NMH Providers Investigations Process

1. This document outlines the process for investigating concerns about non-medical help **(NMH)** providers or their support workers when the Department for Education **(DfE)** is leading the investigation. The Student Loans Company **(SLC)** has its own internal procedures for handling cases and investigations may be conducted by DfE, SLC, or jointly, depending on the nature of the concern. This document focuses specifically on the DfE-led process.

2. Concerns about NMH Providers or individual NMH support workers can be submitted confidentially to: Disabled.STUDENTALLOWANCES@education.gov.uk

3. The NMH Supplier List (also known as the NMH Register) is available on the Student Finance England website at Guidance for NMH Suppliers (slc.co.uk)

4. DfE has the decision-making responsibility for suspending or removing providers from the NMH Supplier List.

Initiation of Investigation

5. Investigations are initiated when DfE and/or SLC become aware of a potential breach of the NMH Standards.

6. Depending on the seriousness of and circumstances around the alleged breach, DfE may issue an immediate suspension of the provider or support worker while an investigation takes place. If there is an immediate risk of harm to students, then it may also be necessary to transfer any students to another provider.

Evidence Gathering

7. DfE will gather evidence from all available sources to support the investigation. This may include (but is not limited to) audit outcomes, copies of relevant correspondence, recordings of telephone calls, invoicing information, and other information held by SLC. Depending on the circumstances, DfE may also contact the support worker or provider under investigation to ask for information.

Decision Process

8. Following the investigation, if the concerns are found to be groundless then DfE will take no further action. If the concerns warrant further action, DfE will send a letter to the provider or support worker involved setting out the actions that it is minded-to take. These may include, but are not limited to:

   (a) Conducting additional audits.
   (b) Recovery of DSA funds.
   (c) Suspension from the NMH Supplier List.
   (d) Removal from the NMH Supplier List.

(e) Refusing an application. If we decide to do this, there will be a right to appeal which will be reviewed in the same way as the process detailed under paragraphs 13-14.
(f) Reporting concerns to external agencies such as the ICO, police, or professional bodies.

The letter will give the NMH provider or support worker the opportunity to make representations by a set deadline against the actions that DfE is minded-to take.

9. If the NMH provider or support worker does not respond to the letter, or responds accepting the actions, DfE will implement the actions set out in the letter. If this involves a suspension from the NMH supplier list, DfE will publish the support worker or provider's name online and inform existing and newly registering NMH suppliers of the suspension.

10. If the NMH provider or support worker provides representations against the actions that DfE is minded-to take, their representations will be considered by a senior manager at DfE who has not previously been involved in the case.

11. Possible outcomes of this review of representations submitted are upholding, modifying, or reversing the actions set out in the original letter. The DSA team will then send a letter to the NMH provider or support worker setting out the decision. If the decision includes suspension from the NMH Supplier List, DfE will publish the support worker or provider's name online and notify registered NMH suppliers of the suspension. This will happen at the decision stage, even if the support worker or provider goes on to submit an appeal.

12. The letter will include the option for the support worker or provider to appeal the decision by a set deadline.

Appeals Process

13. If the NMH provider or support workers submits an appeal, this will be reviewed (together with any supporting documents submitted and the previous case history) by a senior manager at DfE who has not previously been involved at any stage of the case. Possible outcomes are upholding, modifying, or reversing the final decision.

14. Following this review, the DSA team will write to the NMH provider or support worker setting out the outcome of the appeal.

Next Steps

15. If the provider or support worker believes there has been unfair treatment by the DfE, they can escalate this matter to the Parliamentary and Health Service Ombudsman (PHSO). The PHSO usually requires that all appeals and internal complaints procedures have been exhausted before they will consider a case. How we deal with complaints | (PHSO)

Ongoing Monitoring

16. Providers and support workers against whom DfE has taken action may be subject to continued monitoring to ensure that any conditions set are adhered to