

Cylchlythyr | Circular

Procedures for handling complaints against institutions

Date: 05 October 2017
Reference: W17/28HE
To: The Governing Bodies and Heads of regulated institutions
and other interested parties
Heads of higher education institutions in Wales and
Principals of directly-funded further education colleges in
Wales
Heads of other relevant HE bodies and Prevent HE Leads
Response by: No response required
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This circular reports on the responses to the consultation on the *Complaints against institutions procedures*. It also provides the final version of these procedures which supersede HEFCW's allegations against institutions procedure and the QAA concerns scheme for Wales with immediate effect.

If you require this document in an alternative accessible format, please email info@hefcw.ac.uk.



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Purpose

1. This circular reports on the responses to the consultation on the procedures for handling complaints against institutions, which outline the types of complaints against institutions that may be dealt with by HEFCW, and the processes via which HEFCW will handle relevant complaints (see **Annex A**). This includes, where relevant, links to HEFCW's intervention procedures. It also provides the final version of the procedures for handling *Complaints against institutions (including concerns about standards and quality)* (see **Annex B**), which supersede the current allegations against institutions procedure and QAA concerns scheme for Wales with immediate effect.

Background

2. HEFCW has, until now, operated an allegations procedure in respect of Higher Education Institutions funded by HEFCW and directly-funded Further Education Colleges, which has enabled individuals to refer issues to HEFCW regarding an institution's compliance with the [Memorandum of Assurance and Accountability](#). This has included allegations of financial irregularity or impropriety, mismanagement, waste, or fraud in higher education institutions. Concerns regarding quality and standards have to date been dealt with via the [QAA concerns scheme](#).
3. A range of additional regulatory powers have been conferred on HEFCW by the Higher Education (Wales) Act 2015. HEFCW has the power to intervene where a regulated institution has charged course fees in excess of the fees set out in its relevant approved Fee and Access Plan for the institution or where the quality of a regulated institution's education provision is assessed as being inadequate or likely to become inadequate. HEFCW also has the power to intervene where a regulated institution has failed to, or is likely to fail to, deliver against the measures relating to the promotion of equality of opportunity and higher education set out in its Fee and Access Plan; or where an issue with the management of a regulated institution's financial affairs means that it has failed to comply, or is likely to fail to comply, with the [Financial Management Code](#). In addition, the Counter-Terrorism and Security Act 2015 requires HEFCW to monitor compliance with the 'Prevent' duty, with the means by which HEFCW will monitor institutions' compliance set out in [The Prevent Duty: Monitoring Framework](#).

Consultation responses

4. The Consultation (circular [W17/12HE](#)) in respect of the procedures for handling complaints against institutions was published on 9 June 2017. This circular sought responses to the following questions:

Q1: Are there any issues with regard to how the procedure will operate for complaints in respect of breaches of the Memorandum of Assurance and Accountability by a HEFCW funded institution?

Q2: Are there any issues with regard to how the procedure will operate for complaints in respect of failure, or likelihood of failure, to comply with the Financial Management Code by a regulated institution?

Q3: Are there any issues with regard to how the procedure will operate for complaints in respect of the charging of excess fees by a regulated institution?

Q4: Are there any issues with regard to how the procedure will operate for complaints in respect of failure, or likelihood of failure, to comply with the general requirements of an approved Fee and Access Plan by a regulated institution?

Q5: Are there any issues with regard to how the procedure will operate for complaints in respect of inadequate quality, or quality that is likely to become inadequate?

Q6: Are there any issues with regard to how the procedure will operate for complaints in respect of failure by a relevant higher education body to fulfil its Prevent duty?

Q7: Are there any unintended consequences resulting from the procedure not covered under the specific areas above?

Q8: Do you have suggestions in respect of the proposed web-based system that will be developed by HEFCW to facilitate the initial submission of complaints?

5. HEFCW has recorded and analysed the views of all respondents to the consultation in a consistent manner. We provide an analysis of the consultation responses and an explanation of how these responses were considered in our subsequent decisions at **Annex A**. For reasons of practicality, due to the length of some responses and the duplication between individual responses, this analysis provides a summary of the key points, rather than the full detail of each response.

Complaints against institutions procedures

6. Following the consultation, the procedures for handling complaints against institutions (including concerns about standards and quality) have been amended to address many of those points that were raised.
7. The finalised procedures, which outline the types of complaints against institutions that may be dealt with by HEFCW, and the processes via which HEFCW will handle relevant complaints are attached at **Annex B**. These procedures have superseded the allegations against institutions procedure and QAA concerns scheme for Wales with immediate effect.

Further information

8. For further information, contact Ewen Brierley (tel 029 2085 9713; email assurance@hefcw.ac.uk).

Summary of Consultation Responses

The key points from responses to the consultation are provided below, together with HEFCW's decision in respect of each of the points.

General points

- One respondent requested that HEFCW revisit the complexity of the procedures and set out the steps to be followed in a flow chart, illustrating any elements common to the different categories of complaints.

HEFCW response: We have revised the layout of the procedures so that there is a common 'making complaints' stage for all categories of complaint, with reference made to the different requirements for each category of complaint. A flow chart has also been included to provide an overview of the steps in the procedures.

- One respondent requested that accessible guidance be produced and that this be shared with student representatives to ensure they are able to support student disclosers.

HEFCW response: We will publish guidance for students in due course in relation to the aspects of these procedures in relation to inadequate quality or quality that is likely to become inadequate.

- One respondent requested that the HEFCW procedures signpost student disclosers to the OIA scheme.

HEFCW response: This has been actioned with text provided by the OIA on the OIA's role and how HEFCW will work with that organisation.

- One respondent requested that HEFCW address overlaps between the Memorandum of Assurance and Accountability ('the Memorandum') and the Financial Management Code.

HEFCW response: The Memorandum is to be revised to remove overlaps with the Financial Management Code.

Question 1: Are there any issues with regard to how the procedure will operate for complaints in respect of breaches of the Memorandum of Assurance and Accountability by a HEFCW funded institution?

- Most respondents raised no issues with regard to how the procedure will operate for complaints in respect of breaches of the Memorandum of Assurance and Accountability by a HEFCW funded institution.
- One respondent specifically welcomed that the HEFCW procedures would apply once the institution's own procedures had been exhausted. Another respondent suggested a requirement be included that all relevant complaints be investigated by the institution as a formal complaint in the

first instance, prior to referral to HEFCW, in order to prevent duplication of processes.

HEFCW response: It is agreed that, normally, relevant formal complaints should be made to the institution in the first instance, with the institution's own procedures to be fully exhausted prior to HEFCW becoming involved. There may, however, be circumstances where it will be critical that HEFCW is able to investigate serious complaints without delay. In such circumstances it would not be appropriate to expect a complainant to wait until the completion of an institution's own formal procedure prior to contacting HEFCW. The procedures therefore state that '*the discloser should normally have completed the institution's relevant 'whistleblowing' or complaints procedure with a decision issued by the institution*'. However, where a complainant has not completed the institution's procedures, the complainant will be required to provide HEFCW with an explanation, which will be considered by officers as part of the initial screening of the complaint.

Question 2: Are there any issues with regard to how the procedure will operate for complaints in respect of failure, or likelihood of failure, to comply with the Financial Management Code by a regulated institution?

- Most respondents raised no issues with regard to how the procedure will operate for complaints in respect of failure, or likelihood of failure, to comply with the Financial Management Code by a regulated institution.
- One respondent specifically welcomed that the HEFCW procedures would apply once the institution's own procedures had been exhausted. Another institution suggested a requirement be included that all relevant complaints be investigated by the institution as a formal complaint in the first instance, prior to referral to HEFCW, in order to prevent duplication of processes.

HEFCW response: As for Question 1.

Question 3: Are there any issues with regard to how the procedure will operate for complaints in respect of the charging of excess fees by a regulated institution?

- Most respondents raised no issues with regard to how the procedure will operate for complaints in respect of the charging of excess fees by a HEFCW funded institution.
- One respondent specifically welcomed that the HEFCW procedures would apply once the institution's own procedures had been exhausted. Another respondent suggested a requirement be included that all relevant complaints be investigated by the institution as a formal complaint in the first instance, prior to referral to HEFCW, in order to prevent duplication of processes.

HEFCW response: As for Question 1.

- One respondent requested clear guidance regarding the provision covered by the procedures in respect of the charging of excess fees.

HEFCW response: The procedures text has been amended to make it clear that the complaints procedure in respect of excess fees applies only to fees for full-time undergraduate courses. It now makes it clear that any concerns regarding the charging of excess fees for part-time and postgraduate courses should be raised with the institution in the first instance and subsequently, if not addressed, with the Competition and Markets Authority.

- One respondent raised concerns regarding an expectation that student disclosers be required to confirm with their institution whether the level of their fees is in excess of the level set out in the institution's Fee and Access Plan.

HEFCW response: We consider it to be critical that all disclosers are able to evidence that there is a reasonable basis for their complaint and that it falls under HEFCW's regulatory remit. When making a complaint regarding the charging of excess fees, the discloser must be able to confirm that the fees charged (or to be charged) are indeed in excess of the level set out in the published Fee and Access Plan. Students may wish to seek support from student representatives in obtaining such confirmation.

Question 4: Are there any issues with regard to how the procedure will operate for complaints in respect of failure, or likelihood of failure, to comply with the general requirements of an approved Fee and Access Plan by a regulated institution?

- One respondent specifically welcomed that the HEFCW procedures would apply once the institution's own procedures had been exhausted. Another respondent suggested a requirement be included that all relevant complaints be investigated by the institution as a formal complaint in the first instance, prior to referral to HEFCW, in order to prevent duplication of processes.

HEFCW response: As for Question 1.

- One respondent raised concerns regarding an expectation that student disclosers be required to familiarise themselves with their institution's Fee and Access Plan prior to making a complaint in respect of failure, or likelihood of failure, to comply with the general requirements of an approved Fee and Access Plan.

HEFCW decision: We consider it to be critical that all disclosers are able to evidence that there is a reasonable basis for their complaint and that it falls under HEFCW's regulatory remit. When making a complaint regarding failure, or likelihood of failure, to comply with the general requirements of an approved Fee and Access Plan, the discloser must be able to confirm that the general requirements have not been met or are

likely not to be met. This will require the discloser to have some familiarity with the institution's published Fee and Access Plan. Students may wish to seek support from student representatives in obtaining such confirmation.

Question 5: Are there any issues with regard to how the procedure will operate for complaints in respect of inadequate quality, or quality that is likely to become inadequate?

- One respondent suggested a requirement be included that all relevant complaints be investigated by the institution as a formal complaint in the first instance, prior to referral to HEFCW, in order to prevent duplication of processes.

HEFCW response: As for Question 1.

- One respondent requested that text setting out the expectation that the discloser would 'normally' have exhausted the institution's own complaints procedures prior to submitting the complaint to HEFCW be positioned more prominently. Another respondent requested that HEFCW should be mindful of cases where students have tried to raise complaints with a provider and have not been able to because of the inadequate nature of the provider's complaints process.

HEFCW response: The text has been moved accordingly in order to increase its prominence. HEFCW notes the point regarding the potential for a provider's own complaints process to be inadequate. Where it is not possible for a discloser to pursue a complaint with a provider the discloser may provide explanation of the reasons for this when referring the complaint to HEFCW.

- One respondent requested greater clarity on whether a complaint to HEFCW regarding inadequate quality would automatically trigger a 'partial review' under QER.

HEFCW response: We can confirm that a complaint to HEFCW would not automatically trigger a 'partial review'.

- Several respondents requested greater clarity on how the HEFCW procedures fit with the QAA concerns scheme for Wales and the OIA procedures.

HEFCW response: We have included text to confirm that the HEFCW procedures regarding complaints against institutions replace the QAA concerns scheme for Wales. All quality related complaints that are submitted to HEFCW will be handled by officers in the first instance and then will normally be referred to the QAA where a full investigation is required. We have also included text on the OIA's role and how HEFCW will work with that organisation.

- One respondent requested greater clarity regarding what was meant by the term ‘academic dispute’, in order to avoid confusion as to what might be referred to HEFCW.

HEFCW response: In view of the potential for confusion, the term academic dispute has been replaced with the term ‘academic judgement’.

- One respondent suggested that there should be parity between the eligibility criteria for the OIA and HEFCW complaints procedures, as disclosers might find that they didn’t match the relevant criteria were they to move between the two schemes. It was also suggested that HEFCW should adopt a timeframe for considering complaints in line with that for the OIA.

HEFCW response: The OIA and HEFCW schemes have a different legislative underpinning, with the OIA able to consider complaints regarding a wider range of issues than HEFCW. Consequently, it is not possible to align the eligibility criteria for the two procedures. However, text has been included within the document to outline the OIA’s role and how HEFCW will work with that organisation. This makes it clear that disclosers who raise concerns under the HEFCW Complaints Procedures will be referred to the OIA, where that is considered appropriate. It will then be for the OIA to determine whether the discloser’s complaint is one which it is able to review under the Rules of the OIA Scheme. In respect of the timeframe for consideration of complaints, the Higher Education (Wales) Act 2015 does not provide for such a time restriction in respect of HEFCW’s monitoring duties.

- One respondent suggested changes to the proforma at Annex C in order to provide additional information, and to ensure that complaints are only submitted if relevant.

HEFCW response: A number of changes have been made to the proforma.

- Two respondents raised concerns regarding the amount of information that students would need to familiarise themselves with prior to making a complaint in respect of inadequate quality, or quality that is likely to become inadequate, with greater support and signposting required.

HEFCW response: We consider it to be critical that all disclosers are able to evidence that there is a reasonable basis for their complaint and that it falls under HEFCW’s regulatory remit. When making a complaint regarding inadequate quality, or quality that is likely to become inadequate, the discloser must be able to confirm that the complaint falls within the baseline regulatory requirements of the Quality Assessment Framework for Wales. Whilst this will require the discloser to have some understanding of these baseline regulatory requirements, HEFCW will publish guidance for students in due course in relation to this procedure. Students may also wish to seek support from student representatives in preparing any complaint.

- Two respondents suggested that all reports of full investigations into quality issues should be made public.

HEFCW response: We have amended the procedures such that reports of full investigations will normally be published within 30 days of issue.

- One respondent requested that HEFCW maintain an effective dialogue with the discloser and share with them all information relevant to any decisions that are made. The respondent also requested that students should be involved in drafting any action plans in respect of quality issues as equal partners.

HEFCW response: We have amended the procedures such that it is clear that the action plan should be developed by the institution in partnership with the student body. The discloser will also be informed of any HEFCW decision on whether to initiate intervention in respect of inadequate quality under the Higher Education (Wales) Act 2015 within 15 working days of a decision being reached.

- One respondent requested clarification of how quality complaints data will be reported by HEFCW.

HEFCW response: It is anticipated that HEFCW would report complaints on a similar basis to that adopted by the QAA. This reporting would normally be undertaken at a sector level unless there was a need to highlight a significant issue at a particular provider. Reporting of any such significant issues would be placed in context, including in relation to the size of the provider.

Question 6: Are there any issues with regard to how the procedure will operate for complaints in respect of failure by a relevant higher education body to fulfil its Prevent duty?

- One respondent requested that a more specific explanation of what would constitute an appropriate complaint be provided.

HEFCW response: HEFCW's guidance (Consultation circular W17/12HE, paragraph 17b.i. and the Prevent Monitoring Framework W16/39HE, Annex D) makes it clear that the complaints procedure is for a perceived failure by the RHEB to fulfil its Prevent duty.

- One respondent requested specific assurance that any complaint would have to evidence that the RHEB had failed to act on specific measures set out in its Prevent Policy and Action Plan.

HEFCW response: We consider that the consultation circular ([W17/12HE](#)) made clear the need for evidence (e.g. paragraph 17.b.iii. 'HEFCW is unable to investigate any un-evidenced complaints') and the need for disclosers to familiarise themselves with the relevant Policy. We would normally expect this to include a provider's Prevent Policy and

Action Plan, but it need not be limited to these documents, since providers will reference the Prevent Duty in a wide-range of institutional policies/documents.

- One respondent requested that HEFCW signpost disclosers to additional impartial guidance and advice.

HEFCW response: Student disclosers may seek advice from student representatives. As noted in the procedure, disclosers should normally seek to raise the matter with the RHEB's designated Prevent Coordinator prior to raising a complaint with HEFCW.

- One respondent suggested that the definition of serious incidents, as drafted in paragraph 52, could be interpreted more widely than might be intended by HEFCW.

HEFCW response: HEFCW is required to report *serious Prevent-related incidents* to the Home Office and the definition provided in circulars W17/12HE and W16/39HE is taken from HEFCW's formal agreement with the Home Office (Schedule 3, paragraph 3.1). Our interest is to ensure that a RHEB has incorporated any lessons learned into its Prevent duty programme. As with all complaints made to HEFCW, we require the discloser to have had direct experience of the issue and to satisfy themselves that they can provide evidence. Disclosers are expected to raise the complaint with the provider's designated Prevent Co-ordinator and to have had their complaint acknowledged (prior to raising the complaint with HEFCW). The Prevent Duty Monitoring Framework for HE Providers in Wales (circular [W16/39HE](#), Annex D, paragraph c) states that '*it is for RHEBs to decide what constitutes a serious Prevent-related incident which should be reported to HEFCW*' and paragraph e) states that '*where they are unsure, providers should contact HEFCW's Prevent team to discuss the issue*'. We would therefore expect a discloser to have raised the *potentially* 'serious Prevent-related incident' with the provider's Prevent Co-ordinator, before the incident is reported to HEFCW.

Question 7: Are there any unintended consequences resulting from the procedure not covered under the specific areas above?

- One respondent requested that HEFCW provide clarity on the hierarchy and relationship between the QAA Concerns Scheme for Wales; and the OIA and HEFCW complaints procedures.

HEFCW response: We have included text confirming that the HEFCW complaints procedures have replaced the QAA Concerns Scheme for Wales. As the OIA and HEFCW schemes have a different legislative underpinning, with the OIA able to consider complaints regarding a wider range of issues than HEFCW, it is not possible to define a hierarchy between the two procedures. However, we have included text on the OIA's role and how HEFCW will work with that organisation.

- One respondent suggested that the 15 days' notice of any decision following an investigation is too long, with a request that this period be reduced to a working week.

HEFCW response: HEFCW would seek to inform disclosers of any decision within a shorter timescale than 15 working days. However, in view of the need to allow for potential staff absence, we consider a maximum of 15 days to be appropriate.

- One respondent suggested that each proforma for submission of complaints be amended to require that disclosers confirm whether the complaint has been progressed through the provider's own complaints procedures and pursued with any other body.

HEFCW response: The proforma have been amended accordingly.

Question 8: Do you have suggestions in respect of the proposed web-based system that will be developed by HEFCW to facilitate the initial submission of complaints?

- Respondents were generally supportive of the proposed web-based system for submission of complaints. One respondent suggested that the system utilise 'drop-down menus' to help disclosers understand whether their particular complaint regarding a specific provider falls under HEFCW's remit. One respondent also requested that the web-based system issue a receipt for all submissions.

HEFCW response: We will seek to take account of these points when developing the web-based system.

- One respondent requested further information on how HEFCW would protect the data processed by the web-based system.

HEFCW response: HEFCW is ISO27001 accredited and would take all reasonable measures to ensure data security. We expect that any data processed by the system would be held securely, with only approved users having access to the data. We will discuss our data security arrangements, in respect of the system, with institutions as the system is developed.

Complaints about institutions (including concerns about standards and quality)

October 2017



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Purpose

1. The aim of these procedures is to outline the types of complaints about institutions that may be dealt with by HEFCW, and the processes via which HEFCW will handle relevant complaints. This includes, where relevant, links to HEFCW's intervention procedures.

HEFCW's role

2. Institutions are independent, legally autonomous bodies and we do not interfere unnecessarily in their operations. It is therefore not in the remit of the Higher Education Funding Council for Wales (HEFCW) to become involved in disputes between students or staff and the institutions that we fund or regulate. All institutions have their own complaints and appeals procedures, including on matters of academic performance and staff grievances. Complainants¹ should pursue their complaints directly with the institution concerned in accordance with the institution's own internal procedures.
3. Our relationship with the institutions which we fund is governed by a [Memorandum of Assurance and Accountability](#). The Memorandum of Assurance and Accountability (the 'Memorandum') sets out the terms and conditions for the payment of funds under the Further and Higher Education Act 1992 to the governing body of each institution. It also lays down requirements for the governance and management of institutions. Where complaints are received that the Memorandum of Assurance and Accountability requirements are not being met by an institution, HEFCW officers may investigate and take appropriate action.
4. Our relationship with regulated institutions (all those institutions with an approved Fee and Access Plan) is governed by the Higher Education (Wales) Act 2015. The Higher Education (Wales) Act 2015 sets out the requirements of regulated institutions in terms of: their compliance with approved Fee and Access Plans; the quality of their education provision; and the management of their financial affairs, through compliance with a Financial Management Code. HEFCW has the power to intervene where an institution has charged full-time undergraduate course fees in excess of the fees set out in the relevant approved Fee and Access Plan for the institution (as published on its website); or has failed to, or is likely to fail to, deliver against the measures relating to the promotion of equality of opportunity and higher education set out in its Fee and Access Plan (the 'general requirements' of the Plan). HEFCW also has the power under the Higher Education (Wales) Act 2015 to intervene where the quality of a regulated institution's education provision is assessed as being inadequate or likely to become inadequate; or where an issue with the management of a regulated institution's financial affairs means that it has failed to comply, or is likely to fail to comply, with the Financial Management Code.

¹ Complainants may include individuals, groups or organisations

5. The following table summarises the areas under HEFCW’s funding or regulatory powers in which HEFCW may consider complaints against an institution.

Institutions in receipt of HEFCW funding	Regulated Institutions not in receipt of HEFCW funding²	Regulated Institutions in receipt of HEFCW funding³
<u>Financial affairs, governance and management</u>		
<ul style="list-style-type: none"> Breaches of the Memorandum of Assurance and Accountability 	<ul style="list-style-type: none"> Failure, or likelihood of failure, to comply with the Financial Management Code 	<ul style="list-style-type: none"> Breaches of the Memorandum of Assurance and Accountability Failure, or likelihood of failure, to comply with the Financial Management Code
<u>Fee and Access Plan compliance</u>		
	<ul style="list-style-type: none"> The charging of full-time undergraduate course fees in excess of the fee level set out in the relevant approved Fee and Access Plan Failure, or likelihood of failure, to comply with the general requirements of the relevant approved Fee and Access Plan 	<ul style="list-style-type: none"> The charging of full-time undergraduate course fees in excess of the fee level set out in the relevant approved Fee and Access Plan Failure, or likelihood of failure, to comply with the general requirements of the relevant approved Fee and Access Plan
<u>Quality of education</u>		
<ul style="list-style-type: none"> Inadequate quality, or quality that is likely to become inadequate⁴ 	<ul style="list-style-type: none"> Inadequate quality, or quality that is likely to become inadequate 	<ul style="list-style-type: none"> Inadequate quality, or quality that is likely to become inadequate

6. Where complaints are received in relation to the charging of excess full-time undergraduate fees, failure to comply with Fee and Access Plan targets,

² As of June 2017 there were no regulated institutions that were not also in receipt of direct HEFCW funding, although there is the potential for non-funded providers (e.g. alternative providers, FE colleges) to become regulated institutions

³ All universities and regulated FE colleges in receipt of direct HEFCW funding.

⁴ Under terms and conditions of HEFCW funding

education of inadequate quality, or failure to comply with the Financial Management Code, HEFCW may investigate and take action under the Higher Education (Wales) Act 2015 with our powers of intervention set out in our [Statement of Intervention](#). It should be noted that issues regarding part-time and postgraduate fees are not covered by this procedure. Any concerns regarding the charging of excess fees for part-time and postgraduate courses should be raised with the institution in the first instance and subsequently, if not addressed, with the Competition and Markets Authority ([CMA](#)).

7. In addition to the above areas, under Section 26(1) of the Counter-Terrorism and Security Act (2015) a duty has been placed on Higher Education providers to 'have due regard to the need to prevent people from being drawn into terrorism', known as the Prevent duty. The Home Secretary, in consultation with Welsh Government, has delegated responsibility to HEFCW to monitor compliance with the Prevent duty, with the means by which HEFCW will monitor compliance set out in [The Prevent Duty: Monitoring Framework](#). Relevant Higher Education Bodies (RHEBs) covered by this duty and monitored by HEFCW include all universities in Wales⁵, Alternative Providers headquartered in Wales that are awarded specific course designation and Other Providers that are teaching 250 or more students by headcount on HE courses in Wales and not covered by the other two categories. Where complaints are received that a RHEB is not fulfilling its Prevent duty in some way, HEFCW may undertake initial checks and ask the body concerned to investigate the matter, and if the issue is substantiated, provide notification of the consequences.
8. The procedures for making complaints in respect of:
 - a. suspected breaches of the [Memorandum of Assurance and Accountability](#) by a funded institution;
 - b. the failure, or likelihood of failure, comply with the Financial Management Code by a regulated institution;
 - c. the failure, or likelihood of failure, to comply with a Fee and Access Plan (fee levels and the general requirements of the Plan) by a regulated institution;
 - d. inadequate quality, or quality that is likely to become inadequate, of education delivered by or on behalf of a regulated institution; and
 - e. the failure by a RHEB to fulfil its Prevent duty,are outlined below. **Please note that HEFCW cannot become involved in complaints that do not relate directly to one or more of the above areas.**
9. It should be noted that in respect of all issues regarding the quality of education, these complaints procedures replace the Quality Assurance Agency for Higher Education (QAA) Concerns scheme for Wales.

⁵ HEFCW's monitoring authority excludes all Further Education Institutions (FEIs) in Wales, including those in dual sector relationships. FEIs in Wales come under Estyn's monitoring authority for the Prevent duty.

Making a complaint regarding an institution

10. Where a complainant (the 'discloser') wishes to make a complaint regarding:
- financial, governance or management matters;
 - the charging of excess fees or compliance with Fee and Access Plan general requirements;
 - quality of education delivered by or on behalf of a regulated institution; or
 - the failure by a relevant higher education body to fulfil its Prevent duty,
- they must first clarify whether the institution is [funded](#) and/or [regulated](#) by HEFCW. In respect of complaints regarding financial, governance or management matters this will determine whether a complaint may be made to HEFCW regarding a potential breach of the Memorandum of Assurance and Accountability, non-compliance with the Financial Management Code, or both. In respect of complaints regarding the charging of excess fees; compliance with Fee and Access Plan general requirements; education provision of inadequate quality, or quality that is likely to become inadequate; this will determine whether a complaint may be made to HEFCW, as HEFCW can only consider complaints regarding regulated institutions. As outlined above, complainants should note that for all quality related issues these procedures replace the QAA Concerns scheme for Wales.
11. Where the discloser wishes to make a complaint to HEFCW regarding an institution in respect of any of the above issues, then they should:
- a. Read carefully this document and the other relevant documentation (**please see below for the specific documents for each area**) prior to contacting HEFCW.
- **For financial, governance or management matters**, complainants should read the [Memorandum of Assurance and Accountability and Financial Management Code](#).
 - **For issues regarding the charging of excess fees or compliance with Fee and Access Plan general requirements**, complainants should read the institution's Fee and Access Plan.
 - **For issues regarding inadequate quality, or quality that is likely to become inadequate**, complainants should read the [baseline regulatory requirements](#) of the quality assessment framework for Wales. It should be noted that if the complaint does not fall within the baseline requirements HEFCW will be unable to progress it.
 - **For issues regarding failure by a relevant higher education body (RHEB, see paragraph 15 of The Prevent Duty: Monitoring Framework for details of RHEBs) to fulfil its Prevent duty**, complainants should read the [Prevent Duty Guidance for Higher Education Institutions](#) in England and Wales; the [Revised Prevent Duty Guidance](#) for England and Wales (Sections A to D); and [The Prevent Duty: Monitoring Framework](#) for Higher Education Providers in Wales. It should be noted that RHEBs are assessed by HEFCW as having 'due regard' to the Prevent Duty if they have

appropriate policies and processes in place in response to the Prevent Statutory Guidance; and they satisfactorily demonstrate that they are following these policies and processes in practice. The discloser should therefore also read the institution's Prevent policies and processes.

- b. Seek further clarification, if necessary, from HEFCW (email complaints@hefcw.ac.uk) regarding whether the complaint does indeed relate to one of the above areas falling under HEFCW's regulatory remit.
- c. Satisfy themselves that:
 - i. The complaint relates to HEFCW's functions and its relationship as set out in the relevant documentation (see 11a. above).
 - ii. The institution's own public interest disclosure ('whistleblowing') or other relevant complaints procedure has been fully exhausted; formal clarification has been obtained from the institution; or the issue has been formally raised with the institution, as appropriate (**please see below for the specific requirements in each area**). There is an exception to this general requirement, where there are compelling reasons not to raise the matter with the institution, such as where there are legitimate concerns that the discloser would be treated adversely by the institution or that evidence relevant to the complaint would be destroyed.
 - **For complaints regarding breaches of the Memorandum of Assurance and Accountability or failure, or likelihood of failure, comply with the Financial Management Code**, the discloser should normally have completed the institution's relevant 'whistleblowing' or complaints procedure with a decision issued by the institution.
 - **For complaints regarding the charging of excess fees**, the discloser should have sought formal clarification from the institution regarding the level of fees that have been charged, or are to be charged, to confirm whether these are indeed in excess of the level set out in the relevant approved Fee and Access plan (student representatives may be able to provide support for students with this). For this purpose, 'fees', as defined by the Higher Education (Wales) Act 2015, are the fees in respect of, or otherwise in connection with: undertaking a course, including admission, registration, tuition and graduation; and fees/fees payable to an institution for awarding or accrediting any part of the course. This excludes: (a) fees payable for board or lodging (b) fees payable for field trips (including any tuition element of such fees); (c) fees payable for attending any graduation or other ceremony; (d) any other fees prescribed for the purposes of this section (e.g. extra costs associated with equipment etc.).
 - **For complaints regarding failure, or likelihood of failure, to comply with Fee and Access Plan general requirements**, the discloser should have sought formal

clarification from the institution regarding the compliance with the measures and expenditure, relating to the promotion of equality of opportunity and higher education, set out in the institution's relevant approved Fee and Access Plan (student representatives may be able to provide support for students with this). This should confirm whether there is indeed non-compliance, or a likelihood of non-compliance, with the general requirements of the Fee and Access plan.

- **For complaints regarding inadequate quality, or quality that is likely to become inadequate**, the discloser should normally, have formally raised the issue with the University, and be able to provide evidence that they have completed any associated procedures as appropriate (e.g. via a Completion of Procedures letter). If the discloser has not been able to complete the institution's procedures then they must provide an explanation regarding why this was not possible, in order for HEFCW to judge whether it should accept the complaint. If the institution is not aware of the complaint, then the discloser may be required to engage with the institution's procedures before any complaint under HEFCW's procedures can be accepted.
 - **For complaints regarding failure by a RHEB to fulfil its Prevent duty**, the discloser should normally have raised the issue formally with the RHEB's designated Prevent Coordinator and received an acknowledgement of this.
- iii. They can provide evidence – HEFCW is normally unable to investigate any un-evidenced complaints. If it is not possible to provide evidence, then the discloser must confirm the reason why this is not possible.
 - iv. The matter does not relate to an individual or collective personnel dispute for which there are established routes of complaint and remedies.
 - v. The matter does not relate to an issue of academic judgement.
 - vi. For complaints in respect of inadequate quality, or quality that is likely to become inadequate, the issue affects, or has the potential to affect, a group of students rather than an individual. If it does not, then the discloser should refer the matter to the Office of the Independent Adjudicator (OIA), as appropriate (**Information on the OIA's role and how HEFCW will work with that organisation is provided in the note below**). The matter must also relate to the quality of education as defined under Section 18(2) of the Higher Education (Wales) Act 2015, i.e. relates to quality which is, or is likely to become, inadequate. This covers matters relating to standards and student academic experience.

- vii. The discloser has direct experience of the issue e.g. is a student, recent graduate, or member of staff of the institution^{6,7}.
- d. Complete the appropriate form and submit it to HEFCW (please see below).
- The form for complaints regarding financial affairs, governance and management (i.e. breaches of the Memorandum of Assurance and Accountability or Financial Management Code) is attached at **Annex A**.
 - The form for complaints regarding Fee and Access Plan compliance (i.e. The charging of excess fees or failure to comply with Fee and Access Plan general requirements) is attached at **Annex B**.
 - The form for complaints regarding inadequate quality or quality that is likely to become inadequate at regulated institutions is attached at **Annex C**.
 - The form for complaints regarding failure by a RHEB to fulfil its Prevent duty is attached at **Annex D**.

An acknowledgement of receipt will be sent within five working days. Please note that our policy is normally not to take action in response to anonymous complaints.

NOTE: The OIA and HEFCW

The OIA operates the statutory complaints handling scheme for higher education students in England and Wales. It has a wide remit to consider complaints about acts and omissions of its member providers, although the OIA cannot look at complaints about admissions, academic judgment, student employment and matters which are the subject of Court or Tribunal proceedings, unless those proceedings have been 'stayed' or 'adjourned'.

Students and former students may complain to the OIA, as individuals or in groups. Those complaining to the OIA must usually have completed all relevant internal procedures of their higher education provider. The OIA is a review body and will not usually investigate matters afresh. The OIA normally reviews whether the provider has followed its procedures and applied its regulations (and whether those procedures and regulations are themselves reasonable) and whether the provider's final decision was reasonable in all the circumstances. More information about the OIA Scheme, including a list of higher education providers which are members and guidance on how to make a complaint to the OIA, can be found on the OIA's website: www.oiahe.org.uk.

⁶ If you are not a student or member of staff of the institution, then you must confirm how you have direct knowledge or experience of the issue.

⁷ The only exception to this is where there are issues relating to health, which might mean that it is appropriate for the issue to be raised by a representative. However, where the student is capable of raising the issue themselves, then they should do so.

NOTE: The OIA and HEFCW (continued)

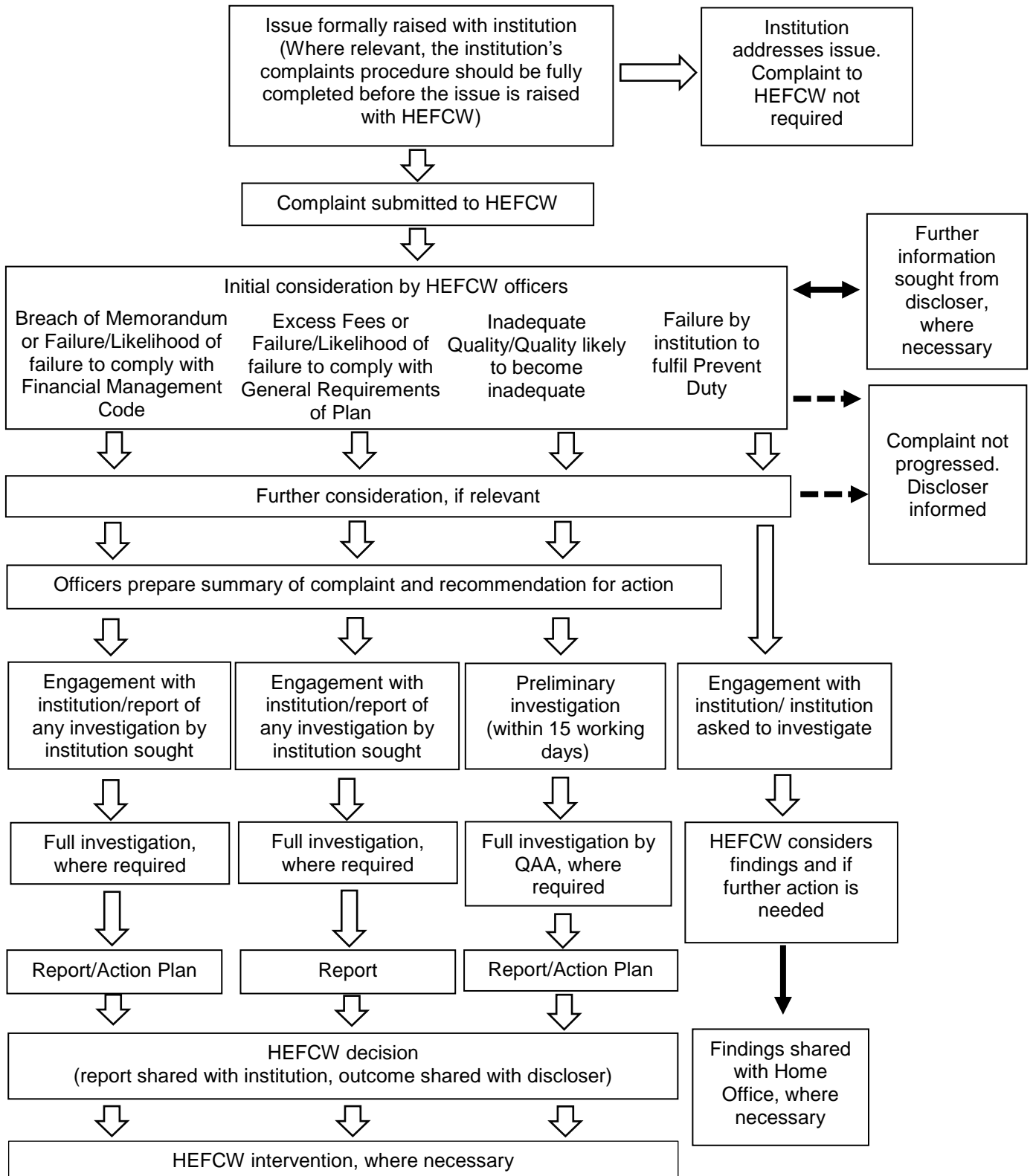
HEFCW works with the OIA to identify the areas where their complementary roles and independent functions inter-relate and to agree areas where it is appropriate to share information and contribute to the work of their respective organisations. The sharing of information is carried out in a manner that is efficient, proportionate and fully in compliance with the Human Rights Act 1998 and the Data Protection Act 1998, where applicable.

Disclosers who raise concerns under this HEFCW Complaints Procedure will be referred to the OIA, where appropriate. The OIA will then determine whether the discloser's complaint is one which it is able to review under the Rules of the OIA Scheme.

Complaints received by HEFCW, relating to disputes between multiple students and the institution, may also fall under the remit of the OIA, and disclosers will be referred to that organisation as appropriate.

How HEFCW will handle complaints

12. The following flow-chart provides a generalised summary of the HEFCW process for handling complaints about institutions. Disclosers should note that HEFCW may halt the complaints process at any stage if the issue has been satisfactorily addressed by the institution.



Initial consideration

13. All complaints received by HEFCW regarding financial affairs, governance and management; compliance with Fee and Access Plans; inadequate quality, or quality likely to become inadequate; and the Prevent Duty, will be acknowledged and referred to relevant officers from across HEFCW, as appropriate. HEFCW officers will determine if action should be taken, and obtain clarification of, or further information regarding the complaints from the discloser, if this is possible and is considered necessary to reach a decision.
14. HEFCW will first consider whether the complaint is relevant to its functions (i.e. that it relates to a breach of the Memorandum of Assurance and Accountability, failure to comply with the Financial Management Code, failure to comply with fee levels or the general requirements set out in an institution's Fee and Access Plan, inadequate quality or quality that is likely to become inadequate, or failure by an institution to fulfil its Prevent duty) and whether the necessary evidence has been provided to support the complaint. If HEFCW officers consider that a complaint relates solely to issues of academic judgement, personnel disputes, or simply questions legitimate decisions by the institution, no further action will be taken by HEFCW. In such circumstances a reply will be sent to the discloser confirming that these are matters for the institution and that HEFCW will not take any further action. HEFCW officers will seek to complete initial consideration of complaints within 15 working days of receipt.

Further consideration of relevant complaints

15. If the complaint is considered to be relevant to its functions HEFCW will then consider:
 - a. Whether the evidence provided by the discloser demonstrates, or seems likely to be able to demonstrate, a reasonable basis for the complaint;
 - b. Whether the discloser appears to believe that the complaint is true;
 - c. The seriousness of the complaint;
 - d. In the case of complaints regarding a perceived breach of the Memorandum of Assurance and Accountability or failure to comply with the Financial Management Code, that the institution's own relevant procedure for public interest disclosure or complaints has been completed, or whether there are compelling reasons for the discloser's decision not to use those procedures. Such reasons might include a legitimate concern that the discloser would be treated adversely by the institution or that evidence relevant to the complaint would be destroyed;
 - e. In the case of complaints regarding the charging of excess fees, that the issue has been raised formally with the institution and a response received that acknowledges that the level of fees charged is in excess of that published in the relevant approved Fee and Access Plan for the

institution. Also no satisfactory resolution has been reached regarding reimbursement;

- f. In the case of complaints regarding failure to comply, or a likelihood of failure to comply, with the general requirements of the institution's approved Fee and Access Plan, that the issue has been raised formally with the institution and a response received that confirms whether there is non-compliance, or a likelihood of non-compliance, with the general requirements of the Fee and Access plan;
 - g. In the case of complaints regarding inadequate quality or quality that is likely to become inadequate, that the issue has normally been raised formally with the institution and any associated procedures have been completed (see para 11c).
 - h. In the case of complaints regarding a failure by a relevant higher education body (RHEB) to fulfil its Prevent Duty, whether the RHEB has already alerted HEFCW, or reported the issue to the police or another appropriate authority – for example, if criminality is suspected.
16. Having considered these factors, HEFCW officers will make a judgement as to the robustness and seriousness of the complaint, and whether it needs to be pursued. If a complaint appears to be minor, frivolous or vexatious it will not be pursued. However, a file note will be retained setting out the basis for the judgement and a Director will inform the discloser of this decision. HEFCW officers will seek to complete this consideration of complaints within 20 working days of receipt.
17. If the complaint relates to a matter within HEFCW's functions and is considered to be of a level of robustness and/or seriousness which requires us to consider taking action, then HEFCW officers will instigate the procedure below.

Pursuing complaints in relation to financial affairs, management and governance

18. If HEFCW judges that it is appropriate to pursue a complaint regarding a perceived breach of the Memorandum of Assurance and Accountability, a failure to comply with the Financial Management Code, or the likelihood of a failure to comply with the Financial Management Code, officers will prepare a brief summary of the complaint and a recommendation for action. If the approach to be taken in pursuing the complaint is not clear, HEFCW officers will seek the advice of the Chief Executive.
19. Once approved it will be for HEFCW officers to determine the work necessary to ensure compliance, either using HEFCW resources or by obtaining assistance from outside HEFCW. In all cases, the institution will be informed. If it is considered that an investigation is necessary, this will be confirmed in a letter from a Director to the head of the institution.
20. Where complaints are raised in respect of the head of the institution or governing body, a Director will liaise with the HEFCW Chief Executive about

how to proceed. In such circumstances, actions may include contacting the institution's chair of governors or chair of its Audit Committee.

21. The nature of the complaint should, where possible, be discussed with the institution to establish if the institution is already aware of the complaint and has investigated it. If this is the case, copies of any reports will be obtained, and HEFCW officers will make a judgement within a reasonable timescale as to whether any further action is needed by the institution. If the institution is not aware of the complaint, discussions will take place with the institution to agree whether an investigation is necessary and who might undertake it. HEFCW officers will obtain a copy of any report resulting from such an investigation by the institution or its auditors, and it has the right of access to any documents necessary for the conduct of its work.
22. When HEFCW officers consider that no further work is appropriate, either because a full investigation was not warranted or because the complaint has already been the subject of a full internal report, a recommendation will be made that the file on the complaint be closed. HEFCW officers will then notify the original discloser of this outcome within 15 working days of the outcome being reached. It will be for the institution to decide whether any internal report should be shared with the discloser.
23. If HEFCW considers that an investigation by officers is necessary, the work will be undertaken within 15 working days where possible. The investigation should lead to a report which will, if possible, be agreed with the institution as being an accurate report of the investigation and its findings. The report will ultimately be issued to the institution's Accountable Officer (usually the Vice-Chancellor or Principal, and copied to the governing body) in confidence by HEFCW's Chief Executive, in the same way as routine reports from HEFCW officers. The expectation is that it will be considered by the institution's Audit Committee, with this to be followed up with the institution.
24. In respect of a breach of the Memorandum of Assurance and Accountability, where it is decided that further work is appropriate, HEFCW will inform the discloser that the complaint is being investigated. In respect of a failure to comply with the Financial Management Code, or the likelihood of a failure to comply, the reports of any investigations will inform an action plan for addressing the failure to comply, with delivery of this plan leading ultimately to a decision by HEFCW to initiate intervention as outlined in our [Statement of Intervention](#).
25. The discloser will also be informed, in broad terms and insofar as this is compatible with any duties of confidentiality to others and data protection considerations, of the ultimate outcome of such further investigations within 15 working days of such an outcome being reached. Where appropriate, HEFCW will share the findings from the report with Welsh Government and the Wales Audit Office. Action plans may not be made available to disclosers for reasons of commercial confidentiality.

Pursuing complaints in relation to compliance with an institutions approved Fee and Access Plan

26. If HEFCW officers judge that it is appropriate to pursue a complaint regarding the charging of fees in excess of the level set out in an institution's approved Fee and Access Plan; or a failure, or the likelihood of a failure, to comply with the general requirements of the institution's Fee and Access Plan, they will prepare a brief summary of the complaint and a recommendation for action. If the approach to be taken in pursuing the complaint is not clear, the advice of the Chief Executive will be sought.
27. Once approved, it will be for HEFCW officers to manage whatever work is considered necessary, either using internal resources or by obtaining assistance from outside HEFCW. In all cases, the institution will be informed. If it is considered that an investigation is necessary, this will be confirmed in a letter from a Director to the Accountable Officer (usually the Vice-Chancellor or Principal), copied to the governing body.
28. In all cases, the complaint will be discussed with the institution to establish if the institution is already aware of the complaint and has investigated it; whether the charging of excess fees or failure to comply with the general requirements of the Fee and Access Plan has been established; and what action, if any, has been taken. In the case of the charging of excess fees this will include any action to reimburse those individuals or sponsors that have been affected. In order to facilitate discussion with the institution, HEFCW officers may request permission to share the discloser's relevant details (e.g. name, course etc.). It should be noted that, where permission to share relevant details is requested, refusal may hinder HEFCW's ability to address the complaint. If the institution is already aware of the complaint and has investigated it, copies of any reports prepared by the institution will be obtained, and HEFCW officers will make a judgement within a reasonable timescale as to whether any further action is needed by the institution.
29. If the institution is not aware of the complaint, discussions will take place with the institution to agree whether an investigation is necessary and who might undertake it. HEFCW officers will obtain a copy of any report resulting from such an investigation by the institution or its auditors, and it has the right of access to any documents necessary for the conduct of its work.
30. If HEFCW considers that an investigation by officers is necessary, the work will be commissioned. The investigation should lead to a report which will, if possible, be agreed with the institution as being an accurate report of the investigation and its findings. HEFCW will inform the discloser that the complaint is being investigated. The discloser will also be informed, in broad terms and insofar as this is compatible with any duties of confidentiality to others and data protection considerations, of the ultimate outcome of such further investigations within 15 working days of the outcome being reached. The report will ultimately be issued to the institution's Accountable Officer (usually the Vice-Chancellor or Principal) and copied to the governing body, in confidence by HEFCW's Chief Executive.

31. The reports of any investigations will inform a decision by HEFCW to initiate intervention via the issue of a Compliance and Reimbursement Direction or a Direction in respect of the General Requirements of Approved Plan, as outlined in our [Statement of Intervention](#). The discloser will be informed, in broad terms and insofar as this is compatible with any duties of confidentiality to others and data protection considerations, of any decision on whether to initiate intervention under the Higher Education (Wales) Act 2015 within 15 working days of a decision being reached.
32. Where a complaint has already been raised with the Office of the Independent Adjudicator for Higher Education (OIA) or with the Competition and Markets Authority (CMA), prior to being raised with HEFCW, HEFCW may await the outcome of any ongoing OIA or CMA investigations and processes before considering intervention. Even if this is not the case, HEFCW officers may liaise with the OIA or CMA to inform them of the complaint and may work in parallel with these bodies where necessary. Where appropriate, in order to facilitate any investigations or actions by the OIA and/or CMA, HEFCW may request permission to share a discloser's relevant details.

Pursuing complaints in relation to inadequate quality or quality that is likely to become inadequate at a regulated institution

33. If HEFCW officers judge that it is appropriate to pursue a complaint regarding quality (including standards and areas set out in the Quality Code) that is, or is likely to become inadequate, they will prepare a brief summary of the complaint and a recommendation for action. If the approach to be taken in pursuing the complaint is not clear, the advice of the Chief Executive will be sought.
34. In the first instance, HEFCW officers will manage whatever work is considered necessary. This will include a preliminary investigation of the issue, carried out by HEFCW officers within 15 working days where possible. A full investigation will include obtaining assistance from outside HEFCW as appropriate. Any decision to initiate a preliminary or full investigation will be confirmed in a letter from a Director to the head of the institution (copied to the governing body).
35. In all cases meeting the requirements to proceed to a preliminary investigation, the complaint will be discussed with the institution to establish the outcomes of the institution's own investigation of the matter. In order to facilitate discussion with the institution, HEFCW officers may request permission to share the discloser's relevant details (e.g. name, course etc.). It should be noted that, where permission to share relevant details is requested, refusal may hinder HEFCW's ability to address the complaint.
36. **The preliminary investigation** will be undertaken within 15 working days where possible. HEFCW will inform the discloser that the complaint is being investigated. The discloser will also be informed, in broad terms and insofar as this is compatible with any duties of confidentiality to others, of the ultimate

outcome of such investigations, including whether or not it proceeds to a full investigation.

37. As part of the preliminary investigation, officers will also establish whether quality issues have been identified separately through quality assessment processes or the normal work of the institution (e.g. via internal quality assessment processes, external quality assessment review, any previous complaints made, the processes of the Office of the Independent Adjudicator for Higher Education (OIA), Estyn, or other Professional, Statutory or Regulatory Body (PSRB)). They will also consider any action taken in response.
38. Where, prior to being raised with HEFCW, the complaint has been raised with an external agency or body which normally reviews/inspects the provision of that institution, or has a role in undertaking investigations relevant to its remit (e.g. OIA or CMA), then HEFCW may await the outcome of any ongoing investigations and processes before considering intervention. In addition, even if the complaint has not been raised elsewhere, HEFCW officers may liaise with such a body to inform them of the complaint. Where appropriate, in order to facilitate any investigations or actions by that body, HEFCW may request permission to share a discloser's relevant details.
39. HEFCW officers have the right of access to any documents necessary for the conduct of both preliminary and full investigations. This include copies of any report resulting from the investigation by the institution or the agency reviewing/ inspecting quality of that institution or course. Officers will make a judgement as to whether any further action is needed by the institution to address quality issues, as outlined in our [Statement of Intervention](#). We will also liaise with the OIA, Estyn and PSRBs as appropriate.
40. Following the preliminary investigation, HEFCW officers will advise the Chief Executive whether a full investigation should be carried out. This will be in cases where the preliminary investigation indicates that there is sufficient evidence of quality of education which is (likely to become) inadequate to warrant a full investigation and report. If a preliminary investigation does not proceed to a full investigation, then the procedures will cease and there will be no written report. HEFCW officers will then notify the original discloser of this outcome within 15 working days of the outcome being reached.
41. **If a full investigation** is required, HEFCW will normally refer the matter to the QAA. The investigation will lead to a report which will, if possible, be agreed with the institution as being an accurate report of the investigation and its findings. The report will ultimately be issued to the institution's Accountable Officer (usually the Vice-Chancellor or Principal and copied to the governing body) in confidence by HEFCW's Chief Executive. It will normally be published on HEFCW's website within 30 days of issue.
42. The reports of any investigations will inform an action plan for addressing issues in respect of inadequate quality or quality that is likely to become inadequate, with delivery of this plan leading ultimately to a decision by

HEFCW to initiate intervention in respect of inadequate quality as outlined in our [Statement of Intervention](#). The plan should be developed by the institution in partnership with the student body. The discloser will be informed of any decision on whether to initiate intervention in respect of inadequate quality under the Higher Education (Wales) Act 2015 within 15 working days of a decision being reached.

43. The numbers of complaints regarding quality and standards will be reported in the annual report of the Quality Assessment Committee, together with the numbers progressing to preliminary and full investigations.

Pursuing complaints in relation to failure by a relevant higher education body to fulfil its Prevent Duty

44. If HEFCW officers judge that it is appropriate to pursue a complaint regarding failure by a relevant higher education body to fulfil its Prevent Duty, we may ask the institution to investigate the matter and, if the complaint is substantiated, we will expect notification of the consequences. In order to facilitate investigation by the institution, HEFCW officers may request permission to share the discloser's relevant details (e.g. name, course or affiliation etc.). It should be noted that, where permission to share relevant details is requested, refusal may hinder the ability to investigate the complaint.
45. If, following this engagement, we have particular compliance concerns, we will discuss with the institution the ways in which it might be able to address these. This may involve an institutional visit on a risk-based approach. We will notify the institution of our intention to visit in advance.
46. If after this discussion with the institution, HEFCW officers are still not satisfied, we will assess whether the issues in question are sufficiently serious as to suggest that the institution is not complying with its Prevent duty obligations. In that situation, HEFCW will need to advise the Home Office who may in turn, refer the matter to their Prevent Oversight Board which advises the Home Secretary as to whether further action is necessary. In such circumstances, HEFCW will also inform the Welsh Government of any concerns.
47. In the event of the complaint relating to a serious incident, we are required to report all serious incidents to the Home Office within 24 hours of their occurrence, and within 3 days to provide a follow up report on how the matter has been resolved. HEFCW will therefore contact an institution immediately upon receipt of a complaint relating to a serious incident, and where appropriate HEFCW will alert the Home Office. We consider serious Prevent-related incidents to include those which are likely to result in serious harm to any individual, have a significant community impact, reputational damage to the Welsh HE sector or impact on public confidence in the Home Office (such as through negative media coverage). We would not expect this to cover business as usual (for example, straightforward Channel referrals or informal contact with the police or local Prevent partners).

Timescales

48. For the purpose of this procedure, a working day means any day between Monday and Friday (inclusive) irrespective of an individuals' working pattern, but excluding public and bank holidays.
49. While HEFCW will make every effort to adhere to the time limits prescribed in the formal procedure, it may not always be possible due to work commitments, leave or sickness, etc. If it is anticipated that a time limit will not be met, an explanatory letter will be sent to the individuals and alternative time scales will be agreed. Every effort will be made to deal with the complaint as promptly as possible and delays to the process by any party involved will not be tolerated.

Supporting Documentation

50. The following annexes provide more detailed guidance as follows:
 - **Annex A** – Form for submitting complaints regarding financial affairs, governance and management (breaches of the Memorandum of Assurance and Accountability; failure, or the likelihood of failure, to comply with the Financial Management Code).
 - **Annex B** – Form for submitting complaints regarding Fee and Access Plan compliance (the charging of excess fees; failure, or the likelihood of failure, to comply with the general requirements of an approved Fee and Access Plan)
 - **Annex C** – Form for submitting complaints regarding inadequate quality or quality that is likely to become inadequate
 - **Annex D** – Form for submitting complaints regarding a failure by a relevant higher education provider to fulfil its Prevent duty

If you require this document in hard copy for reasons of accessibility, please email complaints@hefcw.ac.uk or telephone 029 2085 9696. If you have a visual impairment, we will also accept the submission of complaints by telephone.

Form for submitting complaints regarding financial affairs, governance and management

Name of discloser:

Correspondence address:

.....

Telephone:

Email:

The Institution (university, college or institution) that the complaint concerns:

.....

Relationship of discloser to institution:

.....

Does this complaint relate to:

- A breach of the Memorandum of Assurance and Accountability (Institutions in receipt of HEFCW funding only)
- Failure to comply with the Financial Management Code (Regulated Institutions only)
- Likelihood of failure to comply with the Financial Management Code (Regulated Institutions only)
- Both a breach of the Memorandum of Assurance and Accountability and failure to comply with the Financial Management Code (Regulated Institutions in receipt of HEFCW funding)

Has this complaint or complaint been pursued through all stages of the institution's own complaints and/or public interest disclosure procedures?

Yes No

If **yes** please supply a copy of the final decision.

If **no** please explain why the case is being pursued with HEFCW below.

Please summarise the complaint below:

Which of the HEFCW's functions and interest does this complaint relate to? Please refer to the relevant paragraph of the Memorandum of Assurance and Accountability (MAA) and/or Financial Management Code (Code).

MAA/Code paragraph number	MAA/Code paragraph reference

Please supply documentary evidence as necessary, including copies of all correspondence with the institution. If you do not have evidence, please explain why below.

***NB** We are normally unable to approach an institution for an explanation of unsupported complaints.*

Has this complaint been formally pursued with any other bodies (e.g. Charity Commission, Police)?

Yes No

If **yes** please provide further information below.

Would you be willing to meet the HEFCW officer, if one is asked to take this case forward?

Yes No

Signed:

.....

Date:

Please submit 'in confidence' to:
Higher Education Funding Council for Wales
Tŷ Afon
Bedwas Road
Bedwas
Caerphilly
CF83 8WT
Tel: 029 2085 9696
Web: www.hefcw.ac.uk
Email: complaints@hefcw.ac.uk

Form for submitting complaints regarding Fee and Access Plan compliance by regulated institutions

Name of discloser:

Correspondence address:

.....

Telephone:

Email:

The Institution (university, college or institute) that the complaint concerns:

.....

Relationship of discloser to institution:

.....

Does this complaint or complaint relate to:

- The charging of fees in excess of the level set out in the institution's approved Fee and Access Plan
- Failure to comply with the general requirements of the institution's approved Fee and Access Plan
- Likelihood of failure to comply with the general requirements of the institution's approved Fee and Access Plan

Has this complaint been pursued formally with the institution?

Yes No

If **yes** please supply a copy of the institution's response.

If **no** please explain why the case is being pursued with HEFCW below.

Please summarise the complaint below.

- For complaints regarding the charging of excess fees, please provide information on the course and how the fee levels charged exceed those published in the Fee and Access Plan.
- For complaints regarding failure to comply with the general requirements of an approved Fee and Access plan, please provide information on how the institution has failed to comply, or is likely to fail to comply, with the measures and/or expenditure, relating to the promotion of equality of opportunity and/or higher education set out in the Fee and Access Plan :

Please supply documentary evidence as necessary, including copies of all correspondence with the institution. If you do not have evidence, please explain why below.

***NB** We are normally unable to approach an institution for an explanation of unsupported complaints.*

Has this complaint been formally pursued with any other bodies (e.g. CMA, OIA)?

Yes No

If **yes** please provide further information below.

Would you be willing to meet the HEFCW officer, if one is asked to take this case forward?

Yes No

Signed:

.....

Date:

Please submit 'in confidence' to:
Higher Education Funding Council for Wales
Tŷ Afon
Bedwas Road
Bedwas
Caerphilly
CF83 8WT
Tel: 029 2085 9696
Web: www.hefcw.ac.uk
Email: complaints@hefcw.ac.uk

Form for submitting complaints regarding inadequate quality, or quality that is likely to become inadequate, of education at regulated institutions

Name of discloser:

Correspondence address:

.....

Telephone:

Email:

The Institution (university, college or institute) that the complaint concerns:

(NB. For provision delivered under franchise arrangements please include the details of both the regulated institution that is franchising the provision and the institution undertaking the delivery of the provision):

.....

Relationship of discloser to institution:

.....

Does this complaint or complaint relate to:

- Quality of education which is inadequate
- Quality of education which is likely to become inadequate

Has this complaint been pursued formally with the institution?

Yes No

If **yes** please supply a copy of the institution's response.

If **no** please explain why the case is being pursued with HEFCW below.

***NB** we normally require the complaint to have been pursued with the institution before we can consider it.*

Please summarise the complaint below, providing information on the course(s) of education to which the complaint relates and how the quality of education is perceived to be inadequate or likely to become inadequate, with particular reference to our quality criteria, as set out in para 11:

Please supply documentary evidence as necessary, including copies of all correspondence with the institution. If you do not have evidence, please explain why below.

NB We are normally unable to approach an institution for an explanation of unsupported complaints.

Has this complaint been formally pursued with any other bodies (e.g. QAA, OIA)?

Yes No

If **yes** please provide further information below.

Would you be willing to meet HEFCW officers, if they are asked to take this case forward?

Yes No

Signed:

.....

Date:

Please submit 'in confidence' to:
Higher Education Funding Council for Wales
Tŷ Afon
Bedwas Road
Bedwas
Caerphilly
CF83 8WT
Tel: 029 2085 9696
Web: www.hefcw.ac.uk
Email: complaints@hefcw.ac.uk

Form for submitting complaints regarding a failure by a relevant higher education body to fulfil its Prevent duty

Name of discloser:

Correspondence address:

.....

Telephone:

Email:

The Institution (university, college or institute) that the complaint concerns:

.....

Relationship of discloser to institution:

.....

Does this complaint relate to a serious incident?

Yes No

Has this complaint been pursued formally with the institution?

Yes No

If **yes** please supply a copy of the institution's response.

If **no** please explain why the case is being pursued with HEFCW below.

Please summarise the complaint below, providing information on the issue which is considered to represent a failure by the institution to fulfil its Prevent duty:

Please supply documentary evidence as necessary, including copies of all correspondence with the institution. If you do not have evidence, please explain why below.

***NB** We are normally unable to approach an institution for an explanation of unsupported complaints.*

Has this complaint been formally pursued with any other bodies (e.g. Charity Commission, Security Services)?

Yes No

If **yes** please provide further information below.

Would you be willing to meet HEFCW officers, if they are asked to take this case forward?

Yes No

Signed:

.....

Date:

Please submit 'in confidence' to:
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Cwynion am sefydliadau (gan gynnwys pryderon am safonau ac ansawdd)

Hydref 2017



Noddir gan
Lywodraeth Cymru
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Pwrpas

1. Nod y gweithdrefnau hyn yw amlinellu'r mathau o gwynion am sefydliadau y bydd CCAUC yn delio â hwy efallai, a'r prosesau a ddefnyddir gan CCAUC i ddelio â chwynion perthnasol. Mae hyn, os yw'n berthnasol, yn cynnwys cyswllt â gweithdrefnau ymyrryd CCAUC.

Rôl CCAUC

2. Mae sefydliadau'n gyrrff annibynnol, awtonomaidd yn gyfreithiol, ac nid ydym yn ymyrryd yn ddiangen yn eu gweithrediadau. Felly nid yw'n rhan o gylch gorchwyl Cyngor Cyllido Addysg Uwch Cymru (CCAUC) i ymwneud ag anghydfod rhwng myfyrwyr neu staff a'r sefydliadau rydym yn eu cyllido neu eu rheoleiddio. Mae gan bob sefydliad ei weithdrefnau cwyno ac apelio ei hun, gan gynnwys rhai ar gyfer materion yn ymwneud â pherfformiad academaidd ac anfodlonrwydd staff. Dylai achwynwyr¹ fynegi eu cwynion yn uniongyrchol i'r sefydliad dan sylw, yn unol â gweithdrefnau mewnol y sefydliad ei hun.
3. Mae ein perthynas â'r sefydliadau rydym yn eu cyllido'n cael ei llywodraethu gan [Femorandwm o Sicrwydd ac Atebolrwydd](#). Mae'r Memorandwm o Sicrwydd ac Atebolrwydd (y 'Memorandwm') yn datgan y telerau a'r amodau ar gyfer talu cyllid o dan Ddeddf Addysg Bellach ac Uwch 1992 i gorff llywodraethu pob sefydliad. Mae hefyd yn pennu'r gofynion ar gyfer llywodraethu a rheoli sefydliadau. Os derbynnir cwynion nad yw gofynion y Memorandwm Sicrwydd ac Atebolrwydd yn cael eu bodloni gan sefydliad, efallai y bydd swyddogion CCAUC yn ymchwilio ac yn gweithredu fel sy'n briodol.
4. Llywodraethir ein perthynas â sefydliadau a reoleiddir (pob sefydliad sydd â Chynllun Mynediad a Ffioedd cymeradwy) gan Ddeddf Addysg Uwch (Cymru) 2015. Mae Deddf Addysg Uwch (Cymru) 2015 yn datgan y gofynion ar gyfer sefydliadau a reoleiddir o ran: eu cydymffurfiaeth â Chynlluniau Mynediad a Ffioedd cymeradwy; ansawdd y ddarpariaeth addysg; a'r rheolaeth ar eu materion ariannol, drwy gydymffurfio â Chod Rheolaeth Ariannol. Mae gan CCAUC bŵer i ymyrryd pan mae sefydliad wedi codi ffioedd am gyrsiau israddedig llawn amser sy'n fwy na'r ffioedd sydd wedi cael eu datgan yn y Cynllun Mynediad a Ffioedd cymeradwy perthnasol ar gyfer y sefydliad (fel y cyhoeddwyd ar ei wefan); neu os yw wedi methu, neu'n debygol o fethu, cyflawni yn erbyn y mesurau perthnasol i hybu cyfleoedd cyfartal ac addysg uwch a nodir yn ei Gynllun Mynediad a Ffioedd ('gofynion cyffredinol' y Cynllun). Hefyd mae gan CCAUC bŵer o dan Ddeddf Addysg Uwch (Cymru) 2015 i ymyrryd lle mae ansawdd darpariaeth addysg sefydliad a reoleiddir yn cael ei hasesu'n annigonol neu'n debygol o fod yn annigonol; neu os yw problem gyda rheoli materion ariannol sefydliad a reoleiddir yn golygu ei fod wedi methu cydymffurfio, neu'n debygol o fethu cydymffurfio, â'r Cod Rheolaeth Ariannol.

¹ Gall achwynwyr gynnwys unigolion, grwpiau neu sefydliadau

Cylchlythyr CCAUC W17/28E: Atodiad B

5. Mae'r tabl canlynol yn crynhoi'r meysydd o dan bwerau cyllido neu reoleiddio CCAUC y bydd CCAUC yn ystyried cwynion yn erbyn sefydliad oddi mewn iddynt efallai.

Sefydliadau sy'n derbyn cyllid CCAUC	Sefydliadau a Reoleiddir nad ydynt yn derbyn cyllid CCAUC²	Sefydliadau a Reoleiddir sy'n derbyn cyllid CCAUC³
<u>Materion ariannol, llywodraethu a rheolaeth</u>		
<ul style="list-style-type: none"> Mynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd 	<ul style="list-style-type: none"> Methu, neu'n debygol o fethu, cydymffurfio â'r Cod Rheolaeth Ariannol 	<ul style="list-style-type: none"> Mynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd Methu, neu'n debygol o fethu, cydymffurfio â'r Cod Rheolaeth Ariannol
<u>Cydymffurfiaeth â'r Cynllun Mynediad a Ffioedd</u>		
	<ul style="list-style-type: none"> Codi ffioedd gormodol am gwrs israddedig llawn amser o gymharu â'r lefel ffioedd sydd wedi'i phennu yn y Cynllun Mynediad a Ffioedd cymeradwy perthnasol Methu, neu'n debygol o fethu, cydymffurfio â gofynion cyffredinol y Cynllun Mynediad a Ffioedd cymeradwy perthnasol 	<ul style="list-style-type: none"> Codi ffioedd gormodol am gwrs israddedig llawn amser o gymharu â'r lefel ffioedd sydd wedi'i phennu yn y Cynllun Mynediad a Ffioedd cymeradwy perthnasol Methu, neu'n debygol o fethu, cydymffurfio â gofynion cyffredinol y Cynllun Mynediad a Ffioedd cymeradwy perthnasol
<u>Ansawdd yr addysg</u>		
<ul style="list-style-type: none"> Ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol⁴ 	<ul style="list-style-type: none"> Ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol 	<ul style="list-style-type: none"> Ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol

6. Os derbynnir cwynion mewn perthynas â chodi ffioedd gormodol am gyrsiau israddedig llawn amser, methu cydymffurfio â thargedau Cynllun Mynediad a

² Ers mis Mehefin 2017, nid oes unrhyw sefydliadau a reoleiddir nad ydynt hefyd yn derbyn cyllid uniongyrchol gan CCAUC, ond mae potensial i ddarparwyr nad ydynt yn cael eu cyllido (e.e. darparwyr amgen, colegau AB) ddod yn sefydliadau a reoleiddir

³ Pob prifysgol a choleg AB a reoleiddir sy'n derbyn cyllid uniongyrchol gan CCAUC

⁴ O dan delerau ac amodau cyllid CCAUC

Ffioedd, addysg o ansawdd annigonol, neu fethu cydymffurfio â'r Cod Rheolaeth Ariannol, efallai y bydd CCAUC yn ymchwilio ac yn gweithredu o dan Ddeddf Addysg Uwch (Cymru) 2015 gyda'n pwerau ymyrryd sydd wedi'u datgan yn ein [Datganiad o Ymyriadau](#). Dylid nodi nad yw materion cysylltiedig â ffioedd rhan amser ac ôl-raddedig yn dod o dan y weithdrefn hon. Dylid codi unrhyw bryderon am godi ffioedd gormodol am gyrsiau rhan amser ac ôl-raddedig gyda'r sefydliad i ddechrau ac wedyn, os na chaiff y mater sylw, gyda'r Awdurdod Cystadleuaeth a Marchnadoedd ([ACM](#)).

7. Yn ychwanegol at y meysydd uchod, o dan Adran 26(1) y Ddeddf Gwrthderfysgaeth a Diogelwch (2015), mae gan ddarparwyr Addysg Uwch ddyletswydd i 'roi ystyriaeth briodol i'r angen am atal pobl rhag cael eu denu at derfysgaeth', a elwir yn Ddyletswydd Atal. Mae'r Ysgrifennydd Cartref, gan ymgynghori â Llywodraeth Cymru, wedi dirprwyo'r cyfrifoldeb am fonitro cydymffurfiaeth â'r Ddyletswydd Atal i CCAUC, ac mae'r cyfrwng a ddefnyddir gan CCAUC i fonitro cydymffurfiaeth wedi'i ddatgan yn [Y Ddyletswydd Atal: Fframwaith Monitro](#). Mae'r Cyrff Addysg Uwch Perthnasol (CAUP) sy'n dod o dan y ddyletswydd hon ac sy'n cael eu monitro gan CCAUC yn cynnwys holl brifysgolion Cymru⁵, Darparwyr Amgen sydd â'u pencadlys yng Nghymru ac sy'n derbyn dynodiad cwrs penodol, a Darparwyr Eraill sy'n addysgu 250 neu fwy o fyfyrwyr yn ôl cyfrif pennau ar gyrsiau AU yng Nghymru ac nad ydynt yn dod o dan y ddau gategori arall. Os derbynnir cwyn nad yw CAUP yn cyflawni ei Ddyletswydd Atal mewn rhyw ffordd, efallai y bydd CCAUC yn cynnal archwiliadau cychwynnol ac yn gofyn i'r corff dan sylw ymchwilio i'r mater ac, os na chaiff y mater ei gyfiawnhau, darparu hysbysiad o'r canlyniadau.
8. Mae'r gweithdrefnau ar gyfer gwneud cwynion mewn perthynas â'r canlynol
 - a. amheuaeth bod sefydliad a gyllidir wedi mynd yn groes i'r [Memorandwm o Sicrwydd ac Atebolrwydd](#);
 - b. sefydliad a reoleiddir yn methu, neu'n debygol o fethu, cydymffurfio â'r Cod Rheolaeth Ariannol;
 - c. sefydliad a reoleiddir yn methu, neu'n debygol o fethu, cydymffurfio â'r Cynllun Mynediad a Ffioedd (lefelau ffioedd a gofynion cyffredinol y Cynllun);
 - d. ansawdd addysg annigonol, neu ansawdd sy'n debygol o fod yn annigonol, yn cael ei gyflwyno gan, neu ar ran, sefydliad a reoleiddir; a
 - e. methiant CAUP i gyflawni ei Ddyletswydd Atal,yn cael eu hamlinellu isod. **Sylwer na all CCAUC ymwneud â chwynion nad ydynt yn uniongyrchol gysylltiedig ag un neu fwy o'r meysydd uchod.**
9. Dylid nodi bod y gweithdrefnau cwyno hyn, mewn perthynas â phob mater cysylltiedig ag ansawdd addysg, yn cymryd lle Cynllun Pryderon yr

⁵ Mae awdurdod monitro CCAUC yn eithrio pob Sefydliad Addysg Bellach (SAB) yng Nghymru, gan gynnwys y rhai mewn perthnasoedd sector deuol. Daw SABau yng Nghymru o dan awdurdod monitro Estyn ar gyfer y Ddyletswydd Atal.

Asiantaeth Sicrhau Ansawdd (QAA) ar gyfer Addysg Uwch sy'n berthnasol i Gymru.

Gwneud cwyn am sefydliad

10. Os yw achwynydd (y 'datgelwr') yn dymuno gwneud cwyn ynghylch:
- materion ariannol, llywodraethu neu reoli;
 - codi ffioedd gormodol neu gydymffurfiaeth â gofynion cyffredinol Cynllun Mynediad a Ffioedd;
 - ansawdd yr addysg a gyflwynir gan neu ar ran sefydliad a reoleiddir; neu
 - methiant corff addysg uwch perthnasol i gyflawni ei Ddyletswydd Atal, rhaid iddo i ddechrau esbonio a yw'r sefydliad yn cael ei [gyllido](#) a/neu ei [reoleiddio](#) gan CCAUC. Mewn perthynas â chwynion ynghylch materion ariannol, llywodraethu neu reoli, bydd hyn yn penderfynu a ellir gwneud cwyn i CCAUC ynghylch amheuaeth o fynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd, methu cydymffurfio â'r Cod Rheolaeth Ariannol, neu'r ddau. Mewn perthynas â chwynion ynghylch codi ffioedd gormodol; cydymffurfio â gofynion cyffredinol Cynllun Mynediad a Ffioedd; y ddarpariaeth addysg o ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol; bydd hyn yn penderfynu a ellir gwneud cwyn i CCAUC, oherwydd dim ond cwynion ynghylch sefydliadau a reoleiddir all CCAUC eu hystyried. Fel yr amlinellir uchod, dylai'r achwynwyr nodi, mewn perthynas â'r holl faterion cysylltiedig ag ansawdd, bod y gweithdrefnau hyn yn cymryd lle Cynllun Pryderon y QAA ar gyfer Cymru.
11. Os yw'r datgelwr yn dymuno gwneud cwyn i CCAUC ynghylch sefydliad mewn perthynas ag unrhyw rai o'r materion uchod, dylai wneud y canlynol:
- a. Darllen y ddogfen hon, ac unrhyw ddogfennau perthnasol eraill (**gweler isod am y dogfennau penodol ar gyfer pob maes**) yn ofalus cyn cysylltu â CCAUC.
- **Ar gyfer materion ariannol, llywodraethu neu reoli**, dylai achwynwyr ddarllen y [Memorandwm o Sicrwydd ac Atebolrwydd a'r Cod Rheolaeth Ariannol](#).
 - **Ar gyfer materion cysylltiedig â chodi ffioedd gormodol neu gydymffurfio â gofynion cyffredinol y Cynllun Mynediad a Ffioedd**, dylai achwynwyr ddarllen Cod Mynediad a Ffioedd y sefydliad.
 - **Ar gyfer materion cysylltiedig ag ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol**, dylai achwynwyr ddarllen [gofynion rheoleiddio sylfaenol](#) y fframwaith asesu ansawdd ar gyfer Cymru. Dylid nodi na fydd CCAUC yn gallu rhoi sylw i'r gŵyn os nad yw'n dod o dan y gofynion sylfaenol.
 - **Ar gyfer materion cysylltiedig â methiant corff addysg uwch perthnasol (CAUP, gweler paragraff 15 y Ddyletswydd Atal: Fframwaith Monitro am fanylion am CAUP) i gyflawni ei Ddyletswydd Atal**, dylai achwynwyr ddarllen [Canllaw y Ddyletswydd](#)

[Atal ar gyfer Sefydliadau Addysg Uwch](#) yng Nghymru a Lloegr; [Canllaw Adolygedig y Ddyletswydd Atal](#) ar gyfer Cymru a Lloegr (Adrannau A i D); ac [Y Ddyletswydd Atal: Fframwaith Monitro](#) ar gyfer Darparwyr Addysg Uwch yng Nghymru. Dylid nodi bod CAUP yn cael eu hasesu gan CCAUC fel cyrff sy'n rhoi 'ystyriaeth briodol' i'r Ddyletswydd Atal os oes ganddynt bolisiau a phrosesau priodol yn eu lle fel ymateb i'r Canllaw Atal Statudol; a'u bod yn dangos yn foddhaol eu bod yn cadw at y polisiau a'r prosesau hyn wrth ymarfer. Felly dylai'r datgelwr ddarllen hefyd bolisiau a phrosesau Atal y sefydliad.

- b. Gofyn am esboniad pellach, os oes angen, gan CCAUC (e-bost complaints@hefcw.ac.uk) ynghylch a yw'r gŵyn yn ymwneud mewn gwirionedd ag un o'r meysydd uchod sy'n dod o dan gylch gorchwyl rheoleiddiol CCAUC.
- c. Ei fodloni ei hun ynghylch y canlynol:
 - i. Mae'r gŵyn yn ymwneud â swyddogaethau CCAUC a'i berthynas fel y nodir yn y dogfennau perthnasol (gweler 11a. uchod).
 - ii. Mae datgeliad budd cyhoeddus ('chwythu'r chwiban') y sefydliad ei hun, neu weithdrefn gwyno berthnasol arall, wedi cael ei weithredu'n llawn; sicrhawyd esboniad ffurfiol gan y sefydliad; neu mae'r mater wedi cael ei godi'n ffurfiol gyda'r sefydliad, fel sy'n briodol (**gweler isod am ofynion penodol ym mhob maes**). Mae eithriad i'r gofyniad cyffredinol hwn, lle ceir rhesymau cryf dros beidio â chodi'r mater gyda'r sefydliad, fel os oes pryderon didwyll y byddai'r datgelwr yn cael ei drin yn anffafriol gan y sefydliad neu y byddai'r dystiolaeth sy'n berthnasol i'r gŵyn yn cael ei dinistrio.
 - **Ar gyfer cwynion ynghylch mynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd neu fethu, neu debygolrwydd o fethu, cydymffurfio â'r Cod Rheolaeth Ariannol**, fel rheol dylai'r datgelwr fod wedi dilyn gweithdrefn 'chwythu'r chwiban' neu weithdrefn gwyno berthnasol y sefydliad, gyda phenderfyniad wedi'i gyflwyno gan y sefydliad.
 - **Ar gyfer cwynion ynghylch codi ffioedd gormodol**, dylai'r datgelwr fod wedi gofyn am esboniad ffurfiol gan y sefydliad am lefel y ffioedd sydd wedi cael eu codi, neu a fydd yn cael eu codi, i gadarnhau a ydynt mewn gwirionedd yn uwch na'r lefel a bennir yn y Cynllun Mynediad a Ffioedd cymeradwy perthnasol (efallai y bydd cynrychiolwyr y myfyrwyr yn gallu cefnogi'r myfyrwyr gyda hyn). At y diben hwn, 'ffioedd', fel y diffinnir gan Ddeddf Addysg Uwch (Cymru) 2015, yw'r ffioedd perthnasol i, neu'n gysylltiedig fel arall â: dilyn cwrs, gan gynnwys derbyn, cofrestru, hyfforddiant a graddio; a ffioedd/ffioedd taladwy i sefydliad am ddyfarnu neu achredu unrhyw ran o'r cwrs. Mae hyn yn eithrio: (a) ffioedd taladwy am lety neu fwyd (b) ffioedd taladwy am dripiâu maes (gan gynnwys unrhyw elfen hyfforddi mewn ffioedd o'r fath); (c) ffioedd taladwy am fynychu unrhyw seremoni raddio neu seremoni arall; (d) unrhyw ffioedd eraill a

godir at ddibenion yr adran hon (e.e. costau ychwanegol cysylltiedig ag offer ac ati).

- **Ar gyfer cwynion ynghylch methu, neu debygolrwydd o fethu, cydymffurfio â gofynion cyffredinol y Cynllun Mynediad a Ffioedd**, dylai'r datgelwr fod wedi gofyn am esboniad ffurfiol gan y sefydliad am gydymffurfio â'r mesurau a'r gwariant sy'n berthnasol i hybu cyfleoedd cyfartal ac addysg uwch, fel y nodir yng Nghynllun Mynediad a Ffioedd cymeradwy perthnasol y sefydliad (efallai y bydd cynrychiolwyr y myfyrwyr yn gallu cefnogi'r myfyrwyr gyda hyn). Dylai hyn gadarnhau a oes diffyg cydymffurfio mewn gwirionedd, neu debygolrwydd o ddiffyg cydymffurfio, â gofynion cyffredinol y Cynllun Mynediad a Ffioedd.
 - **Ar gyfer cwynion ynghylch ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol**, fel rheol dylai'r datgelwr fod wedi codi'r mater yn ffurfiol gyda'r Brifysgol, a gallu darparu tystiolaeth ei fod wedi dilyn unrhyw weithdrefnau cysylltiedig, fel sy'n briodol (e.e. drwy gyfrwng llythyr Cwblhau Gweithdrefnau). Os nad yw'r datgelwr wedi gallu dilyn gweithdrefnau'r sefydliad, rhaid iddo roi esboniad ynghylch pam nad oedd hyn yn bosib, er mwyn i CCAUC farnu a ddylai dderbyn y gŵyn. Os nad yw'r sefydliad yn ymwybodol o'r gŵyn, efallai y bydd yn ofynnol i'r datgelwr ddilyn gweithdrefnau'r sefydliad cyn y gellir derbyn unrhyw gŵyn o dan weithdrefnau CCAUC.
 - **Ar gyfer cwynion ynghylch methiant CAUP i gyflawni ei Ddyletswydd Atal**, fel rheol dylai'r datgelwr fod wedi codi'r mater yn ffurfiol gyda Chydlynnydd Atal penodol y CAUP a derbyn cydnabyddiaeth o hyn.
- iii. Ei fod yn gallu darparu tystiolaeth – fel rheol nid yw CCAUC yn gallu ymchwilio i unrhyw gwynion heb dystiolaeth. Os nad yw'n bosib darparu tystiolaeth, rhaid i'r datgelwr gadarnhau'r rheswm pam nad yw hyn yn bosib.
 - iv. Nid yw'r mater yn ymwneud ag anghydfod unigolyn neu bersonél casgliadol, y mae llwybrau cwyno ac adfer wedi'u sefydlu ar eu cyfer.
 - v. Nid yw'r mater yn ymwneud â dyfarniad academaidd.
 - vi. Ar gyfer cwynion ynghylch ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol, mae'r mater yn effeithio ar, neu mae ganddo botensial i effeithio ar, grŵp o fyfyrwyr yn hytrach nag unigolyn. Os nad yw hyn yn berthnasol, dylai'r datgelwr ei gyfeirio i sylw Swyddfa'r Dyfarnwr Annibynnol (SDA) fel sy'n briodol (**ceir gwybodaeth am rôl SDA a sut bydd CCAUC yn gweithio gyda'r sefydliad hwnnw yn y nodyn isod**). Hefyd rhaid i'r mater ymwneud ag ansawdd yr addysg fel y diffinnir o dan Adran 18(2) Deddf Addysg Uwch (Cymru) 2015, h.y. mae'n berthnasol i ansawdd sydd, neu'n debygol o fod, yn annigonol. Mae hyn yn

cynnwys materion perthnasol i safonau a phrofiad academiaidd myfyrwyr.

- vii. Mae gan y datgelwr brofiad uniongyrchol o'r mater e.e. mae'n fyfyrwr, sydd wedi graddio'n ddiweddar, neu'n aelod o staff y sefydliad^{6,7}.
- d. Llenwi'r ffurflen briodol a'i chyflwyno i CCAUC (gweler isod).
- Mae'r ffurflen ar gyfer cwynion am faterion ariannol, llywodraethu a rheoli (h.y. mynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd neu'r Cod Rheolaeth Ariannol) wedi'i hatodi yn **Atodiad A**.
 - Mae'r ffurflen ar gyfer cwynion am gydymffurfio â'r Cynllun Mynediad a Ffioedd (h.y. codi ffioedd gormodol neu fethu cydymffurfio â gofynion cyffredinol y Cynllun Mynediad a Ffioedd) wedi'i hatodi yn **Atodiad B**.
 - Mae'r ffurflen ar gyfer cwynion am ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol, mewn sefydliadau a reoleiddir wedi'i hatodi yn **Atodiad C**.
 - Mae'r ffurflen ar gyfer cwynion am fethiant CAUP i gyflawni ei Ddyletswydd Atal wedi'i hatodi yn **Atodiad D**.

Anfonir cydnabyddiaeth o dderbyn o fewn pum diwrnod gwaith. Sylwer mai ein polisi fel rheol yw peidio â gweithredu fel ymateb i gwynion dienw.

NODYN: SDA a CCAUC

Mae SDA yn gweithredu'r cynllun trin cwynion statudol ar gyfer myfyrwyr addysg uwch yng Nghymru a Lloegr. Mae ganddi orchwyl eang i ystyried cwynion am weithredoedd ac esgeulustod y darparwyr sy'n aelodau ohoni, ond ni all SDA edrych ar gwynion am dderbyniadau, dyfarniadau academiaidd, cyflogaeth myfyrwyr a materion sy'n dod o dan weithrediadau Llys neu Dribiwnlys, oni bai fod y gweithrediadau hynny wedi cael eu 'hatal' neu eu 'gohirio'.

Gall myfyrwyr a chyn-fyfyrwyr gwyno i SDA, fel unigolion neu mewn grwpiau. Fel rheol rhaid i bawb sy'n cwyno i SDA fod wedi dilyn holl weithdrefnau mewnol perthnasol y darparwr addysg uwch. Mae SDA yn gorff adolygu ac fel rheol ni fydd yn ymchwilio i faterion o'r newydd. Fel rheol, gwaith SDA yw adolygu a yw'r darparwr wedi dilyn ei weithdrefnau a rhoi ei reoliadau ar waith (ac a yw'r gweithdrefnau a'r rheoliadau hynny eu hunain yn rhesymol) ac a oedd penderfyniad terfynol y darpawr yn rhesymol o dan bob amgylchiad. Mae mwy o wybodaeth am Gynllun SDA, gan gynnwys rhestr o ddarparwyr addysg uwch sy'n aelodau a chanllawiau ar sut i wneud cwyn i SDA, ar gael ar y wefan: www.oiahe.org.uk.

⁶ Os nad ydych chi'n fyfyrwr neu aelod o staff yn y sefydliad, mae'n rhaid i chi gadarnhau sut mae gennych wybodaeth neu brofiad uniongyrchol o'r mater.

⁷ Yr unig eithriad i hyn yw os oes problemau cysylltiedig ag iechyd, a allai olygu ei bod yn briodol i'r mater gael ei godi gan gynrychiolydd. Fodd bynnag, os yw myfyrwr yn gallu codi'r mater ei hun, dylai wneud hynny.

NODYN: SDA a CCAUC (parhad)

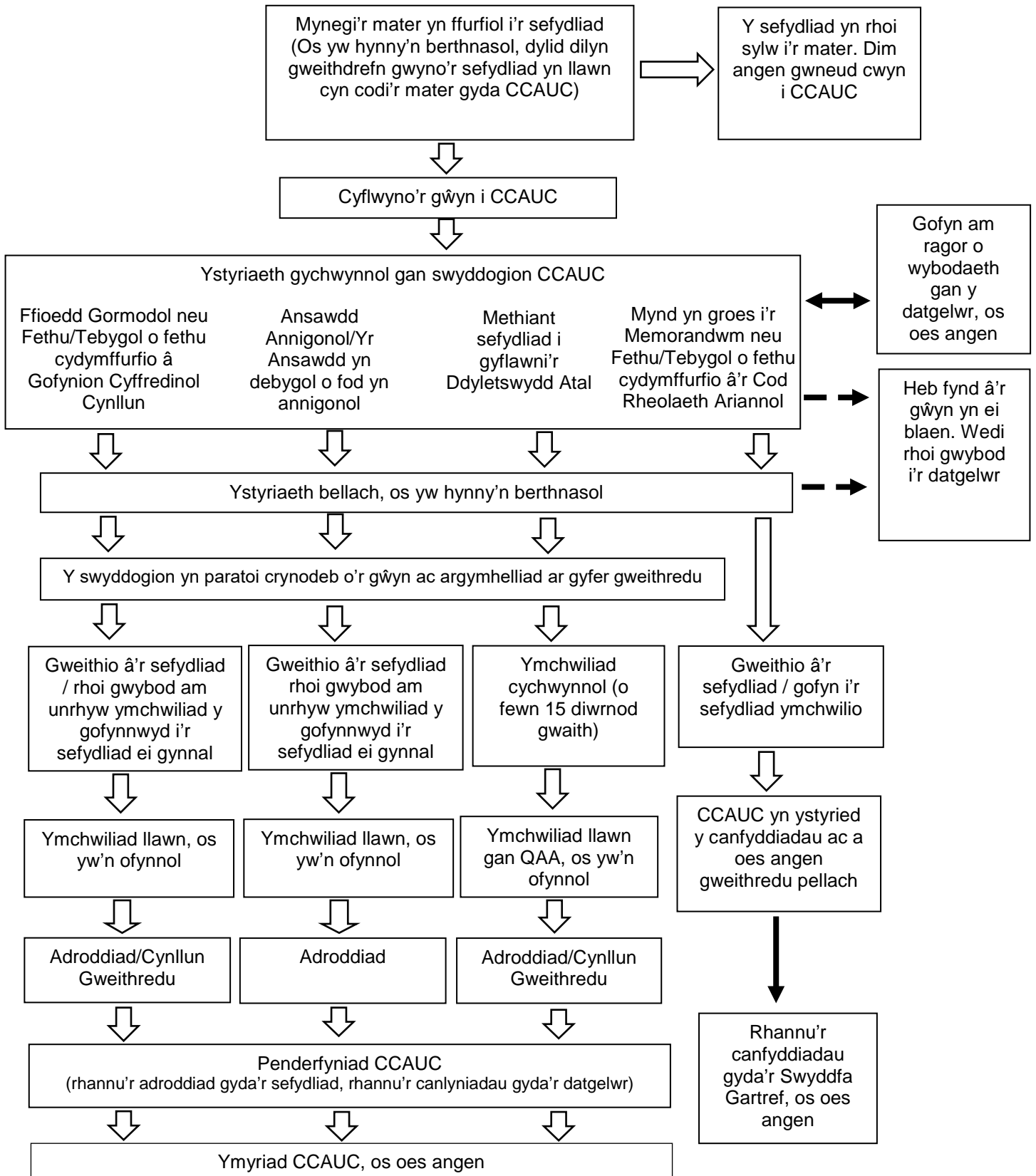
Mae CCAUC yn gweithio gyda SDA i adnabod y meysydd lle mae eu swyddogaethau ategol ac annibynnol yn cysylltu ac i gytuno ar feysydd lle mae'n briodol rhannu gwybodaeth a chyfrannu at waith y naill sefydliad a'r llall. Rhennir gwybodaeth mewn ffordd effeithlon a theg, gan gydymffurfio'n llawn â Deddf Hawliau Dynol 1998 a Deddf Diogelu Data 1998, os yw hynny'n berthnasol.

Bydd datgelwyr sy'n codi pryderon o dan Weithdrefn Gwyno CCAUC yn cael eu cyfeirio i sylw SDA, os yw hynny'n briodol. Wedyn bydd SDA yn penderfynu a yw cwyn y datgelwr yn un y mae'n gallu ei hadolygu o dan Reolau Cynllun SDA.

Hefyd gall cwynion a dderbynnir gan CCAUC yn gysylltiedig ag anghydfod rhwng myfyrwyr niferus a'r sefydliad ddod o dan gylch gorchwyl SDA, a bydd y datgelwyr yn cael eu cyfeirio i sylw'r sefydliad hwnnw, fel sy'n briodol.

Sut bydd CCAUC yn delio â chwynion

12. Mae'r siart llif canlynol yn darparu crynodeb cyffredinol o broses CCAUC ar gyfer delio â chwynion am sefydliadau. Dylai datgelwyr nodi y bydd CCAUC yn atal y broses gwynion efallai, yn unrhyw gam, os yw'r mater wedi cael sylw boddhaol gan y sefydliad.



Ystyriaeth gychwynnol

13. Bydd pob cwyn a dderbynnir gan CCAUC ynghylch materion ariannol, llywodraethu a rheoli; cydymffurfio â Chynlluniau Mynediad a Ffioedd; ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol; a'r Ddyletswydd Atal, yn cael eu cydnabod a'u cyfeirio i sylw'r swyddogion perthnasol ar draws CCAUC, fel sy'n briodol. Bydd swyddogion CCAUC yn penderfynu a ddylid gweithredu, ac yn sicrhau esboniad o, neu wybodaeth bellach am, y cwynion gan y datgelwr, os yw hyn yn bosib ac yn cael ei ystyried yn angenrheidiol er mwyn dod i benderfyniad.
14. I ddechrau bydd CCAUC yn ystyried a yw'r gŵyn yn berthnasol i'w swyddogaethau (h.y. ei bod yn berthnasol i fynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd, methu cydymffurfio â'r Cod Rheolaeth Ariannol, methu cydymffurfio â lefelau ffioedd neu'r gofynion cyffredinol yng Nghynllun Mynediad a Ffioedd sefydliad, ansawdd annigonol neu ansawdd sy'n debygol o fod yn annigonol, neu fethiant sefydliad i gyflawni ei Ddyletswydd Atal) ac a yw'r dystiolaeth angenrheidiol wedi cael ei darparu i gefnogi'r gŵyn. Os bydd swyddogion CCAUC yn credu bod y gŵyn yn ymwneud â materion cysylltiedig â dyfarniad academaidd neu anghydfod personol yn unig, neu ddim ond yn cwestiynu'r penderfyniadau sydd wedi'u gwneud gan y sefydliad, ni fydd CCAUC yn gweithredu ymhellach. O dan amgylchiadau o'r fath, bydd ateb yn cael ei anfon at y datgelwr yn cadarnhau mai materion ar gyfer y sefydliad yw'r rhain ac na fydd CCAUC yn gweithredu ymhellach. Bydd swyddogion CCAUC yn ceisio cwblhau'r ystyriaeth gychwynnol i gwynion o fewn 15 diwrnod gwaith i'w derbyn.

Ystyriaeth bellach i gwynion perthnasol

15. Os credir bod y gŵyn yn berthnasol i'w swyddogaethau, bydd CCAUC yn ystyried y canlynol:
 - a. A yw'r dystiolaeth sydd wedi'i chyflwyno gan y datgelwr yn dangos, neu'n ymddangos yn debygol y bydd yn gallu dangos, sail resymol ar gyfer y gŵyn;
 - b. A yw'r datgelwr yn ymddangos fel pe bai'n credu bod y gŵyn yn wir;
 - c. Difrifoldeb y gŵyn;
 - d. Yn achos cwynion am amheuaeth o fynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd neu fethu cydymffurfio â'r Cod Rheolaeth Ariannol, bod gweithdrefn berthnasol y sefydliad ei hun wedi cael ei dilyn ar gyfer datgelu budd cyhoeddus neu gwynion, neu a oes rhesymau cryf dros benderfyniad y datgelwr i beidio â defnyddio'r gweithdrefnau hynny. Gall rhesymau o'r fath gynnwys pryder didwyll y byddai'r datgelwr yn cael ei drin yn anffafriol gan y sefydliad neu y byddai tystiolaeth sy'n berthnasol i'r gŵyn yn cael ei dinistrio;
 - e. Yn achos cwynion am godi ffioedd gormodol, bod y mater wedi cael ei godi'n ffurfiol gyda'r sefydliad ac ymateb wedi cael ei dderbyn sy'n cydnabod bod lefel y ffioedd a godwyd yn uwch na'r hyn a gyhoeddwyd yn y Cynllun Mynediad a Ffioedd cymeradwy perthnasol ar gyfer y

sefydliad. Hefyd, nid oes unrhyw ddatrysiad boddhaol wedi'i sicrhau ynghylch ad-daliad;

- f. Yn achos cwynion am fethu cydymffurfio, neu debygolrwydd o fethu cydymffurfio, â gofynion cyffredinol Cynllun Mynediad a Ffioedd cymeradwy'r sefydliad, bod y mater wedi cael ei godi'n ffurfiol gyda'r sefydliad ac ymateb wedi'i dderbyn sy'n cadarnhau a oes diffyg cydymffurfio, neu debygolrwydd o ddiffyg cydymffurfio, â gofynion cyffredinol Cynllun Mynediad a Ffioedd;
 - g. Yn achos cwynion am ansawdd annigonol neu ansawdd sy'n debygol o fod yn annigonol, bod y mater fel rheol wedi cael ei godi'n ffurfiol gyda'r sefydliad a bod unrhyw weithdrefnau cysylltiedig wedi cael eu dilyn yn llawn (gweler para 11c).
 - h. Yn achos cwynion am fethiant corff addysg uwch perthnasol (CAUP) i gyflawni ei Ddyletswydd Atal, a yw'r CAUP wedi rhoi gwybod eisoes i CCAUC, neu wedi rhoi gwybod am y mater i'r heddlu neu i awdurdod priodol arall – er enghraifft, os oes amheuaeth o droseddu.
16. Ar ôl ystyried y ffactorau hyn, bydd swyddogion CCAUC yn gwneud penderfyniad am ddifrifoldeb a chadernid y gŵyn, ac a oes angen bwrw ymlaen â hi. Os yw cwyn yn ymddangos fel mân gŵyn, neu gŵyn ofer neu flinderus, ni fydd yn mynd â hi ymellach. Fodd bynnag, cedwir nodyn ar ffeil yn nodi sail y penderfyniad a bydd Cyfarwyddwr yn rhoi gwybod i'r datgelwr am y penderfyniad hwn. Bydd swyddogion CCAUC yn ceisio cwblhau'r gwaith o ystyried cwynion o fewn 20 diwrnod gwaith i'w derbyn.
17. Os yw'r gŵyn yn ymwneud â mater yn swyddogaethau CCAUC ac os yw'n cael ei hystyried fel cwyn sydd â difrifoldeb a/neu gadernid sy'n gofyn i ni weithredu ymhellach, bydd swyddogion CCAUC yn rhoi'r weithdrefn isod ar waith.
- Bwrw ymlaen â chwynion mewn perthynas â materion ariannol, rheoli a llywodraethu
18. Os yw CCAUC yn barnu ei bod yn briodol bwrw ymlaen â chwyn ynghylch amheuaeth o fynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd, methu cydymffurfio â'r Cod Rheolaeth Ariannol, neu'r tebygolrwydd o fethu cydymffurfio â'r Cod Rheolaeth Ariannol, bydd y swyddogion yn paratoi crynodeb byr o'r gŵyn ac argymhelliad ar gyfer gweithredu. Os nad yw'r dull o weithredu er mwyn bwrw ymlaen â'r gŵyn yn glir, bydd swyddogion CCAUC yn gofyn am gyngor y Prif Weithredwr.
19. Ar ôl cael cymeradwyaeth, swyddogion CCAUC fydd yn penderfynu ar y gwaith sy'n ofynnol er mwyn sicrhau cydymffurfiaeth, naill ai gan ddefnyddio adnoddau CCAUC neu drwy sicrhau cymorth o'r tu allan i CCAUC. Ym mhob achos, bydd y sefydliad yn cael gwybod. Os credir bod angen ymchwiliad, cadarnheir hyn mewn llythyr gan Gyfarwyddwr at bennaeth y sefydliad.
20. Os mynegir cwynion am bennaeth y sefydliad neu'r corff llywodraethu, bydd y Cyfarwyddwr yn cysylltu â Phrif Weithredwr CCAUC ynghylch sut i fwrw

ymlaen. O dan amgylchiadau o'r fath, gall y camau gweithredu gynnwys cysylltu â chadeirydd llywodraethwyr y sefydliad neu gadeirydd ei Bwyllgor Archwilio.

21. Os yw'n bosib, dylid trafod natur y gŵyn gyda'r sefydliad, i weld a yw'r sefydliad eisoes yn ymwybodol o'r gŵyn ac wedi ymchwilio iddi. Os yw hyn yn wir, sicrheir copiâu o unrhyw adroddiadau, a bydd swyddogion CCAUC yn gwneud penderfyniad oddi mewn i amserlen resymol ynghylch a oes angen i'r sefydliad weithredu ymhellach. Os nad yw'r sefydliad yn ymwybodol o'r gŵyn, bydd trafodaethau'n cael eu cynnal gyda'r sefydliad i gytuno ynghylch a oes angen ymchwiliad a phwy ddylai ei gynnal. Bydd swyddogion CCAUC yn sicrhau copi o unrhyw adroddiad o ganlyniad i ymchwiliad o'r fath gan y sefydliad neu ei archwilwyr, ac mae ganddo hawl i weld unrhyw ddogfennau sy'n angenrheidiol ar gyfer gwneud ei waith.
22. Os yw swyddogion CCAUC yn credu nad yw unrhyw waith pellach yn briodol, naill ai am nad yw ymchwiliad llawn wedi'i warantu neu oherwydd bod y gŵyn wedi bod yn destun adroddiad mewnol llawn eisoes, gwneir argymhelliad i gau ffeil y gŵyn. Wedyn bydd swyddogion CCAUC yn rhoi gwybod i'r datgelwr gwreiddiol am y canlyniad o fewn 15 diwrnod gwaith i benderfynu ar y canlyniad. Y sefydliad sydd i benderfynu a ddylai unrhyw adroddiad mewnol gael ei rannu gyda'r datgelwr.
23. Os yw CCAUC yn credu bod angen ymchwiliad gan y swyddogion, bydd y gwaith yn cael ei wneud o fewn 15 diwrnod gwaith os yw hynny'n bosib. Dylai'r ymchwiliad arwain at adroddiad a fydd, os yw hynny'n bosib, yn cael ei gytuno gyda'r sefydliad fel adroddiad manwl gywir ar yr ymchwiliad a'i ganfyddiadau. Yn y pen draw bydd yr adroddiad yn cael ei roi i Swyddog Atebol y sefydliad (Is Ganghellor neu Bennaeth fel rheol, a bydd copi'n cael ei anfon at y corff llywodraethu) gan Brif Weithredwr CCAUC, yn yr un ffordd ag adroddiadau arferol gan swyddogion CCAUC. Disgwylir iddo gael ei ystyried gan Bwyllgor Archwilio'r sefydliad, a bod hyn yn cael ei ddilyn wedyn gyda'r sefydliad.
24. Mewn perthynas â mynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd, os penderfynir bod rhagor o waith yn briodol, bydd CCAUC yn rhoi gwybod i'r datgelwr bod ymchwiliad yn cael ei gynnal i'r gŵyn. Mewn perthynas â methu cydymffurfio â'r Cod Rheolaeth Ariannol, neu'r tebygolrwydd o fethu cydymffurfio, bydd adroddiadau unrhyw ymchwiliadau'n sail i gynllun gweithredu ar gyfer rhoi sylw i'r methu cydymffurfio, a bydd cyflwyno'r cynllun hwn yn arwain yn y pen draw at benderfyniad gan CCAUC i sefydlu ymyriadau, fel yr amlinellir yn ein [Datganiad o Ymyriadau](#).
25. Hefyd bydd y datgelwr yn cael gwybod, mewn termau eang a chyn belled ag y bo hyn yn cyd-fynd ag unrhyw ddyletswyddau cyfrinachedd i eraill, ac ystyriaethau diogelu data, am ganlyniad terfynol ymchwiliadau o'r fath o fewn 15 diwrnod gwaith i sicrhau canlyniad o'r fath. Os yw hynny'n briodol, bydd CCAUC yn rhannu canfyddiadau'r adroddiad gyda Llywodraeth Cymru a Swyddfa Archwilio Cymru. Efallai na fydd y cynlluniau gweithredu ar gael i ddatgelwyr am resymau'n ymwneud â chyfrinachedd masnachol.

Bwrw ymlaen â chwynion mewn perthynas â chydymffurfio â Chynllun Mynediad a Ffioedd cymeradwy sefydliad

26. Os yw swyddogion CCAUC yn barnu ei bod yn briodol bwrw ymlaen â chwyn ynghylch codi ffioedd sy'n fwy na'r lefel a bennir yng Nghynllun Mynediad a Ffioedd cymeradwy sefydliad; neu fethu, neu'r tebygolrwydd o fethu, cydymffurfio â gofynion cyffredinol Cynllun Mynediad a Ffioedd y sefydliad, bydd yn paratoi crynodeb byr o'r gŵyn ac argymhelliad ar gyfer gweithredu. Os nad yw'r dull o weithredu er mwyn bwrw ymlaen â'r gŵyn yn glir, gofynnir am gyngor y Prif Weithredwr.
27. Ar ôl cael cymeradwyaeth, swyddogion CCAUC fydd yn rheoli unrhyw waith y credir ei fod yn angenrheidiol, gan ddefnyddio naill ai adnoddau mewnol neu drwy sicrhau cymorth o'r tu allan i CCAUC. Ym mhob achos, bydd y sefydliad yn cael gwybod. Os credir bod angen ymchwiliad, cadarnheir hyn mewn llythyr gan Gyfarwyddwr at y Swyddog Atebol (Is Ganghellor neu Bennaeth fel rheol), a bydd copi'n cael ei anfon at y corff llywodraethu.
28. Ym mhob achos, bydd y gŵyn yn cael ei thrafod gyda'r sefydliad, i weld a yw'r sefydliad eisoes yn ymwybodol o'r gŵyn ac wedi ymchwilio iddi; a yw'r codi ffioedd gormodol neu fethu cydymffurfio â gofynion cyffredinol y Cynllun Mynediad a Ffioedd wedi'i sefydlu; a pha gamau gweithredu, os o gwbl, sydd wedi cael eu rhoi ar waith. Yn achos codi ffioedd gormodol, bydd hyn yn cynnwys gweithredu i roi ad-daliad i unigolion neu noddwyr sydd wedi cael eu heffeithio. Er mwyn hwyluso trafodaeth gyda'r sefydliad, efallai y bydd swyddogion CCAUC yn gofyn am ganiatâd i rannu manylion perthnasol y datgelwr (e.e. enw, cwrs ac ati). Dylid nodi, os gofynnir am ganiatâd i rannu manylion perthnasol, y gall gwrthod amharu ar allu CCAUC i roi sylw i'r gŵyn. Os yw'r sefydliad eisoes yn ymwybodol o'r gŵyn ac wedi ymchwilio iddi, sicrheir copïau o unrhyw adroddiadau sydd wedi'u paratoi gan y sefydliad a bydd swyddogion CCAUC yn gwneud penderfyniad oddi mewn i amserlen resymol ynghylch a oes angen i'r sefydliad weithredu ymhellach.
29. Os nad yw'r sefydliad yn ymwybodol o'r gŵyn, bydd trafodaethau'n cael eu cynnal gyda'r sefydliad i gytuno ynghylch a oes angen ymchwiliad a phwy ddylai ei gynnal. Bydd swyddogion CCAUC yn sicrhau copi o unrhyw adroddiad o ganlyniad i ymchwiliad o'r fath gan y sefydliad neu ei archwilwyr, ac mae ganddo hawl i weld unrhyw ddogfennau sy'n angenrheidiol ar gyfer gwneud ei waith.
30. Os yw CCAUC yn credu bod angen ymchwiliad gan y swyddogion, bydd y gwaith yn cael ei gomisiynu. Dylai'r ymchwiliad arwain at adroddiad a fydd, os yw hynny'n bosib, yn cael ei gytuno gyda'r sefydliad fel adroddiad manwl gywir ar yr ymchwiliad a'i ganfyddiadau. Bydd CCAUC yn rhoi gwybod i'r datgelwr bod ymchwiliad yn cael ei gynnal i'r gŵyn. Hefyd bydd y datgelwr yn cael gwybod, mewn termau eang a chyn belled ag y bo hyn yn cyd-fynd ag unrhyw ddyletswyddau cyfrinachedd i eraill, ac ystyriaethau diogelu data, am ganlyniad terfynol ymchwiliadau o'r fath o fewn 15 diwrnod gwaith i sicrhau canlyniad o'r fath. Yn y pen draw bydd yr adroddiad yn cael ei roi i Swyddog Atebol y sefydliad (Is Ganghellor neu Bennaeth fel rheol) a bydd copi'n cael ei anfon at y corff llywodraethu, gan Brif Weithredwr CCAUC.

31. Bydd adroddiadau unrhyw ymchwiliadau'n sail i benderfyniad gan CCAUC i sefydlu ymyriadau drwy gyhoeddi Cyfarwyddyd Cydymffurfio ac Ad-dalu neu Gyfarwyddyd mewn perthynas â Gofynion Cyffredinol Cynllun Cymeradwy, fel y nodir yn ein [Datganiad o Ymyriadau](#). Bydd y datgelwr yn cael gwybod, mewn termau eang a chyn belled ag y bo hyn yn cyd-fynd ag unrhyw ddyletswyddau cyfrinachedd i eraill, ac ystyriaethau diogelu data, am unrhyw benderfyniad ynghylch a ddylid sefydlu ymyriadau o dan Ddeddf Addysg Uwch (Cymru) 2015 o fewn 15 diwrnod gwaith i benderfyniad gael ei wneud.
32. Os oes cwyn wedi cael ei mynegi eisoes i Swyddfa'r Dyfarnwr Annibynnol (SDA) ar gyfer Addysg Uwch, neu i'r Awdurdod Cystadleuaeth a Marchnadoedd (ACM), cyn cael ei mynegi i CCAUC, efallai y bydd CCAUC yn aros am ganlyniad unrhyw ymchwiliadau neu brosesau sy'n parhau gan SDA neu'r ACM cyn ystyried ymyrryd. Os nad yw hyn ar waith, efallai y bydd swyddogion CCAUC yn cysylltu â SDA neu'r ACM i roi gwybod iddynt am y gŵyn ac efallai y bydd yn gweithio ochr yn ochr â'r cyrff hyn, os oes angen. Os yw hynny'n briodol, er mwyn hwyluso unrhyw ymchwiliadau neu gamau gweithredu gan SDA a/neu'r ACM, efallai y bydd CCAUC yn gofyn am ganiatâd i rannu manylion perthnasol datgelwr.

Bwrw ymlaen â chwynion mewn perthynas ag ansawdd annigonol neu ansawdd sy'n debygol o fod yn annigonol mewn sefydliad a reoleiddir

33. Os yw swyddogion CCAUC yn barnu ei bod yn briodol bwrw ymlaen â chwyn ynghylch ansawdd (gan gynnwys safonau a'r meysydd sydd wedi'u datgan yn y Cod Ansawdd) sydd, neu sy'n debygol o fod, yn annigonol, byddant yn paratoi crynodeb byr o'r gŵyn ac argymhelliad ar gyfer gweithredu. Os nad yw'r dull o weithredu er mwyn bwrw ymlaen â'r gŵyn yn glir, gofynnir am gyngor y Prif Weithredwr.
34. I ddechrau, bydd swyddogion CCAUC yn rheoli unrhyw waith y credir ei fod yn angenrheidiol. Bydd hyn yn cynnwys ymchwiliad rhagarweiniol i'r mater, a gynhelir gan swyddogion CCAUC o fewn 15 diwrnod gwaith os yw hynny'n bosib. Bydd ymchwiliad llawn yn cynnwys sicrhau cymorth o'r tu allan i CCAUC fel sy'n briodol. Cadarnheir unrhyw benderfyniad i sefydlu ymchwiliad llawn neu ragarweiniol mewn llythyr gan Gyfarwyddwr at bennaeth y sefydliad (gyda chopi i'r corff llywodraethu).
35. Ym mhob achos sy'n bodloni'r gofynion ar gyfer bwrw ymlaen ag ymchwiliad rhagarweiniol, bydd y gŵyn yn cael ei thrafod gyda'r sefydliad er mwyn sefydlu canlyniadau ymchwiliad y sefydliad ei hun i'r mater. Er mwyn hwyluso trafodaeth gyda'r sefydliad, efallai y bydd swyddogion CCAUC yn gofyn am ganiatâd i rannu manylion perthnasol y datgelwr (e.e. enw, cwrs ac ati). Dylid nodi, os gofynnir am ganiatâd i rannu manylion perthnasol, y gall gwrthod amharu ar allu CCAUC i roi sylw i'r gŵyn.
36. Bydd yr **ymchwiliad rhagarweiniol** yn cael ei gynnal o fewn 15 diwrnod gwaith os yw hynny'n bosib. Bydd CCAUC yn rhoi gwybod i'r datgelwr bod ymchwiliad yn cael ei gynnal i'r gŵyn. Hefyd bydd y datgelwr yn cael gwybod,

mewn termau eang a chyn belled ag y bo hyn yn cyd-fynd ag unrhyw ddyletswyddau cyfrinachedd i eraill, ac ystyriaethau diogelu data, am ganlyniad terfynol ymchwiliadau o'r fath, gan gynnwys a yw'n symud ymlaen i ymchwiliad llawn ai peidio.

37. Fel rhan o'r ymchwiliad rhagarweiniol, bydd swyddogion hefyd yn sefydlu a oes problemau ansawdd wedi cael eu nodi ar wahân drwy gyfrwng prosesau asesu ansawdd neu waith arferol y sefydliad (e.e. drwy brosesau asesu ansawdd mewnol, adolygiad asesu ansawdd allanol, unrhyw gwynion blaenorol a wnaed, prosesau Swyddfa'r Dyfarnwr Annibynnol (SDA) ar gyfer Addysg Uwch, Estyn, neu Gorff Proffesiynol, Statudol neu Reoleiddiol arall. Byddant hefyd yn ystyried unrhyw weithredu a wnaed fel ymateb.
38. Os yw'r gŵyn, cyn cael ei mynegi i CCAUC, wedi cael ei mynegi i asiantaeth neu gorff allanol sy'n arfer adolygu/archwilio darpariaeth y sefydliad hwnnw, neu sydd â rôl mewn cynnal ymchwiliadau perthnasol i'w gylch gorchwyl (e.e. SDA neu'r ACM), efallai y bydd CCAUC yn aros am ganlyniad unrhyw ymchwiliadau a phrosesau sy'n parhau cyn ystyried ymyrryd. Hefyd, hyd yn oed os nad yw'r gŵyn wedi cael ei mynegi yn unrhyw le arall, efallai y bydd swyddogion CCAUC yn cysylltu â chorff o'r fath i roi gwybod iddo am y gŵyn. Os yw hynny'n briodol, er mwyn hwyluso unrhyw ymchwiliadau neu gamau gweithredu gan y corff hwnnw, efallai y bydd CCAUC yn gofyn am ganiatâd i rannu manylion perthnasol datgelwr.
39. Mae gan swyddogion CCAUC hawl i weld unrhyw ddogfennau sy'n angenrheidiol ar gyfer cynnal ymchwiliadau rhagarweiniol a llawn. Mae hyn yn cynnwys copïau o unrhyw adroddiad yn dilyn ymchwiliad gan y sefydliad neu'r asiantaeth sy'n adolygu/archwilio ansawdd y sefydliad hwnnw neu gwrs. Bydd y swyddogion yn barnu a oes raid i'r sefydliad weithredu ymhellach er mwyn rhoi sylw i faterion ansawdd, fel yr amlinellir yn ein [Datganiad o Ymyriadau](#). Byddwn hefyd yn cysylltu â SDA, Estyn a Chyrff Proffesiynol, Statudol neu Reoleiddiol fel sy'n briodol.
40. Ar ôl cynnal yr ymchwiliad rhagarweiniol, bydd swyddogion CCAUC yn dweud wrth y Prif Weithredwr a oes angen cynnal ymchwiliad llawn. Bydd hyn yn digwydd mewn achosion lle mae'r ymchwiliad rhagarweiniol yn dynodi bod digon o dystiolaeth bod ansawdd yr addysg yn (neu'n debygol o fod) annigonol i warantu ymchwiliad llawn ac adroddiad. Os nad yw ymchwiliad rhagarweiniol yn symud ymlaen i ymchwiliad llawn, daw'r gweithdrefnau i ben ac ni fydd unrhyw adroddiad ysgrifenedig. Wedyn bydd swyddogion CCAUC yn rhoi gwybod i'r datgelwr gwreiddiol am y canlyniad o fewn 15 diwrnod gwaith i benderfynu ar y canlyniad.
41. Os oes angen **ymchwiliad llawn**, fel rheol bydd CCAUC yn cyfeirio'r mater i sylw'r QAA. Bydd yr ymchwiliad yn arwain at adroddiad a fydd, os yw hynny'n bosib, yn cael ei gytuno gyda'r sefydliad fel adroddiad manwl gywir ar yr ymchwiliad a'i ganfyddiadau. Yn y pen draw bydd yr adroddiad yn cael ei roi i Swyddog Atebol y sefydliad (Is Ganghellor neu Bennaeth fel rheol, a bydd copi'n cael ei anfon at y corff llywodraethu) gan Brif Weithredwr CCAUC. Fel rheol bydd yn cael ei roi ar wefan CCAUC o fewn 30 diwrnod i'w gyhoeddi.

42. Bydd adroddiadau unrhyw ymchwiliadau'n sail i gynllun gweithredu ar gyfer rhoi sylw i'r problemau gydag ansawdd annigonol neu ansawdd sy'n debygol o fod yn annigonol, a bydd cyflwyno'r cynllun hwn yn arwain yn y pen draw at benderfyniad gan CCAUC i sefydlu ymyriadau cysylltiedig ag ansawdd annigonol, fel yr amlinellir yn ein [Datganiad o Ymyriadau](#). Dylai'r cynllun gael ei ddatblygu gan y sefydliad mewn partneriaeth â'r corff o fyfyrwyr. Bydd y datgelwr yn cael gwybod am unrhyw benderfyniad ynghylch sefydlu ymyriad mewn perthynas ag ansawdd annigonol o dan Ddeddf Addysg Uwch (Cymru) 2015 o fewn 15 diwrnod gwaith i wneud penderfyniad.
43. Adroddir ar nifer y cwynion am ansawdd a safonau yn adroddiad blynyddol y Pwyllgor Asesu Ansawdd, a hefyd y nifer sy'n cael eu bwrw ymlaen i ymchwiliadau rhagarweiniol a llawn.

Bwrw ymlaen â chwynion mewn perthynas â methiant corff addysg uwch perthnasol i gyflawni ei Ddyletswydd Atal

44. Os yw swyddogion CCAUC yn barnu ei bod yn briodol bwrw ymlaen â chwyn ynghylch methiant corff addysg uwch perthnasol i gyflawni ei Ddyletswydd Atal, efallai y byddwn yn gofyn i'r sefydliad ymchwilio i'r mater ac, os ategir y gŵyn, byddwn yn disgwyl hysbysiad o'r canlyniadau. Er mwyn hwyluso ymchwiliad gan y sefydliad, efallai y bydd swyddogion CCAUC yn gofyn am ganiatâd i rannu manylion perthnasol y datgelwr (e.e. enw, cwrs ac aelodaeth ac ati). Dylid nodi, os gofynnir am ganiatâd i rannu manylion perthnasol, y gall gwrthod amharu ar y gallu i ymchwilio i'r gŵyn
45. Os oes gennym bryderon penodol am gydymffurfio ar ôl y cyswilt hwn, byddwn yn trafod gyda'r sefydliad sut gall roi sylw i'r rhain. Gall hyn gynnwys ymweliad sefydliadol gyda dull o weithredu seiliedig ar risg. Byddwn yn hysbysu'r sefydliad o'n bwriad i ymweld ymlaen llaw.
46. Os nad yw swyddogion CCAUC yn fodlon wedyn, ar ôl cael y drafodaeth hon gyda'r sefydliad, byddwn yn asesu a yw'r materion dan sylw'n ddigon difrifol i awgrymu nad yw'r sefydliad yn cydymffurfio â rhwymedigaethau ei Ddyletswydd Atal. Yn y sefyllfa honno, bydd rhaid i CCAUC roi gwybod i'r Swyddfa Gartref a fydd, efallai, yn cyfeirio'r mater i sylw ei Bwrdd Goruchwylio Atal, sy'n cynghori'r Ysgrifennydd Cartref ynghylch a oes angen gweithredu ymhellach. O dan amgylchiadau o'r fath, bydd CCAUC yn rhoi gwybod i Lywodraeth Cymru am unrhyw bryderon hefyd.
47. Os bydd cwyn yn ymwneud â mater difrifol, mae'n ofynnol i ni roi gwybod am bob digwyddiad difrifol i'r Swyddfa Gartref o fewn 24 awr i'r digwyddiad ac, o fewn 3 diwrnod, darparu adroddiad dilynol ar sut mae'r mater wedi cael ei ddatrys. Felly bydd CCAUC yn cysylltu â'r sefydliad ar unwaith ar ôl derbyn cwyn sy'n berthnasol i ddigwyddiad difrifol ac, os yw hynny'n briodol, bydd CCAUC yn rhoi gwybod i'r Swyddfa Gartref. Rydym yn ystyried bod digwyddiadau difrifol cysylltiedig ag Atal yn cynnwys y rhai sy'n debygol o arwain at niwed difrifol i unrhyw unigolyn, cael effaith gymunedol arwyddocaol, gwneud drwg i enw da'r sector AU yng Nghymru neu effeithio ar hyder y

cyhoedd yn y Swyddfa Gartref (fel drwy sylw negyddol ar y cyfryngau). Ni fyddem yn disgwyl i hyn gynnwys busnes arferol (er enghraifft, atgyfeiriadau Sianel uniongyrchol neu gyswilt anffurfiol â'r heddlu neu bartneriaid Atal lleol).

Amserlenni

48. At ddiben y weithdrefn hon, ystyr diwrnod gwaith yw unrhyw ddiwrnod rhwng dydd Llun a dydd Gwener (yn gynnwysedig) heb ystyried patrwm gwaith unigolyn, ond gan eithrio gwyliau cyhoeddus a gwyliau banc.
49. Er y bydd CCAUC yn gwneud pob ymdrech i gadw at y cyfyngiadau amser a nodir yn y weithdrefn ffurfiol, ni fydd hynny'n bosib bob amser efallai, oherwydd ymrwymadau gwaith, absenoldeb salwch ac ati. Os credir na fydd modd cadw at gyfyngiad amser, bydd llythyr esboniadol yn cael ei anfon at yr unigolion a chytunir ar amserlen arall. Gwneir pob ymdrech i ddelio â'r gwyn mor brydlon â phosib ac ni fydd unrhyw oedi gyda'r broses ar ran unrhyw barti cysylltiedig yn cael ei oddef.

Dogfennau Ategol

50. Mae'r atodiadau canlynol yn darparu cyfarwyddyd manylach, fel a ganlyn:

- **Atodiad A** – Ffurflen ar gyfer cyflwyno cwynion ynghylch materion ariannol, llywodraethu a rheoli (mynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd; methu, neu'n debygol o fethu, cydymffurfio â'r Cod Rheolaeth Ariannol).
- **Atodiad B** – Ffurflen ar gyfer cyflwyno cwynion ynghylch cydymffurfio â'r Cynllun Mynediad a Ffioedd (codi ffioedd gormodol; methu, neu'n debygol o fethu, cydymffurfio â gofynion cyffredinol Cynllun Mynediad a Ffioedd cymeradwy)
- **Atodiad C** – Ffurflen ar gyfer cyflwyno cwynion ynghylch ansawdd annigonol neu ansawdd sy'n debygol o fod yn annigonol
- **Atodiad D** – Ffurflen ar gyfer cyflwyno cwynion ynghylch methiant darparwr addysg uwch perthnasol i gyflawni ei Ddyletswydd Atal

Os oes arnoch angen copi papur o'r ddogfen hon am resymau hygrychedd, anfonwch e-bost i complaints@hefcw.ac.uk neu ffoniwch 029 2085 9696. Os oes gennych nam ar y golwg, byddwn hefyd yn derbyn cwynion dros y ffôn.

Ffurflen ar gyfer cyflwyno cwynion ynghylch materion ariannol, llywodraethu a rheoli

Enw'r datgelwr:

Cyfeiriad gohebu:

.....

Rhif Ffôn:

E-bost:

Y Sefydliad (prifysgol, coleg neu sefydliad) y mae'r gŵyn yn ymwneud ag ef:

.....

Perthynas y datgelwr i'r sefydliad:

.....

Yr hyn mae'r gŵyn hon yn berthnasol iddo:

- Mynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd (Sefydliadau sy'n derbyn cyllid CCAUC yn unig)
- Methu cydymffurfio â'r Cod Rheolaeth Ariannol (Sefydliadau a reoleiddir yn unig)
- Tebygolrwydd o fethu cydymffurfio â'r Cod Rheolaeth Ariannol (Sefydliadau a reoleiddir yn unig)
- Mynd yn groes i'r Memorandwm o Sicrwydd ac Atebolrwydd a hefyd methu cydymffurfio â'r Cod Rheolaeth Ariannol (Sefydliadau a reoleiddir sy'n derbyn cyllid CCAUC yn unig)

Ydy'r gŵyn hon wedi cael ei bwrw ymlaen drwy bob cam o weithdrefnau datgelu budd cyhoeddus a / neu gwyno'r sefydliad ei hun?

Do Naddo

Os **do** cyflwynwch gopi o'r penderfyniad terfynol.

Os **naddo** esboniwch pam mae'r achos yn cael ei fwrw ymlaen gyda CCAUC isod.

Crynowch y gŵyn isod os gwelwch yn dda:

Pa swyddogaethau a buddiannau gan CCAUC mae'r gŵyn hon yn ymwneud â hwy? Edrychwch ar y paragraff perthnasol yn y Memorandwm o Sicrwydd ac Atebolrwydd (MSA) a/neu'r Cod Rheolaeth Ariannol (Cod).

Rhif paragraff MSA/Cod	Cyfeirnod paragraff MSA/Cod

Cyflwynwch dystiolaeth ddogfennol yn ôl yr angen, gan gynnwys copïau o'r holl ohebiaeth gyda'r sefydliad. Os nad oes gennych dystiolaeth, esboniwch pam isod.

DS Fel rheol nid ydym yn gallu mynd at sefydliad i ofyn am esboniad o gwynion heb eu cefnogi.

Ydy'r gŵyn hon wedi cael ei bwrw ymlaen yn ffurfiol gydag unrhyw gyrff eraill (e.e. y Comisiwn Elusennau, yr Heddlu)?

Do Naddo

Os **do** rhowch ragor o fanylion isod.

A fydddech yn fodlon cyfarfod â swyddog o CCAUC, os gofynnir i swyddog fynd â'r achos hwn yn ei flaen?

Byddwn Na fyddwn

Llofnod:

.....

Dyddiad:

Anfonwch y ffurflen hon wedi'i marcio gyda 'cyfrinachol' i:

Cyngor Cyllido Addysg Uwch Cymru

Tŷ Afon

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Ffurflen ar gyfer cyflwyno cwynion ynghylch cydymffurfiaeth sefydliadau a reoleiddir â Chynlluniau Mynediad a Ffioedd

Enw'r datgelwr:

Cyfeiriad gohebu:

.....

Rhif Ffôn:

E-bost:

Y Sefydliad (prifysgol, coleg neu sefydliad) y mae'r gŵyn yn ymwneud ag ef:

.....

Perthynas y datgelwr i'r sefydliad:

.....

Yr hyn mae'r gŵyn hon yn berthnasol iddo:

- Codi ffioedd sy'n uwch na'r lefel a bennir yng Nghynllun Mynediad a Ffioedd cymeradwy'r sefydliad
- Methu cydymffurfio â gofynion cyffredinol Cynllun Mynediad a Ffioedd cymeradwy'r sefydliad
- Tebygolrwydd o fethu cydymffurfio â gofynion cyffredinol Cynllun Mynediad a Ffioedd cymeradwy'r sefydliad

Ydy'r gŵyn hon wedi cael ei bwrw ymlaen yn ffurfiol gyda'r sefydliad?

Do Naddo

Os **do** cyflwynwch gopi o ymateb y sefydliad.

Os **naddo** esboniwch pam mae'r achos yn cael ei fwrw ymlaen gyda CCAUC isod.

Crynowch y gŵyn isod os gwelwch yn dda.

- Ar gyfer cwynion perthnasol i godi ffioedd gormodol, rhowch wybodaeth am y cwrs a sut mae lefelau'r ffioedd a godir yn fwy na'r rhai sydd wedi'u cyhoeddi yn y Cynllun Mynediad a Ffioedd.
- Ar gyfer cwynion perthnasol i fethu cydymffurfio â gofynion cyffredinol Cynllun Mynediad a Ffioedd cymeradwy, rhowch wybodaeth am sut mae'r sefydliad wedi methu cydymffurfio, neu'n debygol o fethu cydymffurfio, â'r mesurau a/neu'r gwariant perthnasol i hybu cyfleoedd cyfartal a/neu addysg uwch a nodir yn y Cynllun Mynediad a Ffioedd:

Cyflwynwch dystiolaeth ddogfennol yn ôl yr angen, gan gynnwys copiâu o'r holl ohebiaeth gyda'r sefydliad. Os nad oes gennych dystiolaeth, esboniwch pam isod.

DS Fel rheol nid ydym yn gallu mynd at sefydliad i ofyn am esboniad o gwynion heb eu cefnogi.

Ydy'r gŵyn hon wedi cael ei bwrw ymlaen yn ffurfiol gydag unrhyw gyrff eraill (e.e. yr ACM, SDA)?

Do Naddo

Os **do** rhowch ragor o fanylion isod.

A fydddech yn fodlon cyfarfod â swyddog o CCAUC, os gofynnir i swyddog fynd â'r achos hwn yn ei flaen?

Byddwn Na fyddwn

Llofnod:

.....

Dyddiad:

Anfonwch y ffurflen hon wedi'i marcio gyda 'cyfrinachol' i:

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Ffurflen ar gyfer cyflwyno cwynion ynghylch ansawdd annigonol, neu ansawdd sy'n debygol o fod yn annigonol, yr addysg mewn sefydliadau a reoleiddir

Enw'r datgelwr:

Cyfeiriad gohebu:

.....

Rhif Ffôn:

E-bost:

Y Sefydliad (prifysgol, coleg neu sefydliad) y mae'r gŵyn yn ymwneud ag ef:

(DS. Ar gyfer darpariaeth a gyflwynir o dan drefniadau masnachfrint, cofiwch gynnwys manylion y sefydliad a reoleiddir sy'n rhoi ei ddarpariaeth ar fasnachfrint a'r sefydliad sy'n ymgymryd â chyflwyno'r ddarpariaeth):

.....

Perthynas y datgelwr i'r sefydliad:

.....

Yr hyn mae'r gŵyn hon yn berthnasol iddo:

- Ansawdd addysg sy'n annigonol
- Ansawdd addysg sy'n debygol o fod yn annigonol

Ydy'r gŵyn hon wedi cael ei bwrw ymlaen yn ffurfiol gyda'r sefydliad?

Do Naddo

Os **do** cyflwynwch gopi o ymateb y sefydliad.

Os **naddo** esboniwch pam mae'r achos yn cael ei fwrw ymlaen gyda CCAUC isod.

DS fel rheol mae'n rhaid i'r gŵyn fod wedi cael ei bwrw ymlaen gyda'r sefydliad cyn y gallwn ni ei hystyried.

Crynowch y gŵyn isod os gwelwch yn dda, gan roi gwybodaeth am y cwrs (cyrsiâu) addysg y mae'r gŵyn yn berthnasol iddo a sut mae ansawdd yr addysg yn cael ei ystyried yn annigonol neu'n debygol o fod yn annigonol, gan gyfeirio'n benodol at feini prawf ansawdd, fel y nodir ym mhara 11:

Cyflwynwch dystiolaeth ddogfennol yn ôl yr angen, gan gynnwys copiâu o'r holl ohebiaeth gyda'r sefydliad. Os nad oes gennych dystiolaeth, esboniwch pam isod.

***DS** Fel rheol nid ydym yn gallu mynd at sefydliad i ofyn am esboniad o gwynion heb eu cefnogi.*

Ydy'r gŵyn hon wedi cael ei bwrw ymlaen yn ffurfiol gydag unrhyw gyrff eraill (e.e. QAA, SDA)?

Do Naddo

Os **do** rhowch ragor o fanylion isod.

A fyddech yn fodlon cyfarfod â swyddogion CCAUC, os gofynnir i swyddogion fynd â'r achos hwn yn ei flaen?

Byddwn Na fyddwn

Llofnod:

.....

Dyddiad:

Anfonwch y ffurflen hon wedi'i marcio gyda 'cyfrinachol' i:
Cyngor Cyllido Addysg Uwch Cymru
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Ffurflen ar gyfer cyflwyno cwynion ynghylch methiant corff addysg uwch perthnasol i gyflawni ei Ddyletswydd Atal

Enw'r datgelwr:

Cyfeiriad gohebu:

.....

Rhif Ffôn:

E-bost:

Y Sefydliad (prifysgol, coleg neu sefydliad) y mae'r gŵyn yn ymwneud ag ef:

.....

Perthynas y datgelwr i'r sefydliad:

.....

Ydy'r gŵyn hon yn berthnasol i ddigwyddiad difrifol?

Ydy Nac ydy

Ydy'r gŵyn hon wedi cael ei bwrw ymlaen yn ffurfiol gyda'r sefydliad?

Do Naddo

Os **do** cyflwynwch gopi o ymateb y sefydliad.

Os **naddo** esboniwch pam mae'r achos yn cael ei fwrw ymlaen gyda CCAUC isod.

Crynhowch y gŵyn isod os gwelwch yn dda, gan roi gwybodaeth am y mater y credir ei fod yn cynrychioli methiant gan y sefydliad i gyflawni ei Ddyletswydd Atal:

Cyflwynwch dystiolaeth ddogfennol yn ôl yr angen, gan gynnwys copiâu o'r holl ohebiaeth gyda'r sefydliad. Os nad oes gennych dystiolaeth, esboniwch pam isod.

DS Fel rheol nid ydym yn gallu mynd at sefydliad i ofyn am esboniad o gwynion heb eu cefnogi.

Ydy'r gŵyn hon wedi cael ei bwrw ymlaen yn ffurfiol gydag unrhyw gyrff eraill (e.e. y Comisiwn Elusennau, Gwasanaethau Diogelwch)?

Do Naddo

Os **do** rhowch ragor o fanylion isod.

A fydddech yn fodlon cyfarfod â swyddogion CCAUC, os gofynnir i swyddogion fynd â'r achos hwn yn ei flaen?

Byddwn Na fyddwn

Llofnod:

.....

Dyddiad:

Anfonwch y ffurflen hon wedi'i marcio gyda 'cyfrinachol' i:

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