

Agenda Item 16

Enclosure 13

Paper ETC 77/02

Education and Training Committee

**PERIOD OF TIME TO BE GIVEN TO INSTITUTIONS
TO MAKE "OBSERVATIONS"**

From the Secretary

for discussion and agreement

PERIOD OF TIME TO BE GIVEN TO INSTITUTIONS TO MAKE "OBSERVATIONS"

1. Background

The HPO allows an Institution to make an "observation" on any decision taken by the Committee affecting it (such as failure to comply with outstanding "conditions" made at "validation" of a new course, uncritical expansion of student numbers prejudicial to the maintenance of standards, failure to replace suitably qualified teaching staff, and such like).

The HPO then requires the Committee to set a time limit by when such an observation can be made.

2. Current Position

This is also a provision in the PSM Act, and the equivalent time limit there is "one month".

3. Options

The options are around the time limit itself. The period needs to strike a balance between urgency and reasonableness.

4. Recommendations and Timetable

It is recommended that a letter which might initiate or be used in quasi-judicial proceedings should be sent by recorded delivery. Four weeks (20 working days) from the receipt of the letter by the institution should be regarded as an adequate period for an observation to be made.