2 September 2022

Sultana Khanum Customer Services Manager Trinity College London Blue Fin Building 110 Southwark Street London SE1 0TA

Dear Sultana,

# Complaint: Musical Theatre Academy, Level 6 Diploma in Professional Musical Theatre Pre-Validation

You have asked me to consider a complaint by the Musical Theatre Academy about the circumstances surrounding the production of the pre-validation report in their application to be validated to deliver Trinity's Level 6 Diploma in Professional Musical Theatre. As the complaint is quite complex, and my discussion of it consequently quite lengthy, I have divided my report into the following sections:

- 1. Evidence base
- 2. Overview of the Complaint
- 3. Consideration of the complaint Part 1: Timescale
- 4. Consideration of the complaint Part 2: Pre-validation Report
- 5. Consideration of the complaint Part 3 : Staff conduct
- 6. Findings

## **Evidence base**

In considering this complaint, I have consulted the following documentation:

- Documentation surrounding the complaint:
  - a series of emails dated 5 July, 13 July and 17 July 2022 outlining the timescale of events and containing the original complaint
  - Trinity's initial response to the complaint, dated 27 July 2022
  - MTA's letter replying to that response, date 27 July 2022
  - o MTA's fact-check document responding to the pre-validation report
  - MTA's letter escalating the complaint to the Trinity CEO dated 1 August 2022, along with a document collating documents and correspondence from the previous stages of the complaint
  - Notes from the initial internal investigation prior to the complaint being referred externally, comprising a version of the fact-check document annotated with Trinity's responses, and a draft response to the complaint
- Documentation about the validation process as published on the Trinity website:
  - Outline of the diploma for potential students: <u>https://www.trinitycollege.com/qualifications/PPAD/level-6-musical-theatre</u>
  - The Delivery Guide for validated institutions: <u>https://www.trinitycollege.com/resource/?id=8571</u>
  - The Programme Specification: <u>https://www.trinitycollege.com/resource/?id=8572</u>

- Documents from the pre-validation process:
  - Initial notes from John Gardyne in the form of an incomplete draft of the pre-validation report dated 22 February 2022
  - Email from MTA dated 3 March submitting extra documentation after a zoom conversation on 28 February 2022
  - Performance assessment reports dated 9 March and 10 June 2022
  - A handover document from John Gardyne FAO Gregg Whelan dated 15 March 2022
  - The pre-validation report as presented to MTA for fact-checking on 12 July 2022
  - The final pre-validation report, dated 18 August 2022

In addition to this documentation, I have submitted a couple of email queries to Trinity to clarify details around sequence of events in the few places where the complaint does not give specific dates (e.g. dates of staff absences). There is no direct record of several key verbal conversations (both in person and in video calls) so for evidence of what these contained I am working from accounts given by the complainant and from responses to the complaint recorded by the initial internal investigation. I have declined the offer to interview the Principal of MTA or Trinity staff as the document trail is very detailed, and provides ample evidence to consider all aspects of the complaint.

#### **Overview of the complaint**

There are two dimensions to this complaint, each including a number of constituent points. Whilst there are ways in which the substance of the two aspects is interrelated, I will separate them out for clarity, and cross-reference where necessary.

The first issue, which was the central point of the original complaint submitted on 5 July, is the length of time it took to produce the pre-validation report, given that the main pre-validation visit occurred on 8 February, and the report had not yet been received at the time of this first complaint, nearly 5 months later.

The second issue is the substance of that report, once it was delivered on 12 July. MTA complain that the report is inaccurate in many details, that it does not show evidence of the input from the original lead assessor, John Gardyne, who undertook the pre-validation visit in February, and that its recommendations differ in significant ways from the provisional recommendations communicated verbally in February, which MTA considered already to have been fulfilled.

I note that the final report, dated 18 August 2022, incorporates a number of corrections from MTA's fact-check response document; where these points do not impinge directly on the report's recommendations, I will treat them as already resolved.

There is one additional aspect of the complaint, concerning the conduct of Trinity staff in the zoom call on 12 July, which does not fit under either of these two main areas, so I will deal with it separately at the end.

## **Consideration of the complaint Part 1: Timescale**

With regard to the complaint about timescale, MTA's Principal, Annemarie Lewis Thomas, indicates in her timeline that following the pre-validation visit on 8 February, the Trinity team communicated provisional recommendations verbally in a zoom meeting on 28 February. MTA forwarded extra documentation on March 3<sup>rd</sup> intended to fulfil these recommendations, and at this point understood that the report would be ready in the w/c 14 March.

This appears to be the key moment at which the miscommunications and misunderstandings underlying both aspects of the complaint occurred. It is clear that MTA's circumstances led them to approach this process with considerable urgency, and that in scheduling a pre-validation visit before any performance assessments (defined as the first stage of the validation process in the Delivery Guide) had taken place, Trinity were in some ways at that stage responding to that need. However, this also means that the provisional recommendations communicated verbally at the end of February were necessarily incomplete, as they did not yet include the issues surrounding the achievement of level 6 in Dance, which emerged as a significant issue after the Performance Assessment of 9 March. I note also that the materials forwarded on 3 March do not relate to the operational issues that recommendations 3, 4 & 5 of the final report deal with, suggesting that these were not raised as significant immediate action points at this meeting either. This inference is supported by the way the Principal finishes her email: 'I 'think' that's everything that we covered. Please do say if any of this misses the mark, or needs further explanation.' Both parties agree that the focus on 28 February was on how Trinity would moderate assessments carried out internally by MTA; the difference is that Trinity regarded this as a meeting about a specific recommendation, whilst MTA seems to have understood this as representing the only area that would require action. Accordingly, the MTA team were under the impression that by 3<sup>rd</sup> March they had met all the conditions required for the validation to go ahead in the following term; they assert that this is the case in the original complaint email of 5 July, and so were clearly not cognisant at that point of the full range of recommendations the report would contain.

From Trinity's perspective, it was clear by mid-March, when John Gardyne wrote his briefing document for Gregg Whelan, that a quick turn-around for the validation would not be possible. The questions about achievement level had significant implications for both admission processes and course delivery, while the assessment processes required for the earlier stages of the diploma would need to be seen in action before validation could go ahead. It was not a case simply of rubber-stamping the course at it had already been running, but would entail making some quite challenging changes to existing practice. The very reasons why MTA were looking for an early resolution, meanwhile, were reasons for Trinity to proceed with caution.

The primary problem here, in my view, is that, whether through omission or misunderstanding, these expectations were not communicated clearly enough back in March, leaving MTA with the impression that they had done all they needed to for the validation to proceed to the next stage. The time for the report to be produced is, from a procedural perspective, within the published timeframe, but I would agree with MTA that it was unhelpfully long: if the whole process is to take at least a year, then to take four months of that year to produce a report on this one stage significantly eats into the time available for the validating institution to take the actions it recommends. Moreover, the impact of the delay would have been less had MTA understood both that the recommendations communicated verbally in February were not complete, and that the actions taken to meet them were not sufficient. Conversely, one could argue that it is the delay that was unreasonable, and that had the report come out in a more timely manner, the mismatch of expectations would have been identified promptly. The delay and the miscommunications/misunderstandings are each individually unfortunate, but in combination their negative impact was compounded.

One understands that a series of unavoidable staff absences at Trinity contributed significantly to the delay as well as interrupting communication between Trinity and MTA during the Spring, but the lack of any kind of undertaking for expected timescale for the interim stages in the process outlined in the Delivery Guide indicates a systemic problem here, not merely a circumstantial one. Validated institutions are held to clearly-defined timescales in order to maintain their validation status; it would be reasonable to expect the validating body likewise to hold itself to explicit deadlines in order to manage the expectations of all parties appropriately throughout the validation process.

I would also note that, once the report was finally ready, if it could not be delivered before 12 July, it would have been more helpful to defer the meeting scheduled for that afternoon to discuss it for at least 24 hours to allow the MTA team time to digest it and marshal their thoughts. It is clear that the experience of this meeting was stressful, and having had inadequate time to absorb the findings can only have exacerbated this.

## **Consideration of the complaint Part 2: Report**

Moving on to the substance of the report, MTA's objections to it fall into a number of key themes:

- 1. The ostensible lack of input from the original lead assessor, John Gardyne
- 2. The disparity between the recommendations in the report and those communicated back in February
- 3. The process of arriving at the judgements about attainment levels in Dance
- 4. The paucity of discussion of Singing and Acting in the report
- 5. The purported lack of understanding in the report of accelerated learning and disregard of MTA's successful track record
- 6. The purported failure of the report to acknowledge MTA's work to develop an assessment infrastructure
- 7. Objection to concerns expressed in the report about financial stability and risk management

1. With regard to the complaint that there was not adequate handover from John Gardyne to other team members, and that the report does not reflect the views he communicated at his visit and in subsequent communications by zoom and email, the document trail does not support this contention. I have been supplied with a document containing John Gardyne's notes in the form of a partial draft report dated 22 February 2022, and most of the major themes from the final report are already outlined here. A good deal of the final report replicates text from this document either verbatim or lightly edited. Other points which are major themes in the final report (such as finances, assessment, and overreliance on the Principal) are not yet developed in this draft, but are signalled with highlighted text. The one theme of the complete report that does not appear in this early draft is the level of attainment in Dance, which does not appear in the document trail until the Performance Assessment visit of 9 March 2022. This theme, along with the others

signalled but not yet elaborated upon are discussed in detail in the internal briefing document dated 15 March 2022.

Accordingly, I cannot uphold the complaint that the discrepancies between what MTA had understood were going to be the recommendations and what recommendations were eventually made are the result of inadequate input from John Gardyne and/or inadequate handover. This contention underlies a good many of the objections to specific points in the report: a substantial number of perceived shortcomings are attributed to the failure to take John's observations and conclusions into account. Although the purported origin of the issues is mistaken, however, the issues themselves still need to be scrutinised, and I will consider them within the other primary themes identified.

2. Moving onto the perceived disjunction between the recommendations communicated verbally in February and those in the report. From the documents provided by MTA on 3 March, it appears that the primary points discussed in the immediate wake of the pre-validation visit concerned the relationship of the Guided Learning Hours as required by the Programme Specification with the course as currently delivered, and the need to develop an internal assessment structure. The latter appears as the first recommendation in the final report, while the rest of the recommendations relate to operational issues and changes to delivery and recruitment processes needed to support the assessment processes and deliver Dance to Level 6.

As noted above, the question of attainment level in Dance did not arise until after the verbal communication of provisional recommendations, and whilst the questions of institutional stability were already noted in Trinity documentation, they appear not to have been a focus in the meeting at the end of February, although it is clear they had been discussed during the pre-validation process.

One can see that, if MTA had understood the questions raised in that zoom meeting to represent the totality of actions required to proceed to validation, then the final report would have caused considerable dismay. From Trinity's perspective, giving verbal feedback ahead of the formal report would be intended to aid MTA in starting work on areas that could be immediately actioned so they could make useful progress before the formal report was issued, given MTA's desire to expedite the process.

As noted above, this disparity of understanding is central to the complaint. Trinity's understanding (that the formal report is the key document, and verbal communications while it was in process are intended for guidance but are not definitive) reflects the norms of validation processes in the HE sector. However, given that this was the first time MTA had been through a validation process, this places a greater responsibility on Trinity to ensure that the process and its norms were understood clearly.

A detail that needs addressing specifically is the contention that John Gardyne had assured MTA that they would not need a full academic year cycle's worth of assessment to proceed to validation, as is required in Recommendation 1 of the report. As there is no recording of the conversation in which this took place, it is impossible to tell exactly what was said, but I would reiterate the point that informal communications within the validation process do not typically constitute binding undertakings. (See point 6 below for a more detailed discussion of the substance of this recommendation).

My judgement is thus that the process by which the report's recommendations were reached was valid, but that the communication during the process (both in terms of the lateness of the report, and missing opportunities to clarify misapprehensions en route) was not adequate.

3. With regard to the process of assessing attainment levels in Dance, the PPAD Delivery Guide defines the pre-validation performance assessments as the means by which Trinity determines whether a course is developing students' skills to the level required by the diploma. Two such assessment visits occurred in this process, on 9 March and 10 June. Both reports found that singing and acting skills were securely at the level required, but the first found that dance skills were too basic for Level 6 work. The execution was found to be competent, but the technical challenges presented by the choreography were judged to be insufficient for work at this level.

Other examples of student work were also consulted in digital form in reaching the judgement that the dance curriculum would need to be significantly enhanced to meet the diploma's requirements.

MTA contend that Trinity have attempted to falsify the depth and thoroughness of this assessment process. They present access data showing that links to six different items were accessed over a period of an hour and quarter on 8 June, with time stamps varying from 2 minutes to 42 minutes apart. They adduce this as evidence both of shoddiness (not watching performances in their entirety) and dishonesty (pretending to have done so).

I note that the original report refers to other shows having been 'assessed' remotely, while the final report corrects this to 'sampled', which is clearly more accurate. However, I do not agree that the original wording should be read as an attempt to deceive. Whilst in assessing individual students it would be expected to watch full performances, for assessments of level such as this, brief sampling of a wider range of materials is a standard procedure. The two live performances indicated that dance was sometimes reaching Level 6 work, but also sometimes falling significantly short. Sampling a range of other materials would show which of these two outcomes was more typical for the course as a whole.

I also note that sampling the digital performances was going beyond the process as defined in the Delivery Guide, which only specifies assessment of live performances. It would have been valid to make the judgement that Dance was not reaching the required level on the evidence of the performance assessment visits alone. That the validation team sought extra evidence to verify this conclusion is to be commended.

It is also worth addressing the point that the digital material had been filmed during lockdown. As the Trinity team noted, this is not salient in this context. This is not to minimise the hurdles faced by teachers and learners particularly in practical disciplines over that period, which were immense, and the work required to maintain educational continuity, which was intense and frankly heroic. But the purpose of this exercise was to find evidence of consistent attainment at a defined level, and if it was not found then the course cannot yet be validated at that level.

This is also an appropriate moment to address the question of the competence of the assessors to make these judgements (although this aspect of the complaint refers to classroom observations rather than the performance assessments). MTA remark that XXX is a dance specialist and that she fell asleep during a classroom observation. Trinity have clarified that she is a Musical Theatre specialist (although were she a dance specialist this would make the judgements around level in dance more rather

than less robust). The assessor denies falling asleep. There is no way to evidence these conflicting claims at this point, but it has no actual bearing on the outcome of the process, as the classroom observations all found the teaching to be of a high standard. I also note in this context that the performance assessment reports show that the assessors were clear which were first and second year students.

Whilst MTA clearly find it hard to accept the judgement that their dance provision is not currently securely at level 6, this assessment by Trinity is absolutely key to the potential success of the PPAD diploma. Once validated, it would be Trinity assessors marking the students' performances, using Trinity's standard marking guidelines. Even if MTA disagreed with those assessment levels and procedures, they are the standards that would be applied to their students, so making sure that their students can meet those standards has to be a pre-requisite for validation. Otherwise it would simply be setting students up to fail.

4. With regard to the complaint that the report deals inadequately with two of the three performance disciplines, both singing and acting are adjudged in the report to be securely at the attainment level required for validation of the diploma. There is moreover a discussion of innovative teaching methods in singing along with descriptions of a rehearsal and an audition-prep class in the section on teaching and learning. There is more discussion of dance in the report than the other two disciplines, but since this is the specific area that Trinity require to be developed for the diploma to be validated, this is entirely appropriate. I cannot therefore uphold the complaint that the report deals inadequately with the performance disciplines of singing and acting.

I note however that the final report is more precise on this matter in recommendation 2, which better reflects the judgements of the validation team.

5. Recommendations 6 & 7 pertain to the need for policies and procedures in recruitment and student experience /health and safety respectively to assure the success of the diploma as a 2-year rather than 3-year course. MTA complain that in specifying these requirements Trinity disregards the successful track record of the course as currently delivered over the previous 14 years. The low drop-out rates and destination data are cited as evidence that recruitment strategy, course load, and student care are already working effectively.

The point at issue however is not whether the course in the form it has taken hitherto is safe and effective: it clearly is as its track record demonstrates. The recommendations refer rather to the question of the impact of the changes to the course needed in making it a suitable vehicle for the PPAD diploma. Both the enhancement of dance provision and the development of formal assessment processes would increase the workload for students from current levels, which already represent an intensive timetable. In making these recommendations the report recognises that these challenges are not insurmountable, but also recognises that past practice cannot be assumed to be adequate for new purposes.

The questions implied about the viability of a two-year training programme, that is, do not refer to the existing course, which was designed to work as a two-year programme, but to the adaptation of the Trinity diploma, designed as a 3-year programme, to accelerated delivery.

6. Recommendation 1 requires the development of a robust assessment system for the units to be marked by the delivering institution and moderated by Trinity, that is, all elements except the final Performance unit. MTA complains that this recommendation fails to acknowledge the work they have already done to put an assessment system in place and the in-depth conversations they had back in February with John Gardyne and XXX about moderation.

The complaint details systems already in place, as well as new systems set up since the pre-validation visit, and signals the materials sent on 3 March for documentation. There is clearly a well-established and effective system in place for monitoring student progress and offering formative feedback; from the descriptions given it appears well-designed to support individual students and identify and intervene on potential problems at an early stage. It has likely played a valuable role in the college's high retention rate. The new portfolio system for students to evidence progress set up in response to the discussion in February is designed to generate assessable material, including for Units 5 & 6. The documentation sent on 3 March maps the relationship between the diploma's unit structure and the course as currently delivered, and gives the three headings for areas of practical assessment (Technical Ability, Performative Expression, and Professional Skillset).

What is as yet missing is any evidence of summative assessment in action. Where do the assessment points fall in the delivery calendar? Who does the marking, what do they mark, and what marking guidelines do they use to arrive at a mark? Does the college use a simple Pass/Fail grading system (the required minimum for PPAD diplomas) or a more graduated mark scheme to differentiate degrees of attainment (as recommended best practice)? In either case, how does the college ensure parity of marking between different assessors? What form does feedback take, and who provides it, in what timeframe? What arrangements are made for students who fail an assessment to retake it, and for students who miss an assessment through illness or injury to make it up? How do assessment outcomes feed into ongoing course monitoring and development?

MTA are adamant that they had been told that trialling their assessment systems would be sufficient to proceed to validation. As yet, though, only one small part of the assessment system as a whole appears to have been trialled at all (the gathering of assessable material through electronic portfolios). Even if Trinity were willing to reduce their published requirement to see 'samples of student marks, assessment and feedback documentation across the duration of the course,' they do need to see sufficient examples to verify that an assessment system is in place and functioning effectively.

Hitherto MTA have operated without any formal assessment processes. There is an integrity to a model that prioritises the content of learning over its measurement, and gauges success in terms of what the course enables its alumni to go on and achieve rather than what is printed on a certificate. Bringing this model into the world of regulated qualifications is a major culture change, and the team at MTA appear not to have fully come to grips with the way it shapes (one might say distorts) the experiential structure of the course for both students and staff: the comments about 'how easy it was to align our model with the PPAD model without us losing the integrity of our course' indicate that the team could have been underestimating the degree of bureaucratic load formal assessment entails, and the effect that can have on course ethos. As with the issues around student workload in the context of raising the attainment levels of dance noted above, the challenges are not insurmountable, but it was not unreasonable for Gregg Whelan to

question whether Trinity validation was the most suitable route to go down, especially in the light of the MTA team's misapprehension they had already fulfilled this requirement.

7. The MTA team object to the various operational/managerial/financial issues highlighted in recommendations 3, 4 & 5. In the letter to Mr Tocker dated 1 August, the Principal denies that her multiple roles in the institution create a single point of dependency, whilst in the fact-check response to the original report she states that 'the college's "reliance" on [her] was very temporary'. In her letter of 27 August to Sultana Khanum she asserts that they already have a robust strategy in place to deal with her absence, and that it has been tested this year during a covid outbreak, and found to work effectively.

I note that this recommendation in the final report has been reworded to acknowledge that there are already systems in place, but still requires the college to develop them further. The acknowledgement is appropriate, since the college has demonstrated continuity of operation through short-term absence. Requiring that the systems continue to be developed is however prudent, since they would need also to encompass how the college would handle assessment processes in the absence of key staff members. Since these procedures are yet to be put in place, it is unlikely that they are currently included in the contingency planning.

The other managerial issue to which MTA objects is the requirement to have established financial stability independently of the funding that the Trinity validation would give access to, and the associated contingency planning for supporting students enrolled on the diploma in the event the college had to close. MTA makes the point that securing Trinity validation has been central to their strategy since it was recommended by an independent review in 2020, and that Trinity have been aware of this throughout the process. In the fact-check response to the original report, they state, 'We sent in an additional piece of work with our initial application which explained the financial situation in detail, surely if this was a concern then our application should not have been accepted and progressed to the pre-validation assessment?'

This is, on the face of it, a valid question to ask, especially in the light of the 2021 announcement of closure. However, given that MTA had succeeded in raising funds to stay open subsequent that that announcement, it was not unreasonable for Trinity to accept their application in the expectation that the college's longer-term survival was probable. Moreover, the detail of the timeline provided by MTA in their email of 5 July indicates that the submission of documents supporting the application occurred after their application had been accepted. Hence the specific concerns about under-recruitment and the absence of other funding streams would only have come into focus after the process had already started. On balance, I consider that it would have been more unreasonable for Trinity to have pulled out of the process at that stage, as that would have effectively have been pre-judging that MTA would be unable to secure other funding.

Conversely, it is not merely prudent, but necessary for Trinity to require the institutions validated to deliver their courses to have sufficient stability to guarantee continued operation throughout the term of the validation. Enrolment creates an obligation on the validating body to assess the students and award the diploma to those who pass it. They thus need to be sure that the college delivering the course and assessing the interim stages will be able put the students in a position for Trinity to fulfil that obligation.

#### **Consideration of the complaint Part 3: Staff conduct**

The final point to address is the accusation of gaslighting against the Trinity team, in particular Gregg Whelan, in the zoom meeting of 12 July. Gaslighting is a form of psychological abuse which aims to weaken its victims by undermining their sense of reality. In the absence of a recording of the meeting, I am relying on the accounts supplied by Annemarie Lewis Thomas in her various communications following the meeting. The term gaslighting appears in her letter to Mr Tocker, in which she adduces two instances (pertaining to the assessment of level for dance and the overall suitability of the MTA course for the Trinity model) as exemplars of many such instances. She does not use the term gaslighting directly in her email of 13 July in which she first complains about the zoom meeting, or her more developed letter of 27 July, but it is reasonable to assume, reading the whole correspondence, that many of the other instances referred to but not enumerated in her letter to Mr Tocker related to the apparent disjunction between the report's recommendations and her previous understanding of what the recommendations would be, leading her to assume that the original assessor's findings had not been included in the report.

As my analysis in Part 2 above shows, in all of these points the Trinity team were in fact drawing on the work of the original assessor to reach valid conclusions. However, it is not entirely surprising that Ms Lewis Thomas found this experience distressingly disorientating, since it did indeed contradict what she had hitherto understood the situation to be: i.e. that MTA had fulfilled all recommendations back in March. We cannot call this gaslighting because not only is there no evidence of malign intent, there was also no attempt to deceive: it was in fact a process of replacing a misapprehension with the full picture. But the fact that she experienced it as gaslighting illustrates the negative personal impact of the procedural problems identified in Part 1. No doubt the overall conclusions would have been disappointing whenever received, but the longer the MTA team continued to envisage and plan for their future within the framework of that unrealistic understanding, the greater the shock would become on discovering what the outcome actually was.

#### Findings

In conclusion, my findings are:

- 1. To uphold the original complaint that the production of the pre-validation report took an unduly long time. It is clear from the document trail that all the eventual recommendations of the report had been identified by mid-March, and so, notwithstanding the disruption of staff absences, it should have been possible to produce the report considerably sooner. The delay had a particularly negative impact given MTA's situation, but even without these circumstances the complaint has highlighted the need for clearer timescales within the validation process to better manage the expectations of all parties.
- 2. Not to uphold the complaint that Trinity have failed to provide a just and fair assessment of the course. The central contention that the positive findings of an original, sympathetic assessor have been set aside by others not involved in the pre-validation process turns out to be erroneous: the original assessor had flagged up all the issues that appeared in the report before going on sick leave. The recommendations in the report, meanwhile, relate to what would be needed to adapt the course to the delivery of the Level 6 Diploma, and are not criticisms of

the course as it has previously run, which has clearly been fit for purpose and successful. In upholding Level 6 assessment standards in all disciplines, requesting evidence of a functioning assessment system, and requiring institutional stability, Trinity has operated with appropriate due diligence as a validating body. It should be noted that the reason why validation is designed as a multi-stage process is precisely to identify what colleges will need to do in order to succeed before committing to the time and expense of a full validation. The pre-validation process has thus delivered exactly what it is designed to achieve.

Normally, at this point I would be considering what would represent an appropriate remedy to the part of the complaint upheld, and would most likely be recommending a refund of fees paid for the pre-validation stage. For, whilst the MTA did eventually receive the service they had paid for, the delays and lack of communication during the process mean that the overall quality of that service fell short of what they could reasonably expect. In the light of MTA's announcement of closure on 11 August, I am not sure how much help such a refund will be, but I will nonetheless make the recommendation as representing a concrete recognition of the partial validity of their complaint.

Please do not hesitate to contact me with any questions.

Yours sincerely,

by and

Dr Liz Garnett