely and confidentially stored. Details of the secure file transfer system will be provided with the annual request.

G1.6 Student Diploma Supplements

Partner Institutions should ensure that all students completing an award are issued with a comprehensive [Diploma Supplement](#). An exemplar Diploma Supplement can be found on the OUVP website.

H Equality and diversity

H1 Equality and Diversity

The OU expects its partner institutions to have equality and diversity policies that are compatible with those of the OU and comply with the UK Quality Code produced by the Quality Assurance Agency for Higher Education (QAA).

See particularly [advice and guidance sections on the QAA website](#) which cover 'Admissions, recruitment and widening access', and 'Enabling student achievement'.

You may find the OU's policies helpful. These can be found on the OU's [Equality and Diversity website](#).

The OU's vision of a fair and just society

The Open University is innovative, responsive, and inclusive.

We promote educational opportunity and social justice by providing high-quality education to all those who wish to realise their ambitions and fulfil their potential.

Statement by Vice-Chancellor of The Open University and the Dean for Equality, Diversity, and Inclusion at The Open University:

'We deliver world-class, part-time education to people across the four nations of the UK, Ireland and worldwide. We make a significant contribution to employability and productivity, strengthening the UK economy.

Since 1969, we have promoted educational opportunity and social justice by providing high-quality education to all those who wish to realise their ambitions and fulfil their potential. More than 2 million people have experienced this life-changing learning through their study with us.

Our mission is to be open to people, places, methods, and ideas and this means that a commitment to equality is embedded in all that we do. We celebrate diversity and the strengths that it brings, we challenge under-representation and differences in outcomes.

Discrimination arising from individual characteristics and circumstances is not only unlawful, but a waste of talent and a denial of opportunity, preventing individuals, organisations, and societies from achieving their growth potential.

The [Open University's Equality Scheme](#) and Institutional Equality Objectives are available on the OU [Equality and Diversity website](#).

Appendix 1: Student Complaints and Appeals Procedure

Appeals and complaints procedures for students approaching The Open University having exhausted all appropriate internal procedures at their own institution.

1 Introduction

The OU is interested in the concerns of students undertaking programmes at its partner institutions. The majority of such concerns can usually be dealt with informally by speaking to your course or programme leader or department within your institution. If your concerns cannot be addressed informally, you must access your institution's own internal procedures which have been approved by the OU for dealing with such matters. If after following your institution's internal procedures, you still feel that your concerns have not been properly addressed, you may approach the OU to request a review of your appeal or complaint if you have grounds as outlined in Section 5 Stage 1 or Section 6 Stage 1 below. You may seek guidance on procedural matters from the OU.

2 Your rights and responsibilities as a student

If you are studying on an OU validated programme you have the opportunity to approach the OU, either individually or collectively, regarding matters of proper concern to the OU, providing you can demonstrate that you have exhausted all the appropriate procedures open to you at your institution. You may do so without disadvantage and in the knowledge that your privacy and that of any third party will be respected if specifically requested. You should approach the OU about your concerns through the Open University's Student Casework Office (SCO). The OU defines complaints and appeals as follows:

What is a Complaint?

The OU defines a complaint as 'an oral or written expression of dissatisfaction concerning the provision of a programme of study or related academic or administrative service, which is not an appeal against a decision.'

Concerns about the provision of a service or facility or the failure to provide a service or facility, where the standard of the service or facility has fallen below the standard that might reasonably be expected or where there is a reasonable expectation that the service or facility would be provided would be covered by the Complaints Procedure.

What is an administrative appeal?

The OU defines an administrative appeal as 'a request for a review of a decision taken by an individual or body charged with making decisions about any aspect of a student's access to learning or learning experience with the OU which is not an academic decision', decisions about registration processes, fee liability, financial support, exceptional arrangements, and reasonable adjustment which are not academic in nature are considered to be administrative appeals. Administrative appeals presented to the University from students at partner institutions are considered under the University's Complaints Procedure.

What is an academic appeal?

The OU defines an academic appeal as 'a request for a review of a decision of an academic body charged with making decisions on admission, assessment, student progression and awards.'

Decisions about entry requirements, reasonable adjustments for teaching and assessment for students with disabilities, progression rules, academic misconduct, assignment marks, module results, thesis submission and the award and classification of qualifications would be covered by the Academic Appeals Procedure.

Complaints and appeals that may fit into more than one category

If you raise a complaint or appeal which does not fall neatly into the category of either a complaint or an appeal or if your concern contains issues of complaint and an appeal, the OU will advise you which issues will be looked at under which procedure. This will be irrespective of which procedure you have used to formally raise your concern.

Your concern may be dealt with under the alternative procedure if that is appropriate. The OU may decide to consider all matters together particularly if, for example, the findings of a complaint are likely to influence a decision regarding an appeal. You will be advised of any implications of the following two procedures at once, and the OU may suspend one procedure pending the outcome of the other.

You must ensure that you have exhausted the appropriate internal procedures at your institution before approaching the OU.

The OU's regulations for validated awards require institutions offering validated programmes to have their own procedures by which student appeals and complaints can be heard. The OU approves these procedures at Institutional Approval and monitors them through annual reporting and periodic Institutional Review. The OU is therefore confident that appropriate appeals and complaints procedures are in place in all its partner institutions, which is why there is no right of appeal or complaint to the OU in the first instance.

When requesting a review of your appeal or complaint, you are entitled to:

- Be dealt with impartially and in accordance with the OU's equality and diversity strategy.
- Guidance from your institution and the OU on the procedure to follow to request a review of your appeal or complaint by the OU.
- Claim from your institution any reasonable and proportionate incidental expenses that you have necessarily incurred if your appeal or complaint is upheld by the OU.
- Access information held about you, both in your institution and in the OU, and to be kept informed of progress in relation to your appeal or complaint.
- Withdraw an appeal or complaint without prejudice at any time during the procedure.

If you wish to withdraw an appeal or complaint, you must inform the OU in writing. Any decision made by the OU or the institution at the previous stage in the procedure will then be upheld and become the outcome.

When requesting a review of your appeal or complaint, you must:

- Ensure that you have exhausted all your institution's own internal appeals and complaints processes within the specified timescale and explain how or why the institution's processes failed to satisfy you, beyond a simple disagreement with the outcome.
- Ensure that you provide the OU with all the information necessary for dealing with your appeal or complaint, including supporting evidence. You must respond promptly to requests for further information or clarification.
- Your complaint or appeal must establish that there are relevant grounds for the OU to review your appeal or complaint.
- Not attempt to use the OU's appeals or complaints procedures to bring frivolous or vexatious matters to the OU's attention.

Legal action

These complaints and appeals procedures are designed to help us to resolve problems and difficulties as quickly and easily as possible. We recommend that you do not take legal action against the OU until these procedures have been completed. This includes, where eligible, taking your complaint or appeal to the Office of the Independent Adjudicator under the Scheme of Independent Adjudication for Higher Education established by the Higher Education Act 2004. If you do take legal action against the OU before those procedures are completed, we will ask you to stay your action until they are completed in accordance with civil procedure rules which encourage the parties to try to resolve issues without court proceedings wherever possible.

3 Your institution's rights and responsibilities

Your institution is responsible for dealing with your initial appeal or complaint in accordance with the Student Complaints and Appeals Procedure approved by the OU. It will carry out this responsibility by:

- Ensuring that the Student Complaints and Appeals Procedure of both the institution and the OU are easily accessible to all students on OU validated programmes.
- Informing you of the outcome of its internal procedures in writing, this letter is important, and you will need it if you wish to request a review of your appeal or complaint by the OU.
- Responding in an open and timely manner in relation to any requests made by the OU in relation to an appeal or complaint, without disadvantage to you.
- Acting in accordance with recommendations made following the outcome of an appeal or complaint review by the OU.
- Providing information on appeals and complaints to the OU as part of its obligations in relation to annual monitoring and periodic review.
- Reporting to the OU on action it has taken in response to a review of an appeal or complaint.

Your institution has a right to be heard and to present its case in relation to any appeal or complaint review case made against it.

4 The Open University's responsibilities

The OU is responsible for approving the Student Complaints and Appeals Procedure in institutions offering OU validated programmes. The OU is also responsible for monitoring and reviewing institutions' internal procedures through its annual reporting and periodic review processes.

The OU will monitor how information about both the OU's Student Complaints and Appeals Procedure and the institution's procedures is made available to students, as part of Institutional Approval and Review. The OU will ensure that:

- It provides guidance on the Student Complaints and Appeals Procedure and arranges further support if requested.
- Students have the opportunity to raise concerns without being disadvantaged.
- Once a request for a review of an appeal or complaint has been received, it is dealt with in a timely manner, normally within forty working days.
- It upholds students' rights, including access to relevant information.
- All persons investigating or adjudicating upon an appeal or complaint do so impartially and do not act in any matter in which they have a material interest or in which any potential conflict of interest might arise.

- Its Student Complaints and Appeals Procedure are operated in accordance with its equality and diversity strategy.
- Students are informed in writing of decisions and the reasons for them, of progress and of any delays in relation to a review of their appeal or complaint.
- If your complaint or appeal is upheld, the OU will ensure that noted actions and recommendations are enacted and that outcomes drive improvement and enhancement.

The OU will monitor, evaluate, and review its own appeals and complaints procedures, as well as its arrangements for monitoring and reviewing the internal procedures of partner institutions. In doing so, it will consider current good practice and changes in legislation.

5 University academic appeals procedures

Stage 1 – Can I request a review of my appeal by the OU?

You can only request that the OU reviews your academic appeal if all of the following are true:

- Your academic appeal is against an institutional body, such as an assessment board, or admissions board, and the decision related to one or more of the following:
 - Your final award.
 - Your progression from one stage or level of the programme to the next.
 - Your assessment on the programme.
 - Your admission to the programme.
 - You can demonstrate that you have exhausted all appropriate internal procedures open to you at your institution.

And:

- You have grounds to believe that the partner institution's internal procedures and regulations for dealing with appeals were not interpreted or implemented correctly or fairly.

Disagreement with the academic judgement of an institutional body - an assessment board, or an admissions board - cannot of itself constitute grounds for an appeal. Reconsideration of decisions may only take place if:

- You produce documentary evidence that performance was affected by factors which you were unable, or for valid reasons unwilling, to divulge before the institutional body made its decision.
- You produce evidence that there has been a material administrative error, or that the assessments were not conducted in accordance with the current regulations for the programme, or that some other material irregularity has occurred.
- If the matter that concerns you does not meet these conditions, it may be possible to request further consideration by requesting that the OU review a complaint about the matter. Please refer to the OU's Complaints Procedures (section 6) for further information.

Stage 2 - How do I request that the OU reviews my academic appeal?

If you have exhausted all the appropriate internal procedures open to you at your institution and you believe that you have met all the conditions outlined in Stage 1 above, you may submit a request that your academic appeal be reviewed by the OU.

How do I submit an academic appeal?

You must submit the request for your academic appeal to be reviewed in writing and your letter must include the following information:

- Your contact address and telephone number.
- The name of the institution at which you are studying.
- The name of the programme on which you are studying.
- The specific decision you are appealing against.
- Documentary evidence that you have exhausted your institution's own internal procedures including copies of written correspondence between yourself and your institution concerning the decision you are appealing against, and a copy of the letter from your institution notifying you of the outcome of its internal appeals procedure.
- A clear statement explaining why you are appealing and how your appeal meets the conditions specified in stage 1.
- Documentary evidence to support the grounds on which you are appealing. If you fail to provide all of the above, your appeal will be delayed and may eventually be dismissed.

Important: please read carefully:

The OU will make every attempt to respect your privacy and confidentiality when dealing with your appeal. However, unless you specifically state otherwise, the OU will assume that you have given permission to disclose as necessary any of the information you provide. If you wish any matter to remain private or confidential, you must state so clearly in your letter. If you do not wish the OU to disclose information, it may not be possible to consider your appeal appropriately.

When can I submit an academic appeal?

It is important that the OU receives your appeal as soon as possible, and within three months of the outcome of your institution's internal procedures. Furthermore, the OU and your institution may be unable to investigate fully appeals received after a significant time lag.

Where should I submit the academic appeal?

Appeals must be sent to:

The Vice-Chancellor's Delegate,
Academic Services,
Student Casework Office,
The Open University,
Walton Hall,
Milton Keynes,
MK7 6AA,
United Kingdom.

Stage 3 - What will the OU do next?

On receipt of your academic appeal:

When the OU receives your appeal, a formal acknowledgement of receipt will be sent to you. Your letter will then be checked to ensure that all the necessary information has been provided as listed in stage 2.

If information or evidence is missing, your original appeal will be returned to you with a letter requesting the missing information. You will be given a deadline by which you must respond. If you do not respond by that deadline, your appeal will be dismissed. This decision will be final.

or

If you have provided all the necessary information, your appeal will proceed to Initial Evaluation.

Initial evaluation of the grounds of your academic appeal:

Once you have provided all the necessary information, your appeal will be considered against the conditions listed in stage 1.

If your appeal does not meet the conditions listed in stage 1 or is considered to be frivolous or vexatious, it will not be considered further and will be dismissed. This decision will be final, and you will be informed of this in writing by the OU, giving the reasons.

or

If it is clear that your appeal meets the conditions listed in stage 1, your appeal will proceed to Investigation.

Investigation:

The OU will normally write in confidence to an appropriate senior member of your institution asking for comments on specific issues that appear to require investigation or response. It will determine these issues from your letter and supporting evidence. The OU will need to pass information provided by you on to the institution in order to address your academic appeal. If you do not wish the OU to disclose any private or confidential information, it is your responsibility to specify this in writing. Please note that disclosure is normally necessary to progress your appeal. The OU will expect the institution to investigate the matter urgently and will provide a deadline to the institution.

In some cases, further correspondence might be needed, particularly if the appeal is complex. It is also possible that the OU will contact you to ask for further clarification or information. The OU will keep you informed of progress and of any delays.

Any person identified in a complaint or involved in the decision being appealed will be given details of the complaint or appeal and have the right to respond as part of the investigation.

Stage 4 - How might my academic appeal be resolved?

The OU will seek to resolve your appeal within forty working days of receiving your complete appeal letter. It will base its decision on the information provided by you and the institution in response to its investigation.

There are three possible outcomes:

- The OU may inform you and your institution that there is no case for any further action and may therefore dismiss your appeal. The OU may reach this decision if on investigation it finds no evidence to support your appeal on the grounds you stated. This decision is final.

or

- The OU may inform you and your institution that you have legitimate grounds for an appeal. The OU will then refer the appeal back to your institution advising on the

necessary action required to reach a satisfactory conclusion. The action required might be for your appeal to be reconsidered through the institution's own internal procedures, or for the body that made the decision to reconsider. The OU will follow up this decision by requiring the institution to report on what action has been taken to resolve the matter by an agreed deadline. The OU reserves the right, in exceptional circumstances, subsequently to refer the matter to an Appeals Panel as in 5.5 below. The institution will also be expected to meet any reasonable expenses you have incurred as a result of submitting an appeal to the OU for review.

or

- If the OU considers the appeal to be too complex to be resolved by correspondence within the time scale of forty working days, the matter will be referred to an Appeal Panel.

You and your institution will be informed of the outcome in writing.

Stage 5 - Attending an Appeal Panel

If the OU considers that your appeal should be investigated further, a specially convened Appeal Panel may be established to consider your appeal on behalf of the OU. The OU will seek to convene the panel within forty days of receiving the decision as indicated in stage 4. This is the last stage of the academic appeals procedure and the panel's decision will be final.

Appeal Panel Membership

An Appeal Panel will consist of:

- The Chair of the OU Curriculum Partnerships Committee or a nominee as Chair.
- Another member of the OU Curriculum Partnerships Committee, external to the OU, with appropriate knowledge and experience.
- The Vice-Chancellor's Delegate or the Director of the Open University Validation Partnerships (OUVP), or their nominee.
- A member of a recognised student group.

Appeal Panel members must participate impartially. Therefore, no member of the Appeal Panel may act in any matter in which they have a material interest or in which any conflict of interest might arise.

Attendance

You will be expected to attend to speak to the panel and may be questioned. You may bring a witness. You may also be accompanied by someone, such as a student advisor, who may attend and speak on your behalf, or support you. You must inform the OU of the attendance, name and status of any person representing you at least ten working days in advance of the panel.

The following will also attend:

- The academic registrar or equivalent of your institution, or nominee.
- The Chair of your institution's body against whose decision you are appealing, or their nominee.
- Any relevant witnesses required by the partner institution.
- Any further relevant parties required by the OU.
- A SCO or OUVP Officer as secretary.

Responsibilities

The OU will be responsible for:

- Convening the panel and attendees.
- Organising a venue and necessary catering.
- Producing a draft agenda.
- Informing all parties of the time and venue.
- Disseminating documentation to all parties.
- Reporting the outcome of the panel to all parties and producing the final report.

You will be responsible for:

- Providing the OU with information regarding your availability so that a panel may be convened.
- Informing the OU of any relevant witnesses you wish to attend.
- Informing the OU of any person you wish to attend to support you.
- Providing the OU with any further information that the panel requires.
- Attending the panel in order to present your case and answer any questions.
- You may decide not to attend the panel in person, if so, you may appoint a representative. You must inform the OU of this at least ten working days before the panel.

If you find you are unable to attend the panel after a date has been agreed, you must inform the OU at least 48 hours in advance. If possible, the panel may be reconvened at a more suitable time. If you do not give at least 48 hours' notice, the panel will meet without you, unless you can provide prior evidence that your non-attendance is outside your control.

Your institution will be responsible for:

- Ensuring that the academic registrar or equivalent, or nominee is in attendance to present the institution's case.
- Ensuring that the Chair of the institutional body making the decision appealed against, or their nominee, is in attendance to answer questions.
- Providing the OU with the availability of those to attend so that a panel may be convened.
- Informing the OU of any relevant witnesses it wishes to be invited to attend.
- Providing the OU with any further information that the panel requires.

If the institution's representatives find that they are unable to attend the panel after a date has been agreed, they must inform the OU at least 48 hours in advance. If possible, the panel may be reconvened at a more suitable time. If the institution does not give at least 48 hours' notice, the panel will meet without them, unless they can provide prior evidence that their non-attendance is outside their control.

Your rights

Both parties will be given at least ten working days' notice of the date and place of the Appeal Panel. The Appeal Panel may take place remotely through telephone/video participation.

Both parties will be provided with copies of the documentation received by the Appeal Panel at least four working days before it convenes.

If the Appeal Panel is not being held remotely, both parties are entitled to separate rooms at the venue in which to wait and prepare for the Appeal Panel.

Both parties will be allowed the opportunity to present their case to the Appeal Panel.

The student has the right to be accompanied at the Appeal Panel. The person accompanying the student has the right to be heard. The OU must be informed about the person who is to accompany the student at least ten working days before the Appeal Panel convenes.

Both parties will be entitled to call witnesses relevant to the appeal. Any witness must be notified to the OU at least ten working days before the Appeal Panel. Both parties will be allowed the opportunity to question the other party and their witnesses.

The Appeal Panel will need to meet in private at times to discuss outstanding issues or to agree their conclusions. Neither party will be entitled to be present during any private meeting of the Appeal Panel.

Both parties will be informed of the outcome of the Appeal Panel within 24 hours. Written confirmation of the outcome will be posted within 24 hours and the full confirmed report will be sent within ten working days.

What might the outcome of the Appeal Panel be?

Possible outcomes are:

- The OU may inform you and your institution that there is no case for any further action and may therefore dismiss your academic appeal. The OU may reach this decision if, on investigation, it finds no evidence to support your appeal on the grounds you have stated.
- The OU may inform you and your institution that you have legitimate grounds for an academic appeal. The OU will then refer the appeal back to your institution advising on the necessary action required to reach a satisfactory conclusion.

The Appeal Panel's decision is final.

The Office of the Independent Adjudicator for Higher Education

Once a student has completed all the internal procedures if they are still dissatisfied with the outcome, they may be able to apply for a review of the matter to the Office of the Independent Adjudicator for Higher Education (OIA).

The OIA was set up under the Higher Education Act 2004 to provide 'an independent student complaints scheme'. All HEIs in England and Wales are required to comply with the scheme, which is free to students. Under the rules, a student who has exhausted the full complaints, appeals or disciplinary procedure available to them within the OU, must be informed, via a 'Completion of Procedures' letter of their right to a review by the OIA.

Further details are available at: www.oiahe.org.uk/.

Where to get further help and guidance

You can contact the OU for advice and guidance on the OU's Appeals and Complaints Procedures. Please contact the SCO in one of the following ways:

Contact SCO by email: SCO-VC-Delegate@open.ac.uk

Contact SCO by phone: +44 (0)1908 659535

Address:

The Vice-Chancellor's Delegate,
The Open University,
Academic Services,
Student Casework Office,
Walton Hall,
Milton Keynes,
MK7 6AA,
United Kingdom.

For further support and advice, please contact your Student Union or the student representative body in your institution, and where appropriate the NUS.

6 University complaints procedures

Stage 1 – Can I request a review of my complaint by the OU?

You can only request that the OU reviews your complaint if all the following are true:

- You have a legitimate complaint about a service, or lack of service for which your institution is responsible, and this impacts directly and substantively on the academic standards of the OU validated programme on which you are studying. It must relate to a service that you were led to expect would be provided, or an aspect of your access to learning or learning experience with the OU which does not relate to an academic decision.

and

- You can demonstrate that you have exhausted all appropriate internal procedures open to you at your institution.

and

- That the partner institution's internal procedures and regulations for dealing with complaints were not interpreted or implemented correctly or fairly.

or

- That the matter has not been properly addressed by the institution's own internal procedures.

If your complaint is not directly related to the academic standards of the OU validated programme on which you are studying, then you may be able to take your complaint directly to the Office of the Independent Adjudicator (OIA) if your institution is a member of their scheme. Further details relating to the OIA can be found later in these procedures. If you are in any doubt who you should raise a complaint with, please contact the OU, contact details can be found below.

Stage 2 – How do I request that the OU reviews my complaint?

If you have exhausted all the appropriate internal procedures open to you at your institution and you believe your complaint meets the conditions listed in stage 1 above, you may submit a request that your complaint be reviewed by the OU.

How do I submit a complaint?

You must submit a complaint in writing. Your letter must include the following information:

- Your full name, contact address and telephone number.
- The name of the institution at which you are studying.
- The name of the OU validated programme on which you are studying.
- A detailed statement explaining what you are complaining about and why.
- Documentary evidence that you have exhausted your institution's own internal procedures, including copies of written correspondence between you and your institution concerning the matter that you are complaining about, and a copy.
- Of the letter from your institution notifying you of the outcome of its internal complaints procedure.
- Documentary evidence to support your complaint.

If you fail to provide all the above, your complaint will be delayed and may eventually be dismissed.

Important: please read carefully

The OU will make every attempt to respect your privacy and confidentiality when dealing with your complaint. However, unless you specifically state otherwise, the OU will assume that you have given permission to disclose as necessary any of the information you provide. If you wish any matter to remain private or confidential, you must state so clearly in your letter. If you do not wish the OU to disclose information, it may not be possible to consider your complaint appropriately.

When can I submit a complaint?

It is important that the OU receives your complaint as soon as possible and within three months of the outcome of your institution's internal procedures. A delay may mean that the OU and the institution are unable to investigate the matter fully.

Where should I submit the complaint?

Complaints must be sent to:

The Vice-Chancellor's Delegate,
The Open University,
Academic Services,
Student Casework Office,
Walton Hall,
Milton Keynes
MK7 6AA
United Kingdom.

Stage 3 – What will the OU do next?

On receipt of your complaint

When the OU receives your complaint, a formal acknowledgement of receipt will be sent to you.

Your letter will be checked to ensure that all the necessary information has been provided as listed in stage 2.

If information or evidence is missing, your original complaint will be returned to you with a letter requesting the missing information. You will be given a deadline by which you must

respond. If you do not respond by that deadline, your complaint will be dismissed. This decision will be final.

or

If you have provided all the necessary information, your complaint will proceed to Initial Evaluation.

Initial Evaluation of the grounds of your complaint

Once you have provided all the necessary information, your complaint will be considered against the grounds as listed in stage 1. If your complaint does not meet the conditions listed in stage 1 or is considered frivolous or vexatious, it will not be considered further and will be dismissed. This decision will be final. You will be informed of this in writing by the OU, giving the reasons.

or

If it is clear your complaint meets the conditions listed in stage 1 your complaint will proceed to Investigation.

Investigation

The OU will normally write in confidence to an appropriate senior member of your institution asking for comments on specific issues that appear to require investigation or response. It will determine these issues from your letter and supporting evidence. The OU will need to pass information provided by you onto the institution in order to address your complaint. If you do not wish the OU to disclose any private or confidential information, it is your responsibility to specify this in writing. Please note that disclosure is normally necessary in order to progress your complaint. The OU will expect the institution to investigate the matter urgently and will provide a deadline to the institution.

In some cases, further correspondence might be needed, particularly if the complaint is complex. It is also possible that the OU will contact you to ask for further clarification or information. The OU will keep you informed of progress and of any delays.

Any person identified in a complaint or involved in the decision being appealed will be given details of the complaint or appeal and have the right to respond as part of the investigation.

Stage 4 – How might my complaint be resolved?

The OU will attempt to resolve your complaint within forty working days of receiving your letter. It will base its decision on the information provided by you and the institution in response to its investigation.

There are two possible outcomes:

- The OU may inform you and your institution that there is no case for any further action and may therefore dismiss your complaint. The OU may reach this decision if on investigation it finds no evidence to support your complaint, or that the institution has taken all the steps that could reasonably be expected to address the matter. This decision is final.

or

- The OU may inform you and your institution that you have legitimate grounds for complaint. The OU will then refer the matter back to your institution advising on the necessary action required to reach a satisfactory conclusion. The action required might vary considerably depending on the complaint. The OU will follow up this decision by requiring the institution to report on what action has been taken to resolve the matter by an agreed deadline. The institution will also be expected to meet any

reasonable expenses you have incurred as a result of submitting a complaint to the OU for review. This decision will be final.

The Office of the Independent Adjudicator for Higher Education

Once a student has completed all the internal procedures if they are still dissatisfied with the outcome, they may be able to apply for a review of the matter to the Office of the Independent Adjudicator for Higher Education (OIA).

The OIA was set up under the Higher Education Act 2004 to provide 'an independent student complaints scheme'. All HEIs in England and Wales are required to comply with the scheme, which is free to students.

Under the rules, a student who has exhausted the full complaints, appeals or disciplinary procedure available to them within the OU, must be informed, via a 'Completion of Procedures' letter of their right to a review by the OIA. Further details are available at www.oiahe.org.uk/.

Where to get further help and guidance

You can contact the OU for advice and guidance on the OU Appeals and Complaints Procedures. Please contact the Student Casework Office in one of the following ways:

Contact SCO by email: SCO-VC-Delegate@open.ac.uk

Contact SCO by phone: +44 (0)1908 659535

Address:

The Vice-Chancellor's Delegate,
The Open University,
Academic Services,
Student Casework Office,
Walton Hall,
Milton Keynes,
MK7 6AA,
United Kingdom.

For further support and advice, please contact your Student Union or the student representative body in your institution and where appropriate the NUS.

Appendix 2: Requirements for Programme Documentation

Background document

The background document for validation and revalidation proposals will provide the context and rationale for the proposal, describing how it has involved consultation with all stakeholders including students, staff, employers, and other external input. It will be produced specifically to facilitate the (re)validation process and to assist a panel that may not be familiar with the institution or the background to the proposal. It should be reflective and analytical. It will be treated as a confidential document. The OU has identified minimum requirements for background documentation. The [template for submission for validation](#) is available on the OUVF website.

Critical appraisal (for revalidation proposals)

In the case of revalidations, the background document should also incorporate a critical appraisal of the success of the programme and its development in practice. The institution will draw on existing evidence to demonstrate the effectiveness of their mechanisms for managing and enhancing the programme.

The revalidation submission should include the rationale of any proposed modifications to the programme, such as the addition or replacement of new modules or pathways. This will take account of developments in the subject area that have taken place since the last (re)validation. The critical appraisal should also be informed by feedback from students, External Examiners, and other relevant external stakeholders during the approval period.

The [Background and Critical Appraisal template](#) is available on the OUVV website.

Student handbook

A draft student handbook should describe details of all aspects of the proposed programme in accessible and student-friendly language. It will include a programme specification, details of all modules that comprise the programme, as well as regulations and resources for student support (see UK HE providers - advice on consumer protection law).

The OU has identified minimum content for student handbooks, and [guidance document](#) can be found on the OUVV website.

Programme specification and curriculum map

The programme specification should provide a concise description of the programme's aims and intended learning outcomes and the means by which these will be achieved and demonstrated. The specification will help students to understand how the teaching and learning methods enable the outcomes to be achieved and how the assessment methods enable achievement to be demonstrated. An indication will be given of the relationship between the programme and its study elements and any subsequent professional qualification or career path.

The expectations regarding student achievement and attributes described by the learning outcomes must be appropriate to the level of the award within the QAA Qualifications and Credit Framework.

Learning outcomes must also reflect the detailed statements of graduate attributes set out in QAA subject benchmark statements that are relevant to the programme/award.

The programme specification is a publicly available document and must be accessible to students, teaching staff, assessors, External Examiners, employers, and the wider community. The OU has a [programme specification template](#) that all institutions must use, and which can be downloaded from the validation website.

Institutions should map the learning outcomes set out in modules specifications against the intended learning outcomes for the programme as outlined in the programme specification, to ensure overall completeness and coherence. The curriculum map is included in the Programme Specification template.

Validated programmes delivered in other languages must have a programme specification both in English and in the language of delivery.

Module specifications

For the purposes of (re)validation, module specifications should be submitted as a separate document. As the (re)validation process is generally an iterative process, having the module specifications as one document makes updating easier.

There is a [module specification template](#) for module specifications that institutions must use and is available on the website.

For programmes being used to deliver against apprenticeship standards or frameworks the following additional information / documentation should be submitted

- Clarity regarding the range of delivery modes to be used. Will apprenticeship students and non-apprenticeship students be eligible to register for the award for example?
- Apprenticeship standard (approved for delivery) which the proposed award maps to.
- Mapping of the academic award to this standard which should be appended to the programme specification.
- The approved assessment plan and details of how the academic award links to this.
- End Point Assessment details and how this will or will not link to the degree element.
- An example commitment statement that will be used.
- Work-based learning quality assurance resources. For example, Handbooks developed for the employers, mentors, practice tutors etc.

Regulatory framework and institutional policies

In addition to the student handbook, the institution's regulations (Regulations for Validated Awards of The Open University) and policies should be provided as separate documents. This includes any documents included in the student handbook either by means of a simple reference or a general statement, which includes a reference to where the full document can be found. It is accepted that this may lead to some duplication of information.

Material on institution-wide strategies and policies and procedures should be the same for all programmes considered for validation.

The policy and regulatory framework required for (re)validation submissions will typically comprise of:

Admissions policy and regulations for the programme: These will be in accordance with the OU's [Regulations for Validated Awards of The Open University](#). OU's Regulations for Validated Awards of The Open University.

Assessment/progression policy and regulations: These will be in accordance with the OU's [Regulations for Validated Awards of The Open University](#).

Staff development policy: This will be the institution's staff development policy setting out how it operates at programme level. This should include information on:

- Staff appraisal.
- Peer review or teaching.
- Induction and mentoring of new staff.
- Support to visiting and part-time staff.
- Opportunities for internal workshops.
- Opportunities for research/scholarship activities.
- Staff involvement in subject networks.

Placement learning policies and regulations/study abroad regulations:

This should cover:

- The role of supervisors/mentors.
- Criteria for approval of placements.
- Student support and information.

- Student responsibilities and feedback.
- Monitoring and evaluation of placement/study abroad opportunities.

Apprenticeship regulations for the (re) validation of programmes being used to deliver against apprenticeship standards or frameworks.

This should cover:

- The role of mentors, practice tutors, work-based learning tutors etc.
- Independent learner record and commitment statement.
- Student support and information for the workplace.
- Student responsibilities and feedback.
- Employer responsibilities and feedback.
- Monitoring and evaluation of work-based learning.
- Complaints and appeals processes for apprenticeship students.

Equality and diversity policies (covering both staffing and student matters):

The OU's expectations regarding equality and diversity are set out in Section H.

The OU expects institutions to have established internal procedures for formal approval of programme documentation. Submission documentation will be prepared by institutions in advance of preliminary (re)validation meetings and reviewed to take account of external input as part of the (re)validation process.

Process Panel Member

The OU may nominate an academic representative (the process panel member (PPM)), who will offer comments relevant to validation during the development of the programme. The PPM will be a member of both the preliminary validation meeting organised by the institution and the final validation meeting organised by the OU.

Whenever possible, the PPM should be a member of OU academic staff, although the important criterion is that the person nominated has specialist expertise relevant to the proposal.

The institution is invited to identify one external panel member – an institutional process panel member (IPPM) – for the preliminary validation panel who may also take part in the final validation, subject to approval by the OU. The aim of this is to give an opportunity for institutions to have a 'critical friend' involved in the process of considering whether the programme is ready to be (re)validated and who can link between the preliminary and the final validation meetings.

Approval of IPPMs to sit on final validation panels will be subject to the submission of a CV to the SQPM. The nomination should be submitted at an early stage, ideally in advance of the planning meeting. The following criteria will be taken into account:

- Expertise relevant to the proposal.
- Impartiality – for example, the nominee will not have had formal links with the institution in the last five years as an external examiner or a former member of staff.
- Prior experience of teaching on programmes at the same level or above.
- Where appropriate, professional expertise from a relevant professional background.
- Individuals who have been engaged by the institution as external consultants for

the proposal should not be nominated as process panel members.

Panel members will be asked to provide initial comments on (re)validation documentation including issues for consideration and further information needed, a summary of which will be shared with the institution. The OU encourages observers nominated by the institution to overview the (re)validation process and, as appropriate, attend any meetings, except those with students.

Observers will not be decision-making members of the panel but are encouraged to assist the panel by contributing information if requested. If, however, a situation should arise where the participation of observers is likely to inhibit discussion or the formulation of decisions, the Chair has the discretion to ask observers to leave until recalled.

Observers will be a member of the partner institutions academic staff but may not be members of the senior management of the institution or persons involved in the management or teaching of the programme under validation or revalidation. Observers may be invited when an Institutional Review and (Re)validation of a programme take place concurrently, subject to the prior agreement of the Chair of the panel. When this happens, observers are normally external members of the institution's Academic Board or its equivalent, or from the institution's Governing Body. Observers are not permitted at Institutional Approvals or Institutional Review meetings when these do not include the concurrent (Re)validation of a programme.

Appendix 3: Glossary

The glossary below briefly explains some of our most frequently used terms. You may also wish to refer to the glossary that the Quality Assurance Agency (QAA) provides on its website <https://www.qaa.ac.uk/glossary> (QAA 2018).

Accelerated Degree	A degree which takes a shorter time to complete than a degree which follows the standard time frame.
Access and Participation Plan (APP)	<p>Access and participation plans set out how higher education providers will improve equality of opportunity for underrepresented groups to access, succeed in and progress from higher education.</p> <p>They include:</p> <ul style="list-style-type: none"> • the provider's ambition for change • what it plans to do to achieve that change • the targets it has set • the investment it will make to deliver the plan. <p>The OfS monitors access and participation plans to make sure that the providers honour the commitments they make to students in these plans and act if they do not (OfS 2021).</p>
Policy Compliance Review	The process by which the OU assesses the administrative infrastructure of an institution to confirm that it is fit for the purpose of supporting validated programmes. It covers a wide range of administrative, financial and governance issues, including financial viability, planning, administrative staffing and processes, IT, structure, and communications.
Annual monitoring	Under the terms of institutional approval, the OU delegates to partner institutions the functions associated with assuring the quality of their programmes. The annual monitoring process is a key mechanism by which the OU assures itself that institutions are meeting their responsibilities. Annual monitoring is in the process of being replaced by the new model, Institutional and Programme Monitoring (see below).
Approval	The process by which an institution without its own degree awarding powers is given authority by the OU to provide programmes of study leading to validated awards.
Approval Letter/Re-approval letter	The formal letter by which the OU confirms to an institution that it has been (re)approved by The Open University as an appropriate organisation to offer higher education programmes leading to Open University validated awards.
Awarding body	A body with the authority to award academic qualifications, given to it by statute, royal charter, or under license from another body.

Bridging unit/programme	A unit or programme of study designed and approved to prepare students who have successfully achieved an award, such as a Foundation Degree, for direct entry to an advanced stage of another programme, usually at a higher level.
Certificate (for validated award)	An official document recording achievement of a specific award.
Conferment	When the qualification is awarded (also referred to as certification).
Credit	A means of quantifying and recognising learning, used by most institutions that provide higher education programmes of study, expressed as numbers of credits at a specific level. See also 'credit level', 'credit value', 'credit accumulation' and 'transfer schemes' (QAA, 2018). There is broad agreement amongst institutions in England that one credit represents 10 notional hours of successful learning.
Credit level descriptor	A statement of the generic characteristics of learning at a specific credit level, used as a reference point for those designing programmes of study (QAA 2021).
Curriculum map	A map of the outcomes of units of study against the intended outcomes for the programme as a whole, to ensure overall completeness and coherence.
Curriculum Partnerships Committee (CuPC)	The Open University committee. CuPC is responsible to the Education Committee for policy and regulations relating to partnerships for taught provision, including validated provision, leading to an OU award. CuPC approves and monitors the validation of partner institutions and awards offered by them.
Degree apprenticeship	An award which encompasses both academic study and workplace study, leading to a full Bachelor's degree or Master's degree.
Diploma supplement	A formal, verifiable, and comprehensive record of the learning and achievement of a student on completion of a higher education qualification.
Dual award (or double award)	The granting of separate awards for the same programme by two awarding institutions who have jointly delivered the programme of study leading to them (QAA 2012).
Enabled Validation	A capacity-building model of partnership offered to institutions with limited HE experience.
Exiting	When a partner institution exits from the validation arrangement with the OU. The decision to withdraw may come from either the partner institution or the OU.
Frameworks for Higher Education Qualifications	A published formal structure that identifies a hierarchy of national qualification levels and describes the general

	achievement expected of holders of the main qualification types at each level, thus assisting higher education providers in maintaining academic standards. The QAA publishes the following frameworks: The Framework for Higher Education qualifications in England, Wales and Northern Ireland (FHEQ) and The Framework for Qualifications of Higher Education Institutions in Scotland (FQHEIS) (QAA 2021).
Institutional agreement	The formal agreement between the OU and the partner institution, which sets out the responsibilities of each party.
Institutional and Programme Monitoring	The continued monitoring process that replaced annual monitoring and which is in a staged roll-out for partners.
Institutional Approval	The process through which an institution is judged by a group of external peers to meet the principles set out in this handbook and to provide a satisfactory environment for the conduct of programmes leading to OU validated awards.
Institutional Reapproval	The process by which an institution is critically reviewed for the purposes of confirming that it continues to meet the OU's requirements.
Interim Review	An activity to review the institution or its programmes between scheduled visits. The period of validation or institutional approval is in all cases subject to satisfactory outcomes from annual monitoring. If there is an unsatisfactory outcome or other cause for concern, an interim review may be required to look at specific concerns within a programme or at institutional level.
Learning outcome	What a learner is expected to know, understand and/or be able to demonstrate after completing a process of learning (QAA 2022).
Level (or qualification level)	One of a series of defined points on a qualifications framework that are numbered in ascending order. Qualifications within the same level share characteristics and require similar achievement. Qualification levels in different frameworks can be compared. Qualification levels are distinct from credit levels (QAA 2014).
Memorandum of co-operation	Where a programme is jointly developed or delivered, or involves significant input from an external body, respective responsibilities should be set out in a memorandum of co-operation. The purpose of this is to define the means by which the academic standards of the programme will be maintained, to ensure that the collaborative arrangements are clearly set out and operate smoothly, and that clear channels of authority, accountability and executive action are identified.
Minimum entry standards	The minimum academic entry standards required of any student to register with the institution and the OU, as set out in the OU's Handbook.

Module or Unit	A self-contained, formally structured, unit of study with a coherent and explicit set of learning outcomes and assessment criteria. Some institutions use the word 'course' to refer to individual modules (QAA 2018).
Module Results Approval and Qualification Panel (MRAQCP)	Module Results Approval and Qualification Panel (MRAQCP) – the panel that ratifies the recommendations of all Examination Award Boards when satisfied that the approved regulations and correct procedures have been followed and appropriate academic standards upheld.
Office for Students (OfS)	The Office for Students (OfS) are the independent regulator of higher education in England. Their aim is to ensure that every student, whatever their background, has a fulfilling experience of higher education that enriches their lives and careers. Their work covers all students whether undergraduate or postgraduate, national or international, young or mature, full-time or part-time, studying on a campus or by distance learning (OfS 2021).
Open University Validation Partnerships (OUVP)	Office within The Open University responsible for validating awards for academic institutions, professional bodies, companies, and other organisations.
Partner institution	see “Approval” above.
Partnership Development Plan	A plan detailing the support tools, arrangements and mechanisms agreed with an institution to enable them to successfully develop and deliver validated awards.
Preliminary Policy Compliance Review	A mock Policy Compliance Review where policies and processes that have been, and are, in development will be reviewed (see above). Required for those institutions where additional support is deemed necessary.
Professional, statutory and regulatory bodies (PSRB)	Organisations that set the benchmark standards for, and regulate the standards of entry into, particular profession(s) and are authorised to accredit, approve or recognise specific programmes leading to the relevant professional qualification(s) for which they may have a statutory or regulatory responsibility.
Programme (of study)	An approved course of study that provides a coherent learning experience and normally leads to a qualification. UK higher education programmes must be approved and validated by UK degree-awarding bodies. (QAA 2018).
Programme revalidation (review)	The process whereby an existing programme of study is critically appraised at intervals of not more than five years, in order to confirm that it continues to meet the OU’s requirements for validation.
Programme specification	Published statements about the intended learning outcomes of programmes of study, containing

	information about teaching and learning methods, support and assessment methods, and how individual units relate to levels of achievement. (QAA 2018).
Programme validation	See Validation.
Quality assurance	The systematic monitoring and evaluation of teaching and learning, and the processes that support them, to make sure that the standards of academic awards meet the Expectations set out in the Quality Code, and that the quality of the student learning experience is being safeguarded and improved. (QAA 2018).
Quality Assurance Agency or QAA	The Quality Assurance Agency for Higher Education. Its purpose is to uphold quality and standards in UK universities and colleges.
(Senior) Quality and Partnerships Manager (S)QPM	Member of staff of the OU who is responsible for managing the partnership with the institution.
(UK) Quality Code (for Higher Education)	A set of documents published by the QAA which set out the Expectations that all providers of UK higher education are required to meet and gives all higher education providers a shared starting point for setting, describing and assuring the academic standards of their higher education awards and programmes and the quality of the learning opportunities they provide. Providers use it to design their respective policies for maintaining academic standards and quality.
Quality enhancement	Taking deliberate steps at institutional level to improve the quality of learning opportunities. It is used as a technical term in QAA's audit and review processes.
Recognition/Accreditation of prior (experiential) learning (RPL/AP(E)L)	(RPL) Assessing previous learning that has occurred in any of a range of contexts including school, college, and university, and/or through life and work experiences. Once recognised through this process, prior learning can be used to gain credit or exemption for qualifications and/or personal and career development. This term is used mainly in relation to the Scottish higher education system, with the term accreditation of prior learning normally being used in the rest of the UK (QAA 2018).
Registration	The process by which a partner institution registers its students with the OU for a validated award.
Revalidation	The process whereby an existing programme of study is critically appraised at intervals of not more than five years, in order to confirm that it continues to meet the OU's requirements for validation (see programme revalidation).
Student Protection Plans (SPP)	Student protection plans set out what students can expect to happen should a course, campus, or institution close. The purpose of a plan is to ensure that students can continue and complete their studies or can be compensated if this is not possible. The OU require all partner institutions to have a student

	protection plan in place (regardless of whether they are OfS registered).
Subject Benchmark Statements (QAA)	A published statement (part of the Quality Code, Part A) that sets out what knowledge, understanding, abilities and skills are expected of those graduating in specific subject areas, and explains what gives that particular discipline its coherence and identity. The statements are consistent with the relevant generic qualification descriptors (QAA 2022).
Transcript	The transcript provides a comprehensive verifiable record of students' learning while they are studying, a formative statement that should help students to monitor their progress and plan their further academic development.
Validated award	An award of the OU conferred upon students, following the successful completion of an approved programme.
Validated programmes	Programmes that have been validated through a process of external peer review by the OU as being of an appropriate standard and quality to lead to Open University validated awards.
Validation	The formal process whereby a new programme of study is critically appraised by the OU, to establish if it meets its requirements for validation.
Work-based learning (workplace learning)	Learning that takes place, in part or as a whole, in the context of employment (QAA 2018).

Appendix 4: Sample Partnership Development Plan

Partnership Development Plan	
PARTNER NAME	
Main Contact for HE Quality Assurance & Development:	
Contact Details	

Senior Quality & Partnership Manager:	Contact Details	Development Plan Last Updated On:

Partner Proposed Programmes			
1			
2			
3			

Discovery Visit(s)	NOTES:	
Date(s):		

Further Development	NOTES:	

#	Area of Development	Target date	OU Lead	Partner Lead	Status

1					
2					
3					
4					

Appendix 5: Sample Agenda for Discovery Visit

Item	Description	Lead	Timing
1	Arrival, sign in and transfer to meeting room		
2	Meeting with the relevant Senior Team – Introductions and a general discussion regarding your application to the DfE project. The Open University to provide high level information on the process and discuss requirements from both sides.		
3	Coffee Break		
4	<p>Meeting with those responsible for preparing for the Policy Compliance Review & Institutional Approval to discuss:</p> <ul style="list-style-type: none"> • General overview of elements of the approval process • Further requirements to support OU due diligence • Support for the approval process • Possible outcomes • Initial timescales/planning/next steps 		
5	Tour of College site and relevant HE resources		
6	<p>Meeting with those who will prepare for Programme Approval to discuss:</p> <ul style="list-style-type: none"> • Awards intended to offer (Exit Awards and RPL) • Curriculum development • Staffing & programme resources • General overview of programme approval process • Initial timescales/planning/next steps 		

GRANT FUNDED APPROVAL AND VALIDATION AGREEMENT

between

THE OPEN UNIVERSITY

and

[REDACTED]

GRANT FUNDED APPROVAL AND VALIDATION AGREEMENT

ENABLED VALIDATION MODEL

DATED 2023

Between:

- 1) **THE OPEN UNIVERSITY** a body incorporated by Royal Charter (RC 000391), an exempt charity in England and Wales, a registered charity in Scotland (SC038302); whose principal place of business is at Walton Hall, Milton Keynes, MK7 6AA United Kingdom, (the 'University')

and
- 2) [*please insert legal entity name and brief description of legal status e.g. a company incorporated under the Companies Act or a charity etc*] with its registered address at [], (the "Institution")

who may hereafter be together referred to as the 'Parties' or in the singular as the 'Party'.

WHEREAS:

- A. By a Grant Funding Agreement dated 18 October 2022 between The Office for Students ("the Authority") and the University (hereinafter referred to as the "Grant Funding Agreement"), the Authority has agreed to make available funds ("Grant Funds") to enable the University to support further education colleges to deliver locally relevant, flexible, full and part time higher level skills provision (the "Funded Activities") subject to the terms and conditions of the Grant Funding Agreement.
- B. The funding period commences on 24 May 2022 and ends on 31 July 2025 unless terminated earlier in accordance with the Grant Funding Agreement.
- C. Open University Validation Partnerships is a unit of the University which provides quality assurance to educational establishments, commerce, industry and professional bodies through institutional Approval and Validation (as defined).
- D. The Institution has been identified as a prospective eligible further education college with whom the University may provide support in respect of the Funded Activities under the Grant Funding Agreement, subject to pre-approval criteria and assessment by the University before conferring Approved Institution status on the Institution to enable the Institution to offer programmes of study leading to

Validated Awards (as defined).

- E. The Parties agree that it is their intention to be contractually bound by this Grant Funded Approval and Validation Agreement

IT IS HEREBY AGREED AS FOLLOWS: -

2. DEFINITIONS AND INTERPRETATION

The following terms shall have the following meanings:

“Agreement”	this Agreement and any schedules and annexes attached to this Agreement and the Handbook.
“Annual Report”	the report which conforms to the University’s requirements, as advised to the Approved Institution from time to time, to be submitted by the Approved Institution to the University confirming that the Validated Programmes have been operated in accordance with the principles, regulations and procedures agreed between the Parties.
“Approval”	the process by which an institution without its own degree awarding powers is given authority by the University to provide programmes of study leading to Validated Awards and “Approved” shall be construed accordingly.
“Approval Letter”	means the formal letter sent by the University to the Institution confirming the conferment of Approved Institution status, or the outcome of an Institutional Reapproval (formerly known as “Institutional Review”).
“Approved Institution”	means an institution which has, through a process of peer review, been judged to meet the required set of principles covering structures, management arrangements and procedures and therefore to provide a satisfactory environment for the conduct of programmes leading to Validated Awards.
“Approved Period”	the period the Institution becomes an Approved Institution and continuing thereafter until terminated in accordance with the provisions of this Agreement or the outcome of the next Institutional Reapproval, whichever shall be the earlier.
“Commencement	means the date from which this Agreement is signed by both parties, being the later of the two dates.

“Confidential Information”	means any and all materials and information of or relating to a Party constituting or concerning products, services, contracts, business models, methods or practices, financial projections or results, know how, trade secrets, intellectual property or ideas which, at the time or times concerned, are not generally known to third persons and such other information as may be proprietary or confidential in nature or is identified by such Party as confidential.
“Data Protection Laws”	means as defined in Schedule 1 attached hereto.
“Expiry Date”	shall be 31 July 2025, being the end of the funding period and the words “expiry” or “expiration “ shall be construed accordingly
“FOIA”	means the Freedom of Information Act 2000 in the United Kingdom.
“Force Majeure”	any circumstances beyond the reasonable control of a Party including, without limitation, Act of God, fire, explosion, flood, malicious damage, lockouts or other industrial action, civil commotion, hostilities, war, or political interference with the operations of a Party.
“Institutional Reapproval” (formerly known as “Institutional Review”)	means the process by which an Institution is critically reviewed for the purposes of confirming that the Institution meets the University’s requirements.
“Intellectual Property”	means, without limitation, patents, registered and unregistered designs, copyrights, trademarks and service marks, trading names whether registered or not, proprietary information, know-how and all other intellectual property protection wherever in the world enforceable.
“Interim Review”	means an activity to review the Institution or its programmes between scheduled visits.
“Location(s)”	means the address(es) where the Institution may teach the Validated Programme(s) as identified in the Approval Letter or as agreed in writing by the University from time to time.
“Longstop Date”	6.00pm GMT on 31 July 2025 or such later date as may be agreed in writing by the University.
“Marks”	means name and marks of “The Open University”, The Open University’s logo (shield design) and any other name or marks from time to time of The Open University (whether registered or not) that are used by or are the property of the University from time to time.
“Minimum Entry to Standards”	means the minimum academic entry standards required of any student register with the Institution and the University, as set out in the

University's Handbook.

"Personal Data" means any personal data (as defined in the Data Protection Laws) Processed by either Party in connection with this Agreement.

"Programme" a programme of teaching and learning delivered to students and contained within the programme documentation encompassing academic study and assessment which leads to an award. A list of Programmes to be considered for Validation under the terms of this Agreement is attached at Schedule 2

"Programme setting

Document" setting out full details of structure and syllabus of a Validated Programme and Minimum Entry Standards.

"Programme Review" the process by which a Validated Programme is critically reviewed for the

or "Programme purpose of confirming that such Validated Programme continues to meet

Revalidation" the University's requirements.

"Quality Assurance the Quality Assurance Agency for Higher Education established in the

Agency" or "QAA" United Kingdom.

"Regulations" Regulations applicable to all students registered for Validated Awards of The Open University and available at <http://www.open.ac.uk/about/validate/about-us/regulations-ou-validated-awards> .

"University's Handbook" or "Handbook" provided the University's "Handbook for Validated Awards" (including the "Regulations") which comprise the University's regulatory framework for Validated Awards, as may be amended from time to time, to be

to the Institution after the signing of this Agreement. For clarity, where the context of this Agreement requires a distinction between the Handbook and the Regulations (such as in clauses 2.8 or 3), specific reference to the Handbook in such circumstances shall exclude the Regulations

“Validation”	the process by which the University assesses that a programme meets the criteria, principles, and requirements of a Validated Award (and the word “Validated” shall be construed accordingly).
“Validated Award(s)”	an award of the University conferred to students on successful completion of a Validated Programme.
“Validated Programmes”	academic Programmes of study taught by the Institution which have been successfully Validated by the University.
“VAT”	Value Added Tax as levied in the United Kingdom, or any similar tax charged by the revenue authorities in the area in which the Institution is based.

2. INTERPRETATION

- 2.1 The provisions of this clause 2 shall apply to the interpretation of this Agreement.
- 2.2 The recitals, schedules and appendices form part of this Agreement and will have the same force and effect as if expressly set out in the body of this Agreement and any reference to this Agreement will include the recitals, schedules, and appendices.
- 2.3 The clause headings are for convenience only and will not affect the interpretation of this Agreement.
- 2.4 Unless the context otherwise requires, any reference to a statute or statutory provision will include the statute or statutory provisions as from time to time amended, modified, extended, re-enacted, consolidated and all statutory instruments, orders, by-laws, directions, and notices made pursuant to it in each case whether made before or after the date this Agreement is executed by both Parties.
- 2.5 Unless the context otherwise requires:
- 2.5.1 **use of the singular is deemed to include the plural and vice-versa.**
 - 2.5.2 **use of any gender is deemed to include every gender.**
 - 2.5.3 **reference to a person includes a natural person, a firm, a corporation, a partnership, a trust, an association, an organisation and any other body or entity whether having separate legal personality.**

- 2.6 Any undertaking by any of the Parties not to do any act or thing shall be deemed to include an undertaking not to permit or suffer or assist the doing of that act or thing any obligation on a Party not to do or omit to do anything includes an obligation not to allow that thing to be done or omitted by a third party.
- 2.7 In the event of any conflict between the terms of this Agreement and any provisions of the Handbook the provisions of the Handbook shall prevail
- 2.8 In the event of a conflict between the Regulations and the Handbook, the Regulations shall prevail.

3. HANDBOOK AND REGULATIONS

- 3.1 The University will provide the Institution with access to the University's Handbook after the signing of this Agreement (either in print or online). The Handbook is intended to add detail to this Agreement, forms part of it, and sets out the operational requirements expected of the Institution while an Approved Institution. The Handbook is updated from time to time, and while the University will endeavour to notify the Institution of any changes to the Handbook, it is the Institution's responsibility to regularly check for updates on the University's website.
- 3.2 The University will also provide the Institution with a copy of the Regulations (either in print or online). These Regulations are to apply to all students who register for Validated Awards. It is the responsibility of the Institution to ensure that all students are made aware of and specifically undertake to comply with the Regulations in writing. Failure to ensure that students are made subject to the Regulations will be considered a material breach of this Agreement.

4. DATE OF COMMENCEMENT AND DURATION

- 4.1 This Agreement shall commence on the Commencement Date and subject to the provisions for termination contained herein shall continue in force until the Expiry Date.
- 4.2 If the University does not, cannot, or is otherwise unable to grant the Institution Approved status by the Longstop Date, this Agreement shall automatically terminate with immediate effect.
- 4.3 The University and the Institution shall use all reasonable endeavours to procure (so far as it lies within their respective powers so to do) that the condition in obtaining Approved status is satisfied as soon as is practicable and in any event, no later than the Longstop Date.

5. APPROVED STATUS

- 5.1 In the event that the University grants Approved status on the Institution and permits the Institution to offer the Validated Programmes for the Approved Period, the Approved Institution must publicise its relationship with the University and its Validated Programmes in accordance with the terms set out in the University's Handbook.

- 5.2 In consideration of the University agreeing to grant Approved status to the Institution, the Institution undertakes:

- 5.2.1** to ensure that each Validated Programme is designed and operated in accordance with the Programme Documents and within the principles, regulations and provisions of the University's Handbook.
- to seek written approval from the University in accordance with agreed procedures prior to commencing a Validated Programme.
- 5.2.3** that it will not teach the Validated Programmes other than at such Locations as agreed in advance by the University. Teaching will be at the address at the head of this Agreement unless specifically altered by agreement by both Parties which agreement is to be recorded in writing and signed by both Parties or if teaching is via a specifically designated distance learning programme.
- 5.2.4** to ensure that the Institution conducts delivery and teaching of the Validated Programme(s) in the English language unless an alternate medium of language is otherwise agreed in writing by the University.
- 5.2.5** that the Validated Programmes will be operated with sufficient and appropriately qualified staff who teach the Validated Programmes in accordance with the Programme Document and all necessary learning resources and immediately to inform the University of any staffing changes or lack of learning resources where these affect responsibilities for academic quality or leadership of the Validated Programmes or involve persons with whom the University has regular contact.
- 5.2.6** that it will not franchise the Validated Programmes without the prior written consent of the University.
- 5.2.7** that it will not collaborate with any third party in the delivery and assessment of the Validated Programmes without the prior written consent of the University.
- 5.2.8** to seek prior written consent of the University through a process agreed with the University prior to amending a Validated Programme.
- 5.2.9** to comply with the terms of this Agreement and the University's Handbook
- 5.2.10** to ensure (as set out in clause 3.2) that all students agree, in writing, to comply with the Regulations.
- 5.2.11** to provide to the University, at its request:
- 5.2.11.1 any information or documents required; and/or
 - 5.2.11.2 access to any personnel; and/or
 - 5.2.11.3 premises of the Institution.

6. VALIDATION

- 6.1 In order to apply for Validation of a Programme the Institution shall, at its own expense, submit to the University as directed by the University, all information as set out in the University's Handbook or as otherwise specified by the University. The Institution further undertakes to cooperate with the University to the extent required to enable the University to carry out the Validation process.
- .2 The Validation process shall be undertaken by a Validation Panel of which the membership and constitution shall be as set out in the University's Handbook.
- 6.3 The University may at its own discretion either:
- 6.3.1 grant approval for Validation for the respective Programme for a specific period with or without conditions; or**
 - 6.3.2 advise the Institution of the University's decision, with reasons, not to approve the respective Programme for Validation.**
- 6.4 Notwithstanding the provisions of clause 6.3 the Institution may appeal against a decision by the University in accordance with the provisions set out in the University's Handbook.
- 6.5 Subject to the Institution receiving written confirmation from the University that a Programme has been Validated, the Institution must advertise and promote the respective Validated Programmes as set out in the Handbook.
- 6.6 Within timeframes specified by the University, following Validation of a Programme, the Institution shall:
- 6.6.1 lodge with the University a Programme Document including the programme regulations as prescribed in the University's Handbook or as otherwise advised in writing by the University from time to time.**
 - 6.6.2 only make such changes to the Validated Programme as are in accordance with the terms of the University's Regulations and Handbook or where the University has approved such changes; and**
 - 6.6.3 lodge with and as directed by the University all approved amendments to the Programme Documents.**
- 6.7 The Institution acknowledges and agrees that the Validation process does not include obtaining the requisite professional body accreditations, qualifications, or certifications from regulatory authorities whether in the United Kingdom or elsewhere. Where such professional body accreditations, qualifications or certifications are desired, these shall be the sole responsibility and cost of the

Institution and shall not be cause for the Institution to delay, postpone or refuse delivering the Validated Programme.

- 6.8 In the event that the Institution decides to discontinue presenting the Validated Programme, the Institution shall notify the University at least six months in advance of the proposed discontinuation and the Institution shall ensure that the students are enabled to transfer to a suitable alternative programme to complete their award at the cost of the Institution.
- 6.9 In the event that the University decides to terminate or withdraw Validation for a Validated Programme or to suspend the registration of students on a Validated Programme, the University shall notify the Institution at least six months in advance of the proposed termination, withdrawal, or suspension. It will be the responsibility of the Institution to ensure that arrangements for existing students studying the respective Validated Programmes are maintained or the students are enabled to transfer to a suitable alternative programme to complete their award at the cost of the Institution.
- 6.10 In cases of concern regarding academic and admission standards, the University reserves the right to immediately terminate this Agreement and/or withdraw Approval or Validation for a Validated Programme, and/or to suspend the registration of students on a Validated Programme. The Institution shall ensure that students are enabled to transfer to a suitable alternative programme to complete their award at the cost of the Institution.
- 6.11 Unless expressly agreed in writing by the University to undertake the teach out process for existing students, awards referenced in clauses 6.8 and 6.9 above shall be awards granted by the Institution or alternate higher education provided and not the University.

6.12 **STUDENT PROTECTION PLAN**

- 6.12.1 As a registered provider of higher education the University has a Student Protection Plan (SPP) as approved by the Office for Students (OfS) which sets out how the University ensures the quality of study is maintained and students are able to continue the course of study even if the University, as provider or its partner ceases, campus is closed, or programme is discontinued.
- 6.12.2 The Institution shall, upon grant of the Approval, or earlier if requested by the University, lodge with the University a copy of the Institution's SPP as approved by the OfS or if not an OfS approved institution, the Institution's SPP which shall:
- (a) be as prescribed in the University's Handbook or as otherwise advised

in writing by the University from time to time.

(b) provide transparent information when a Validated Award may/may not be issued to a student pursuing a Validated Programme; and

(c) not be changed without the prior consent or approval of the University

6.12.3 The Institution shall ensure that all students are made aware of and given a copy of the Institution's SPP.

6.13 The Institution shall indemnify and keep the University fully indemnified against any claims, demands, proceedings that may be raised by students who are unable to obtain a Validated Award in the circumstances contemplated in clauses 6.8 - 6.10

7. INSTITUTIONAL REAPPROVAL

7.1 It is envisaged that Institutional Approval will be required post Expiry Date. In the event the Institution elects to continue the Validation arrangements with the University at the cost and expense of the Institution, the following provisions governing Institutional Reapproval shall apply.

7.2 At least once in every five years or as otherwise determined by the University, the University shall conduct an Institutional Reapproval of the Institution to assess that the conduct of and environment of the Institution meets the University's criteria as set out in the University's Handbook and is in accordance with the terms of this Agreement or otherwise notified by the University. The Institution may be subject to an Interim Review or Reviews during the period of this Agreement if the University feels that circumstances require such a review at the expense of the Institution, such expense to be reasonable and proportionate to the reason and purpose for such Review.

7.3 The Parties shall agree mutually convenient dates for the Institutional Reapproval.

7.4 For the purposes of conducting an Institutional Reapproval or Interim Review, the Institution shall permit the University and its authorised representatives access to the premises and facilities of the Institution.

7.5 Following an Institutional Reapproval the University shall issue a report to the Institution inviting comment upon the factual accuracy of the report.

7.6 Subject to receiving confirmation or otherwise from the Institution about the factual accuracy of the report within thirty days of receipt of the report, the University will provide the Institution with a confirmed report of the findings of the Institutional Reapproval.

7.7 The Institution shall comply with any requirements of the University that are

highlighted in the report or otherwise notified in writing to the Institution as a result of the Institutional Reapproval.

7.8 Following an Institutional Reapproval, the University shall have the absolute right to:

7.8.1 make such changes to this Agreement as it sees fit or to require the Institution to enter into a new agreement in a form specified by the University in each case to ensure that the Institution complies with any recommendations of the Institutional Reapproval; or

7.8.2 in the event that an Institutional Reapproval reveals that the Institution does not provide a satisfactory environment for the conduct of programmes leading to Validated Awards of the University, to terminate this Agreement.

7.9 In addition to the Institutional Reapprovals, the Institution shall also be expected to participate in and co-operate with the University in relation to any assessment or inspection undertaken by the Quality Assurance Agency or other external body in respect of the University or the Institution. The Institution will not disclose information which is Confidential Information or trade secrets which are not related to this Agreement

7.10 In addition to its other rights under this Agreement, including its rights to terminate under clause 18, the University reserves the right to withdraw or suspend Approval of the Institution at any time.

8. PROGRAMME REVALIDATION

8.1 It is envisaged that Programme Revalidation will be required post Expiry Date. In the event the Institution elects to continue the Validation arrangements with the University at the cost and expense of the Institution, the following provisions governing Programme Revalidation shall apply.

8.2 All costs associated with Programme Revalidation shall be conducted at the expense of the Institution and in accordance with timescales agreed with the University but in any event at intervals of not more than five years. These costs shall include and shall not be limited to hotel, travel, subsistence expenses of the Programme Review panel in conducting the revalidation exercise.

8.3 Programme Revalidation shall be undertaken by a Programme Review panel of which the membership and constitution shall be as further specified in the Handbook.

8.4 Any Validated Programme may be subject to an Interim Review during the period of this Agreement if the University feels that circumstances require such a review at the

expense of the Institution, such expense to be reasonable and proportionate to the reason and purpose for such Interim Review.

- 8.5 In the event that the Programme Review panel recommends that Validation for a Validated Programme shall be withdrawn, representatives of the University will meet with the Institution to discuss the recommendation and to enable the Institution to respond and to consider the position of continuing students and implement the provisions of clause 8.8 below. Otherwise, the Institution shall be treated as having had the Validated Programmes revalidated on the terms of this Agreement until the next Programme Revalidation.
- 8.6 Summaries of the outcomes of Programme Validations may be published by the University on its publicly accessible website.
- 8.7 In addition to its other rights under this Agreement and notwithstanding the provisions of clause 8.5, the University reserves the right to withdraw or suspend Validation for a Programme and/or the registration of students for a Validated Programme at any time and any such notification shall be in writing to take effect at the University's discretion either immediately or from the academic year immediately following the date of notification.
- 8.8 In the event of withdrawal of Validation, appropriate arrangements will be made (at the cost of the Institution) by the Institution for students undertaking the Validated Programme to complete their studies. Unless expressly agreed by the University to undertake the teach out process for existing students, any award granted shall be by the Institution or alternate higher education provider and not the University

9. RECRUITMENT AND REGISTRATION OF STUDENTS

- 9.1 Unless otherwise agreed, the Institution may only recruit prospective students for a Programme of study once it has become (and remains) a Validated Programme.
- 9.2 Recruitment and registration of students shall be carried out by the Institution. Students will also be required to be registered with the University in accordance with the Handbook. It is a requirement of the Handbook that certain Personal Data relating to students is sent to the University, and the Institution will ensure that any supply of such data to the University is in accordance with any applicable Data Protection Legislation and in accordance with Clause 24 and with Schedule 1 of this Agreement.
- 9.3 The Institution shall only recruit and register students if they have met the Minimum Entry Standards or as otherwise agreed by the University and the Programme for which the students are to be registered is a Validated Programme for which Validation has not been withdrawn or suspended by the University. The Institution

shall ensure that each student is provided at registration with details of the Validated Programme together with the current edition of the University's Regulations relating to Programmes Validated by the University and the Institution's SPP together with the rules and regulations and other information relating to the Validated Programme as specified by the University from time to time. The students shall be subject to the Institution's normal rules and regulations as supplemented by the Handbook and/or the Agreement.

- 9.4 If the funding is suspended, refused, disallowed or ceases for any reason whatsoever OR the Institution fails to make any payments by the due dates, the University shall have the absolute discretion to suspend registration of students with the University until outstanding payment(s) is received in full or the University elects to terminate this Agreement.

10. **STUDENT STATUS**

- 10.1 All students shall be registered by the Institution with the University for award purposes only in accordance with the University's procedures and requirements as set out in the Handbook or otherwise sent by the University to the Institution and with the Institution for all other purposes.
- 10.2 Registration with the University will not itself allow students access to the University's resources.
- 10.3 The Institution shall be responsible for all aspects of student welfare and the student experience whilst undertaking a Validated Programme.
- 10.4 The University will not be liable if the Institution fails to meet its requirements regarding standards and this leads to the withdrawal of Approval or Validation by the University. The Institution shall indemnify and keep the University indemnified against all claims, costs and expenses that may be instituted or made by students against the University as a result of such withdrawal.

11. **ASSESSMENT AND EXAMINATION**

- 11.1 The method of assessment and/or examination for each Validated Programme shall be as described in the Regulations and Programme Document.

The Institution shall conduct assessments and examinations in accordance with the procedures agreed by the University from time to time.

- 11.3 The external examiners for each Validated Programme will be appointed in accordance with the procedures laid down in the Handbook

- 11.4 Students who complete the assessment to the satisfaction of the Institution, the University and the external examiners shall be granted the relevant Validated Award (referred to in the Programme Document) in accordance with the procedures set out in the University's Handbook.
- 11.5 Unless otherwise provided, awards shall be conferred by the University either through a ceremony organised by the Approved Institution or in absentia. The Institution will be responsible for sending award certificates for awards made in absentia by registered post.
- 11.6 The procedures for the production and distribution of award certificates and transcripts shall be in accordance with the University's Handbook.

12. **ACADEMIC APPEALS, COMPLAINTS AND DISCIPLINE**

- 12.1 All students shall have the right to appeal against the decision of the examiners in accordance with the procedures as set out in the University's Handbook.
- 12.2 The Institution shall ensure that when a student registers with it for a Validated Programme, details of the procedures by which the students may pursue complaints and appeals through the Institution and the University are provided to them.
- 12.3 The Institution shall be responsible for handling complaints and appeals. Complaints in relation to all matters (except those of the University under clause 12.1 in respect of awards) shall be the responsibility of the Institution and dealt with by the Institution in accordance with its own policies and regulations.
- 12.4 The Institution shall have a written student disciplinary code that complies with accepted principles of natural justice and reflects the requirements of the University's Regulations. The Institution shall supply a copy of the said code to the University. Discipline of students shall be the responsibility of the Institution.

13. **ACADEMIC LIAISON**

- 13.1 The Institution and the University shall nominate from time-to-time representatives who shall on behalf of each institution, liaise on academic matters and review the relationship between the Parties.
- 13.2 The University reserves the right to undertake such activities as it deems appropriate to assure itself that the quality assurance and academic standards of its awards are secure. Examples of these activities are described in the University's Handbook.

14. MAINTENANCE OF RECORDS AND TRANSCRIPTS

- 14.1 The Institution shall undertake to maintain the following records in respect of all Validated Programmes for the periods indicated:
- 14.1.1 a permanent record of student registration, progression, assessment, and awards.**
 - 14.1.2 copies of transcripts issued to all students for a minimum period of 12 months.**
 - 14.1.3 annual Validated Programme monitoring reports and any reports on or about the Institution by the Institution or any third party for a minimum period of 7 years.**
 - 14.1.4 minutes and reports on the evaluation of Validated Programme monitoring within its academic committees for a minimum period of 7 years.**
 - 14.1.5 external examiners' reports for a minimum period of 7 years.**
 - 14.1.6 any written evidence of student feedback relevant to Validated Programme monitoring for a minimum period of 7 years.**
 - 14.1.7 copies of Programme Documents and Handbooks for a period not less than the maximum period of student registration on each Validated Programme.**
 - 14.1.8 copies of all self-evaluation documents and action plans arising from external quality assurance, inspection, accreditation, or other approved agencies' institutional or programme or subject reviews related to Validated Programmes or the Institution for a minimum period of 7 years.**
 - 14.1.9 copies of all publicity material relating to Validated Programmes for a period not less than the maximum period of student registration on each Validated Programme.**
 - 14.1.10 a record of any information necessary to meet requirements of the Quality Assurance Agency for a minimum of 7 years.**
- 14.2 At the end of each academic year, each registered student studying a Validated Programme, who has successfully completed any elements of that Validated Programme, shall be issued with a transcript by the Institution which shall specify:

- 14.2.1 the full name of the registered student.
 - 14.2.2 the dates of the student's registration with the Institution.
 - 14.2.3 the elements of the Validated Programme successfully completed by the student with details of the length, level, UK credit points, where applicable, grade achieved, where appropriate, date of completion and language of instruction, if not English.
 - 14.2.4 details of any period of supervised work experience or placement with dates and, where appropriate, grades.
 - 14.2.5 an authorised signature on behalf of the Institution's Academic Board (or equivalent body).
- 14.3 Such records and books shall be kept separate from any records and books not relating solely to the Validated Programme and be open during normal business hours to inspection and audit by the University (or their authorised representatives), who shall be entitled to take copies of or extracts from them.

15. **REPORTING**

- 15.1 The Institution shall undertake (where necessary) to procure the student's consent to send to the University and the Authority any Personal Data of the students contained in the data and documents listed in this clause, and shall send as soon as reasonably practicable:

- 15.1.1 upon expiration of an academic year, the Annual Report conforming to the University's published requirements.
 - 15.1.2 after commencement of an academic year annual lists of the names of newly enrolled students on each Validated Programme for registration with the University.
 - 15.1.3 after commencement of an academic year annual returns showing the numbers of students enrolled on each year of each Validated Programme.
 - 15.1.4 upon receipt conferment lists signed by the external examiners.
 - 15.1.5 after commencement of an academic year an annual schedule of forthcoming Validation and Programme Review events and of any visits from external quality assurance or approval agencies such as the Quality Assurance Agency and professional bodies relating to Validated Programmes.
 - 15.1.6 prior to publication, a copy of its annual prospectus and publicity material related to Validated programmes, as set out in the Handbook.
 - 15.1.7 upon receipt copies of any reports (including drafts) from all external quality assurance or approval agencies relating to accreditation or Validation of the Institution or Validated Programmes.
 - 15.1.8 upon receipt copies of any memoranda of co-operation or association entered into with any third party in the provision of Validated Programmes.
 - 15.1.9 upon receipt copies of any information necessary to meet teaching quality information requirements.
 - 15.1.10 the information in respect of each student that is set out in the Glossary to the Handbook; and
 - 15.1.11 upon demand any other information or documents required by the University.
- 15.2 From time to time the University may be required to submit reports to the Authority on a quarterly or annual basis pursuant to the terms of the Grant Funding Agreement. The University shall advise the Institution of the details required in support of the University's reporting obligations and the Institution agrees to cooperate and assist the University to satisfy the reporting requirements. These may include but is not limited to visit requests, statistics, photographs, and cases studies to help the Authority to promote and raise funds relating to the Funded Activities.
- 15.3 The Institution shall undertake (where necessary) to procure the student's consent to

the University Processing the Personal Data of the students referred to in this clause 15 for the purpose of performing this Agreement.

16. SAFEGUARDING

- 16.1 The Institution shall inform the University immediately (once it has become aware) of any Material Matter involving anyone associated with the Institution in any capacity (e.g. staff, student, governor, trustee, volunteer), "Material Matter" is where someone is subject to an investigation or allegation against them (substantiated or otherwise) of abuse or neglect against a child, adult or vulnerable adult and the alleged matter or investigation may present a reputational risk or draw public attention to the Institution or its personnel (as listed above); in which case the Institution shall (subject to its Personal Data obligations to its Data Subject under the Data Protection Laws) give immediate written notice to the University.
- 16.2 The Institution shall report to the University on the number of safeguarding incidents on an annual basis and where necessary, subject to their obligations under the Data Protection Laws, provide details of specific incidents within the expectations of confidentiality

17. FINANCIAL PROVISIONS

- 17.1 All fees and charges in connection with the Approval and Validation process shall be funded by the Authority under the terms of the Grant Funding Agreement during the term of this Agreement.
- 17.2 In the event the funding is suspended, disallowed, ceases or the Grant Funding Agreement is terminated for any reason whatsoever, the Institution may at its sole discretion elect to continue with the Validation arrangements under the terms of this Agreement at its own cost and expense subject to financial provisions to be mutually agreed by the parties at the material time. In the event Parties are unable to agree on the financial provisions, this Agreement shall automatically terminate and the provisions of clause 19 shall apply.
- 17.3 Each Party shall pay its own costs incurred in connection with the negotiation, preparation and execution of this Agreement and any documents referred to in it. These costs shall not form part of the Grant funding.

18. TERMINATION

- 18.1 Without prejudice to rights of termination which are specifically provided in this Agreement, each Party shall have the right at any time by giving written notice to the other to terminate this Agreement immediately, if:

18.1.1 the other Party commits a material breach of the terms of the

Agreement which is not capable of remedy.

- 18.1.2 the other Party commits a material breach of the provisions of this Agreement which if capable of remedy, is not remedied to the reasonable satisfaction of the other Party within a reasonable period as specified in a written notice to the other Party notifying the breach and the request for the remedy thereof.**
- 18.1.3 the other Party is in persistent breach of the terms of this Agreement.**
- 18.1.4 the other Party makes a voluntary arrangement with its creditors or becomes subject to any administration order or if an administrator of that Party is appointed or that Party is unable to pay its debts or is capable of being deemed unable to pay its debts, within the meaning of section 123 of the Insolvency Act 1986.**
- 18.1.5 an encumbrancer takes possession, or a receiver is appointed over any of the property, assets or revenues of the other Party.**
- 18.1.6 anything analogous to the provisions of clause 18.1.4,18.1.5 or 18.1.9 under the laws of any jurisdiction occurs in relation to a Party.**
- 18.1.7 an Institutional Reapproval or Interim Review or a review by an external agency or body such as QAA concludes that the Institution does not provide a satisfactory environment for the conduct of Validated Programmes.**
- 18.1.8 the innocent Party has reasonable grounds to believe that the other Party is engaged in unlawful activities or activities which could bring the innocent Party into disrepute or otherwise damage the innocent Party's goodwill.**
- 18.1.9 another Party other than for the purposes of a bona fide reconstruction or amalgamation passes a resolution for its winding up, or a court of competent jurisdiction makes an order for it to be wound up or dissolved or that Party is otherwise dissolved.**
- 18.2 Notwithstanding the provisions of clause 18.1 either Party may terminate this Agreement at any time by serving at least six months written notice on the other Party.
- 18.3 In the event the Authority suspends, reduces, disallows or ceases allowing utilisation of the Grant Funds which affects the University's claim for costs and expenses under this Agreement or the Grant Funding Agreement is terminated for any reason whatsoever, this Agreement shall automatically terminate and the

provisions of clause 19.1 shall apply.

19. CONSEQUENCES OF TERMINATION

19.1 In the event of termination of this Agreement pursuant to clause 18.3, the Institution shall be at liberty to:

19.1.1 **enter negotiations with the University to continue with the Validation arrangements under this Agreement at its cost and expense upon terms and conditions to be mutually agreed between the Parties; or**

19.1.2 **accept the termination and the provisions of clause 19.2 shall apply.**

19.2 In the event of termination of this Agreement for any reason, the following shall apply:

19.2.1 **no new students shall be admitted to any Validated Programme unless expressly permitted by the University.**

19.2.2 **any outstanding invoices not otherwise claimed against the Grant Funds shall become immediately payable and in respect of fees or any other payment due but for which no invoice has been submitted, the University shall submit an invoice which shall be payable within 30 days from the date of the invoice.**

19.2.3 **the Institution shall forthwith cease to promote, reproduce, market or advertise any Validated Programme.**

19.2.4 **all confidential materials of any nature containing Programme information or Confidential Information in relation to the University, and any copies thereof shall be returned to the University, or deleted, such deletion to be confirmed in writing.**

19.3 In the event of termination, it will be the responsibility of the Institution to ensure that arrangements for existing students who are studying on the Validated Programmes are maintained via a teach out process (with the assistance of the University as it sees fit) or the students are enabled to transfer to a suitable alternative programme to complete their award at the cost of the Institution. Subject to clauses 6.8-6.11, awards granted thereby may be an award of the Institution or alternate higher education provider or the University (as the case may be).

19.4 The Parties shall agree on an exit plan within the first three months of this Agreement which shall include the teach out process to enable the smooth transfer

of existing students and closure of the activities upon termination or expiry of this Agreement. The Exit Plan shall be deemed part of the contractual terms of this Agreement.

20. **INTELLECTUAL PROPERTY AND PUBLICITY**

- 20.1 Subject to any third-party rights therein, all the Intellectual Property in any item or matter supplied by one party to the other hereunder shall remain the property of the disclosing party. The University shall be entitled to licence any materials to the Institution on the terms of a separate agreement as specified by the University.
- 20.2 The Institution shall not use or reproduce the University's Marks without the written permission of the University and in accordance with the provisions of any such written permission.
- 20.3 The Institution shall be responsible for the accuracy of all public information, publicity and promotional activity relating to the Validated Programmes howsoever disseminated. The University has the power of veto over any such publicity or information and may require the withdrawal of the material concerned.

21. **OBLIGATION TO COMPLY WITH THE LAW**

- 21.1 The Institution shall obtain, at its own expense, all necessary permissions, consents and licences, to enable the Institution to lawfully operate Validated Programmes.
- 21.2 The Institution undertakes to always comply with applicable laws.
- 21.3 The Institution shall indemnify and keep indemnified the University for all costs, claims, damages, expenses, fees, or losses suffered or incurred by the University arising out of or in connection with any breach of the obligations set out in clause 20.1 and/or clause 20.2

22. **WARRANTIES**

- 22.1 The Institution represents and warrants to the University that:
- 22.1.1 **it has full power and authority to enter into this Agreement and to carry out the actions contemplated under this Agreement.**
- 22.1.2 **it does not require any consent approval, authorisation, or clearance from any government, governmental or regulatory bodies, agencies, or authorities in the United Kingdom or otherwise and neither, in its opinion, is any such consent, approval, authorisation or clearance desirable for such purposes.**
- 22.1.3 **it is not at the date of this Agreement a party to any agreement,**

arrangement or understanding with any third party that in any manner prevents or hinders it from the performance of any material obligation under the terms of this Agreement.

22.1.4 it has disclosed all information to the University which is relevant to the University entering into this Agreement with the Institution.

23. INDEMNITIES, LIABILITY, AND INSURANCE

23.1 The indemnities in this clause are continuing obligations, separate and independent of the other Parties' obligations and survive the termination of this Agreement.

23.2 Notwithstanding anything else contained in this Agreement, each Party (the "Indemnifying Party") shall indemnify the other (the "Indemnified Party") against:

23.2.1 **any liability, loss or damage arising under common law or statute from any actions, claims or demands (including the cost of defending or settling any such action, claim or demand) which may be claimed against such Indemnified Party arising out of any act or omission of the Indemnifying Party, its agents, employees or sub-contractors (or any other person for whose acts or omissions such Indemnifying Party has become liable) and where such acts or omissions are a breach of the terms of this Agreement.**

23.2.2 **any liability, costs, fines, penalties, expenses, damages and losses and all other reasonable professional costs and expenses suffered or incurred by the Indemnified Party arising out of or in connection with breach of the Data Protection Laws by the Indemnifying Party, its employees or agents, provided that the Indemnified Party gives to the Indemnifying Party prompt notice of such claim, full information about the circumstances giving rise to it, reasonable assistance in dealing with the claim and authority to manage, defend and/or settle it.**

23.2.3 **all costs and liability arising out of any injury or death which may be suffered by persons carrying out their duties or exercising their rights pursuant to this Agreement except to the extent that the same may be attributable to the negligence of the Indemnified Party or its agents, employees, or contractors.**

23.3 The Institution shall indemnify the University:

23.3.1 **for any claims or demands made against the University arising from the performance of their obligations under this Agreement from any relevant authority outside the United Kingdom.**

23.3.2 **for any injury to or death of any student whilst on the premises of the**

Institution except to the extent that same may be attributable to the negligence of the University or their agents, employees, or subcontractors.

- 23.4 Nothing in this Agreement excludes or limits a Party's liability for death or personal injury caused by that Party's negligence or for fraud, or fraudulent misrepresentation.
- 23.5 Either Party's total liability in contract, tort (including negligence or breach of statutory duty) misrepresentation, restitution or otherwise, arising in connection with the performance or contemplated performance of this Agreement shall in the case of the Institution be limited to the sum of £250,000 for any single event and a maximum sum of £1,000,000 for all incidents or matters within any twelve month period or such higher amount as may be recoverable under its insurances; and in the case of the University be limited to the income received by the University under this Agreement for the two years preceding the date of any claim by the Institution or £250,000 (whichever shall be the lower).
- 23.6 Neither Party shall be liable for any pure economic loss, loss of profit, loss of business, depletion of goodwill or otherwise, in each case whether direct, indirect, or consequential, or any claims for consequential compensation whatsoever (howsoever caused) which arise out of or in connection with this Agreement.
- 23.7 For the avoidance of doubt, this clause 23 and clause 21.3 shall survive the termination of this Agreement for whatever reason.
- 23.8 For the avoidance of doubt, the limitation of liability contained in clause 23.5 and clause 23.6 shall not apply to the indemnity set out at clauses 21.3 ,23.2.2 , 23.2.3, and 23.3.

24. PERSONAL DATA, CONFIDENTIALITY AND FOIA

- 24.1 Each Party agrees to comply with its data protection obligations as set out in Schedule 1.
- 24.2 The Parties shall comply with the Data Protection Laws. Unless otherwise required by the operation of law and in accordance with the Data Protection Laws, the Parties will always keep confidential any and all information and Personal Data received from the others relating to teaching strategy, students and tutors, and their performance and progress. No Personal Data received from the other Parties will be divulged to any third party without the prior written approval of the individual to whom such Personal Data relates.
- 24.3 The Institution acknowledges that the University is subject to the requirements of

the FOIA and the Institution agrees that it shall co-operate and provide (at its own expense) all necessary assistance as may reasonably be requested by the University to enable the University to comply with its obligations under the FOIA.

24.4 Each of the Parties agree to keep strictly confidential, the terms of this Agreement and all Confidential Information relating to the other Party that it has obtained during negotiating this Agreement or that it may obtain during the term of this Agreement.

24.5 Each of the Parties hereby agrees:

24.5.1 **not to use any Confidential Information save as agreed in writing with the disclosing Party.**

24.5.2 **to procure that they only disclose the Confidential Information to persons or entities (including employees) for the purpose of the performance of the terms of this Agreement and keep it strictly confidential; and that any such persons are, in respect of such Confidential Information, bound by confidentiality obligations equivalent to the terms of this clause 24; and**

not to copy or reproduce any Confidential Information of the disclosing Party

24.5.1 **without the prior written consent of such Party.**

24.6 The provisions of clause 24.4 shall cease to apply to:

24.6.1 information that has come into the public domain other than by breach of this clause or any other duty of confidence; and

24.6.2 information that is obtained from a third party without breach of this clause or any other duty of confidence.

24.7 Each Party may disclose such Confidential Information if and to the extent that any part of the Confidential Information is required to be disclosed by a regulatory or government body or court of competent jurisdiction with power to compel the disclosure provided the disclosing Party shall, if and to the extent permitted by applicable law, promptly notify the Party who owns the Confidential Information of such requirement, and shall use all reasonable endeavours to keep such Confidential Information confidential notwithstanding any such requirement.

24.8 The provisions of this clause 24 shall continue to apply notwithstanding termination of this Agreement.

25. **NOTICES AND CORRESPONDENCE**

25.1 All notices and correspondence concerning matters and issues related to this

Agreement shall be sent by first class mail, or air mail, or email to the address of the relevant Party set out below, or such other address as that Party may from time to time notify to the other Party in accordance with this clause 25. The relevant contact information for the Parties is as follows:

The University:

All legal notices- For the attention of
Commercial Legal Services Manager
Finance Division
At the address set out at the top of this Agreement
Email: finance-comm-legal@open.ac.uk

All operational and administrative notices to- For the attention of
The Head of Open University Validation Partnerships:-
Open University Validation Partnerships,
Wilson B Block, Walton Hall
Milton Keynes, MK7 6AA;
United Kingdom.

The Institution

All notices and correspondence concerning matters and issues related to this Agreement shall be sent to the Institution at the following address and marked for the attention of [*Head of Institution – e.g. The Principal, The Director, etc*]:-

[Address].

- 25.2 Notices sent as above shall be deemed to have been received 3 working days after the day of posting (in the case of inland first class mail), or 7 working days after the date of posting (in the case of air mail), or next working day after sending (in the case of e-mail). In proving the giving of a notice it shall be sufficient to prove that the notice was left, or that the envelope containing the notice was properly addressed and posted, or that the applicable means of telecommunication was addressed and despatched and despatch of the transmission was confirmed and/or acknowledged as the case may be.
- 25.3 This clause does not apply to the service of any proceedings or other documents in any legal action or, where applicable, any arbitration or other method of dispute resolution
26. **ASSIGNMENT**
- 26.1 The Institution may not charge or sub-contract or assign its rights and obligations under this Agreement nor appoint any agent or otherwise delegate any person to

carry out its obligations without the prior written consent of the University.

27. **FORCE MAJEURE**

- 27.1 If any Party is affected by Force Majeure it shall immediately notify the other Party of the nature and extent of the Force Majeure event.
- 27.2 No Party shall be deemed to be in breach of this Agreement or otherwise be liable to the other Party, as a result of any delay in performance or non-performance of any of its obligations in this Agreement provided that such delay or non-performance is due to any Force Majeure of which it has notified the other Party.
- 27.3 If the Force Majeure continues, the Parties shall discuss ways to alleviate its effects or agree upon alternative arrangements as may be fair and reasonable which shall include the option of either Party (acting reasonably) to terminate this Agreement.
- 27.4 In the event that this Agreement is to be terminated by reason of such Force Majeure, the Parties shall take such steps as required to bring the Agreement to an end in a timely, cost effective and orderly manner. The University reserves the right to submit an invoice to the Institution for payment to account for all charges properly incurred or committed to in performing this Agreement and which, subject to the duty to minimise such losses, cannot be recovered.

28. **RIGHTS OF THIRD PARTIES**

- 28.1 A person who is not a party to this Agreement has no right under the Contracts (Rights of Third Parties Act) 1999 to enforce any term of this Agreement.

29. **WAIVER**

- 29.1 The failure of a Party at any time to require performance of any provision of this Agreement shall in no manner affect its right to enforce such provisions at a later time. No waiver by any Party of any condition or breach shall constitute a continuing waiver thereof.

30. **LEGAL RELATIONSHIP**

- 30.1 Nothing in or arising from this Agreement shall:
- 30.1.1 **constitute the Parties as partners or members of a partnership, as prescribed in the Partnership Act 1890, or otherwise and neither do the Parties share or intend to share profits and losses.**
- 30.1.2 **constitute the Parties' relationship as employer and employee.**
- 30.1.3 **permit a Party to enter into an agreement or make any representation**

or warranty on behalf of or pledge the credit of or otherwise bind or oblige the other Party.

31. SEVERABILITY

31.1 Each clause, term and provision of this Agreement shall be considered severable and if for any reason any clause, term or provision herein is determined to be invalid or unenforceable for any reason such determination shall not prejudice or impair the operation of or affect the remainder. The Parties will endeavour to replace that part determined with a valid clause, term or provision reflecting as far as possible the original intention of the Parties.

32. VARIATIONS AND AMENDMENTS

32.1 This Agreement shall not be varied save by an instrument in writing signed by authorised representatives of the Parties.

33. ENTIRE AGREEMENT

33.1 This Agreement constitutes the entire agreement between the Parties and supersedes all previous agreements.

34. LAW AND JURISDICTION

34.1 This Agreement shall be governed in accordance with the laws of England and all disputes arising from it or in relation to it shall be subject to the exclusive jurisdiction of the English courts.

Notwithstanding and without prejudice to the provisions of clause 34.1 of this Agreement in the event of a dispute between the Parties in connection with this Agreement the Parties

34.2 shall negotiate in good faith in an endeavour to resolve the dispute amicably.

35. LANGUAGE

35.1 English shall be the language of all documents, notices, correspondence, and meetings in any way relative to this agreement. The Institution shall ensure that any translations required are made faithfully and accurately by a competent translator at its own expense.

36. ANTI-BRIBERY AND ANTI-FRAUD

36.1 The Institution shall, and shall ensure that their sub-contractors, officers, employees, agents, and representatives shall:

35.1.1 comply with all applicable laws, statutes, regulations relating to anti-bribery, anti-fraud and anti-corruption including but not limited to the Bribery Act 2010

and not engage in any activity, practice or conduct which would constitute an offence under the Bribery Act 2010 (irrespective of the jurisdiction in which such activity, practice or conduct is carried out);

35.1.2 comply with the University's Anti-Bribery Policy (available at <https://help.open.ac.uk/documents/policies/anti-fraud/files/11/anti-fraud-policy.pdf>); and

35.1.3 comply with the University's Anti-Fraud Policy (available at <http://www.open.ac.uk/students/charter/sites/www.open.ac.uk.students.charter/files/files/ecms/web-content/anti-fraud-policy.pdf> or on request)

35.2 If any breach of this clause is suspected or known, the Institution must notify the University immediately.

35.3 A breach of this clause by the Institution or by anyone employed by or acting on behalf of the Institution is a material breach and shall entitle the University to terminate this Agreement forthwith.

37. **COMPLIANCE WITH ANTI-SLAVERY AND HUMAN TRAFFICKING LAWS AND POLICIES**

37.1 In performing its obligations under the Agreement, the Institution shall:

37.1.1 **comply with all applicable anti-slavery and human trafficking laws, statutes, regulations, and codes from time to time in force including but not limited to the Modern Slavery Act 2015; and**

37.1.2 **have and maintain throughout the term of this agreement its own policies and procedures to ensure its compliance; and**

37.1.3 **not engage in any activity, practice, or conduct that would constitute an offence under sections 1, 2 or 4, of the Modern Slavery Act 2015 if such activity, practice or conduct were carried out in the UK.**

SIGNED for and on behalf of:

the University by:

Signature:

SIGNED for and on behalf of:

the Institution by:

Signature:

Name:

Name:

Position:

Position:

Date:

Date:

SCHEDULE 1

DATA PROTECTION

1. DEFINITIONS

In this Schedule1 the following definitions shall apply:

**"Controller,"
"Processor" "Data
Subject" and "Data
Protection Officer"**

shall have the meaning given to those terms in the applicable
Data Protection Laws.

"Data Protection Laws"	means (a) any law, statute, declaration, decree, directive, legislative enactment, order, ordinance, regulation, rule or other binding restriction (as amended, consolidated or re-enacted from time to time) which relates to the protection of individuals with regards to the Processing of Personal Data to which a Party is subject, including the Data Protection Act 1998 ("DPA") and EC Directive 95/46/EC (the "DP Directive") (up to and including 24 May 2018) and on and from 25 May 2018, the GDPR and all legislation enacted in the UK in respect of the protection of personal data; and (b) any code of practice or guidance published by the ICO (or equivalent regulatory body) from time to time;
"Data Processing Particulars"	means, in relation to any Processing under this Agreement: <ul style="list-style-type: none"> (a) the subject matter and duration of the Processing. (b) the nature and purpose of the Processing. (c) the type of Personal Data being Processed; and (d) the categories of Data Subjects. as set out in Appendix A.
"Data Subject Request"	means an actual or purported request or notice or complaint from or on behalf of a Data Subject exercising his rights under the Data Protection Laws in relation to Personal Data including without limitation: the right of access by the Data Subject, the right to rectification, the right to erasure, the right to restriction of processing, the right to data portability and the right to object;
"GDPR"	means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons about the processing of personal data and repealing Directive 95/46/EC (General Data Protection Regulation) OJ L 119/1, 4.5.2016;
"ICO"	means the UK Information Commissioner's Office, or any successor or replacement body from time to time;
"ICO Correspondence"	means any correspondence or communication (whether written or verbal) from the ICO in relation to the Processing of Personal Data;
"Losses"	means all losses, fines, penalties, liabilities, damages, costs, charges, claims, amounts paid in settlement and expenses (including legal fees (on a solicitor/client basis), disbursements, costs of investigation (including forensic investigation), litigation, settlement (including ex gratia payments), judgment, interest and penalties), other professional charges and expenses, disbursements, cost of breach notification including notifications to the data subject,

cost of complaints handling (including providing data subjects with credit reference checks, setting up contact centres (e.g. call centres) and making ex gratia payments), all whether arising in contract, tort (including negligence), breach of statutory duty or otherwise;

"Permitted Purpose"

means the purpose of the Processing as set out in more detail in the Appendix A (*Data Processing Particulars*)

Permitted Recipients"

means the third parties to whom each Party is permitted to disclose the Personal Data, as set out in more detail in Appendix A (*Data Processing Particulars*);

"Personal Data"

means any personal data (as defined in the Data Protection Laws) Processed by either Party in connection with this Agreement, and for the purposes of this Agreement includes Sensitive Personal Data (as such Personal Data is more particularly described in Appendix A (*Data Processing Particulars*)).

"Personal Data Breach"

has the meaning set out in the Data Protection Laws and for the avoidance of doubt, includes a breach of Paragraph 1.2.2(e).

"Processing"

has the meaning set out in the Data Protection Laws (and "Process" and "Processed" shall be construed accordingly);

"Restricted Country"

means a country, territory or jurisdiction outside of the European Economic Area which the EU Commission has not deemed to provide adequate protection in accordance with Article 25(6) of the DP Directive and/ or Article 45(1) of the GDPR (as applicable).

"Security Requirements"

means the requirements regarding the security of Personal Data, as set out in the Data Protection Laws (including, in particular, the seventh data protection principle of the DPA and/ or the measures set out in Article 32(1) of the GDPR (taking due account of the matters described in Article 32(2) of the GDPR)) as applicable.

"Services"

means Programme Review, Validation and Validating an Award.

"Special Category Data"

means Personal Data that reveals such special categories of data as are listed in Article 9(1) of the GDPR; and

"Third Party Request"

means a written request from any third party for disclosure of Personal Data where compliance with such request is required or purported to be required by law or regulation.

1. DATA PROTECTION OBLIGATIONS

1.1 Nature of the Processing

1.1.1 The Parties acknowledge that the factual arrangements between them dictate the role of each Party in respect of the Data Protection Laws. Notwithstanding the foregoing, each Party agrees that the nature of the Processing under this Agreement will be as follows:

- (a) the Parties shall each Process the Personal Data,
- (b) each Party shall act as a Controller in respect of the Processing of the Personal Data on its own behalf and in particular each shall be a Controller of the Personal Data acting individually and in common, as follows:
 - (i) the University shall be a Controller where it is Processing Personal Data in relation to accessing details of students applying to register or who have been registered on the Validated Programmes, and recording student details and progression information; and
 - (ii) the Institution shall be a Controller where it is Processing Personal Data in relation accessing details of students applying to register or who have been registered on the Validated Programmes, procuring the student's consent and sending the student's Personal Data to the University.
- (c) Notwithstanding Paragraph 1.1.1(b), if either Party is deemed to be a joint Controller with the other in relation to the Personal Data, the Parties agree that they shall be jointly responsible for the compliance obligations imposed on a Controller by the Data Protection Laws, and the Parties shall cooperate to do all necessary things to enable performance of such compliance obligations, except that each Party shall be responsible, without limitation, for compliance with its data security obligations set out in Paragraph 1.2.2 (e), where Personal Data has been transmitted by it, or while Personal Data is in its possession or control.

1.1.2 Each of the Parties acknowledges and agrees that Appendix A (*Data Processing Particulars*) to this Agreement is an accurate description of the Data Processing Particulars.

1.2 Data Controller Obligations

1.2.1 Each Party shall in relation to the Processing of the Personal Data comply with its respective obligations under the Data Protection Laws.

1.2.2 Without limiting the generality of the obligation set out in Paragraph

1.2.1, in particular, each Party shall:

- (a) where required to do so make due notification to the ICO;
- (b) ensure it is not subject to any prohibition or restriction which would:
 - (i) prevent or restrict it from disclosing or transferring the Personal Data to the other Party as required under this Agreement.
 - (ii) prevent or restrict it from granting the other Party access to the Personal Data as required under this Agreement; or
 - (iii) prevent or restrict either Party from Processing the Personal Data, as envisaged under this Agreement.
- (c) ensure that all fair processing notices have been given (and/or, as applicable, consents obtained) and are sufficient in scope to enable each Party to Process the Personal Data as required in order to obtain the benefit of its rights and to fulfil its obligations under this Agreement in accordance with the Data Protection Laws.
- (d) ensure that all Personal Data disclosed or transferred to, or accessed by, another Party is accurate and up-to-date, as well as adequate, relevant and not excessive to enable that Party to Process the Personal Data as envisaged under this Agreement.
- (e) ensure that appropriate technical and organisational security measures are in place sufficient to comply with at least the obligations imposed on the Controller by the Security Requirements including without limitation, (i) ensuring a level of security appropriate to the risk involved in the processing (which shall include without limitation and, as appropriate, taking steps such as the pseudonymisation and/or encryption of Personal Data, taking steps to ensure the ongoing confidentiality, integrity, availability and resilience of the systems and services used to process Personal Data and regularly testing the effectiveness of the systems in place); (ii) adhering to any relevant codes of conduct or approved certifications; and (iii) ensuring that all individuals who have access to Personal Data maintain the confidentiality and security of Personal Data and comply with the terms of this Agreement and where requested provide to the University evidence of its compliance with such requirements promptly, and in any event within 48 hours of the request

- (f) notify the other Party promptly, and in any event within five days of receipt of any Data Subject Request or ICO Correspondence which relates directly or indirectly to the Processing of Personal Data under, or in connection with, this Agreement and together with such notice, provide a copy of such Data Subject Request or ICO Correspondence to the other Party and reasonable details of the circumstances giving rise to it. In addition to providing the notice referred to in this Paragraph 1.2.2(f), each Party shall provide the other Party with all reasonable co-operation and assistance required by the other Party in relation to any such Data Subject Request or ICO Correspondence.
- (g) use reasonable endeavours to notify the other Party if it is obliged to make a disclosure of any of the Personal Data under any statutory requirement, such notification to be made in advance of such disclosure or immediately thereafter unless prohibited by law.
- (h) notify the other Parties in writing without under delay and, in any event, within twenty-four (24) hours of it becoming aware of any actual or suspected Personal Data Breach in relation to the Personal Data received from another Party and shall, within such timescale to be agreed by the Parties (acting reasonably and in good faith):
 - (i) implement any measures necessary to restore the security of compromised Personal Data; and
 - (ii) support the other Parties to make any required notifications to the ICO and/or other equivalent relevant Regulator and affected Data Subjects.
- (i) take reasonable steps to ensure the reliability of any of its personnel who have access to the Personal Data.
- (j) not do anything which shall damage the reputation of the other Party or that Party's relationship with the Data Subjects.
- (k) not transfer any Personal Data it is processing to a Restricted Country.
- (l) hold the information contained in the Personal Data confidentially and under at least the conditions of confidence as such Party holds Personal Data Processed by it other than the Personal Data.
- (m) not disclose the Personal Data to a third party (including a sub-

contractor) in any circumstances without the other Parties' prior written consent, save in relation to: (i) disclosures to Permitted Recipients; and (ii) Third Party Requests. For Third Party Requests, the Party seeking to disclose the Personal Data shall use reasonable endeavours to advise the other Parties in advance of such disclosure, unless that Party is prohibited by law or regulation from notifying the other Parties of that disclosure, in which case it shall do so as soon as practicable thereafter (where permitted by law or regulation); and

- (n) at the other Parties' option or direction, arrange for the prompt and safe return and/or secure permanent destruction of all Personal Data, together with all copies in its possession or control within 5 days unless otherwise prohibited by law, statutory regulation, or best practice, and, where requested by the other Parties certify that such destruction has taken place or provide reasons otherwise.

2. **Indemnity**

Each Party shall indemnify and keep the others indemnified against any Losses incurred by, awarded against, or agreed to be paid by the indemnified party to the extent arising from the first party's failure to comply with the Data Protection Laws

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APPENDIX A

Data Processing Particulars

The subject matter and duration of the Processing	<ul style="list-style-type: none"> • Student full name • Gender • Date of birth • Residential address • Contact phone number and email address • Progression and award details <p>Are kept for the period students' date of birth +120 years</p>
The nature and purpose of the Processing	<p>Purposes of processing:</p> <ul style="list-style-type: none"> • Administration of the Programme and performance of this Agreement, recording student details and progression for purpose of issuing the award. • In accordance with this Agreement and the accompanying Handbook for Validated Awards • Enabling communications between the employees of the Institution and the employees of the University for monitoring the students' progress and assessment to enable the Students to complete the Programme and obtain the award. <p>Nature of processing:</p> <ul style="list-style-type: none"> • Name, address, email address, telephone number, date of birth of the student, details necessary to identify the Student may be shared by the Parties. These details will be stored and used for the performance of this agreement, for audit purposes, and any legal and regulatory obligations and compliance with the University's Handbook • Records of Student progress, performance and attainment and any other details required for administration of this Agreement and award will be obtained, stored and used and transferred between the Parties as far as is necessary for the performance of the agreement, for audit purposes, and any legal and regulatory obligations. • Each Party will provide to the other Parties the contact details of their employees engaged in the

	performance of this agreement for the purpose of its performance.
The type of Personal Data being Processed	<ul style="list-style-type: none"> • Students' full name, gender, date of birth, residential address, contact phone number and email address. • Names, positions, and email addresses of the University employees engaged in performing this Agreement • Names, positions, and email addresses of the Institution's employees engaged in performing this Agreement
The categories of Data Subjects	<ul style="list-style-type: none"> • Students • Signatories to this Agreement and representatives of the Parties • Tutors, Lecturers and employees of Parties involved in the performance of this Agreement
Permitted Recipients	<p>For the University: OU Validation Partnership team in the University Examination Board Module Results Approval and Qualifications Classification Panel (MRAQCP) For the Institution [REDACTED]</p>
Special Category Data (if appropriate)	<p>The personal data transferred concern the following categories of special category data NONE</p>
Additional useful information (storage limits and other relevant information)	<p>NONE</p>
Contact points for data protection enquiries	<p>For Institution: [REDACTED]</p> <p>For University: Data Protection Lead/Officer Information Rights Team, The Open University, Walton Hall, Milton Keynes, MK7 6AA, Buckinghamshire. UK Email: Data-</p>

SCHEDULE 2

LIST OF PROGRAMMES TO BE VALIDATED

[to be inserted according to need of each FEC]

The Open University Validation Partnerships

The Open University
Walton Hall
Milton Keynes
MK7 6AA
UK

Phone: **+44 (0) 1908 332 840**

Email: ouvp-admin@open.ac.uk

Website: <https://www.open.ac.uk/about/validation-partnerships/>

Revised March 2023

The Open University is incorporated by Royal Charter (RC 000391), an exempt charity in England & Wales and a charity registered in Scotland (SC 038302)