



Y Comisiwn Addysg Drydyddol ac Ymchwil
Commission for Tertiary Education and Research

Condition: Complaints Procedures

A provider registered with or funded by Medr **must**:

- have in place a procedure for investigating complaints made by learners and former learners¹ about an act or omission of the provider
- take reasonable steps to make the procedure known to learners

Condition Category

This is an ongoing condition of registration. This is a condition of funding.

Legal Basis

Section 127 of the **Tertiary Education and Research (Wales) Act 2022** (the Act) places a statutory duty on Medr to ensure that a relevant tertiary education provider “has in place a procedure for investigating complaints about an act or omission of the provider which are made by persons who are undertaking or have undertaken relevant courses, and takes reasonable steps to make the procedure known to persons undertaking relevant courses.”

Section 126 of the Act defines a ‘relevant tertiary education provider’ as –

- (a) a registered provider;
- (b) a provider in receipt of financial resources provided or secured by Medr under –
 - (i) Section 89 (higher education courses specified in regulations),
 - (ii) Section 97 (further education or training), or
 - (iii) Section 104 (apprenticeships)

¹ Medr does not define ‘former learners’, it is good practice for providers to set out a deadline for learners to raise complaints once they have left the provider and to apply that deadline flexibly and be willing to consider whether any former learner has a good reason for making their complaint after this time.

Section 126 of the Act defines the relevant courses for which this condition applies as -

- (i) any course of tertiary education provided by or on behalf of a registered provider
- (ii) any course funded by Medr under Section 89, Section 97 and/or Section 104 of the Tertiary Education and Research (Wales) Act 2022.

Compliance Requirements

To comply with this condition, the provider **must**:

1. have in place a procedure for investigating complaints made by learners and former learners about an act or omission of the provider
2. take reasonable steps to make the procedure known to learners

Monitoring

Medr will monitor compliance with this condition in the following ways (for definitions of these, please see Medr's approach to monitoring):

- **Annual Assurance Return:** as part of Medr's Annual Assurance Return, providers will be expected to self-declare they have met the compliance requirements of the condition. This will be the primary source of monitoring for this condition.
- **provider website monitoring:** Medr will monitor where and how complaints procedures are made known to learners
- **regulatory concerns submissions and complaints monitoring:** in instances where concerns raised with Medr, or analysis of complaints data, identify themes or systemic issues that relate to compliance with the Complaints Procedures Condition
- **Reportable Events:** in instances where those events relate to complaints procedures and how they are made known to learners
- **data monitoring:** Medr will consider data relating to complaints numbers, patterns and trends. For providers within the complaints scheme of the Office of the Independent Adjudicator, data will be sourced via the scheme

Providers with a prior record of non-compliance, deteriorating trends in data or identified as at risk of future non-compliance may be subject to increased scrutiny. Failure to comply with monitoring requirements will prompt further investigation and possible interventions.

Review and Amendment

Medr will regularly review this condition to ensure that it aligns with evolving sector needs, policy changes, and feedback from stakeholders.