

University: Buckinghamshire New University

General

1. What are the strengths and weaknesses of the current system for handling student complaints about HEIs?

The main weakness is the broadening of the complaint that often takes place in the OIA investigation. The complainant may add additional aspects of dissatisfaction to their original complaint which the OIA then require the university to respond to, even though the complainant had every opportunity to make these claims in the original process. This is extremely time consuming and should not be happening as the OIA emphasises that it confines its review to original complaint. This has not been our experience.

The tone of correspondence is aggressive and would benefit from a review of house style.

The number of times a complainant is allowed to add to their case as the OIA passes the institution's response back adds to the time taken to review and adds significantly to institutional burden.

2. Is the current Scheme an improvement on previous arrangements?

Not really applicable as the university operated its own scheme previously without the existence of the OIA.

3. Has the existence of the OIA improved the way in which HEIs engage with students in the areas of student complaints and appeals?

Yes and no. It has formalised complaints and established a process which hopefully provides a reasonably consistent and professional management of issues raised.

Where it has not been helpful is that it moves institutions to treat issues as formal complaints sooner or treat some issues which are really quite minor with the full weight of the system, for fear of the complainant turning around after an informal resolution and making claims which are unfounded, or at best, represent a different interpretation of a remedy / resolution which the university thought had been secured. It is adding considerably to the 'write it down and get everyone to sign it' culture. The main disadvantage of this is that it takes away some of the trust staff need to have to work effectively with their students.

Funding of the Scheme

4. Is the current funding model appropriate? If not, are there alternative funding arrangements you would suggest?

No, it is not appropriate. Given the outcomes of unsuccessful complaints where it is evident that a lot of claims are made which are not upheld, the complainant should be charged a returnable fee. This would deter some of the frivolous and vexatious and could be recovered from the institutions when a complaint is upheld. It is not appropriate to continue a system which has no risk and no barrier to initiate for the complainant and carries significant burden for institutions.

Remit

5. Is there a public interest in the OIA developing its remit, for example by:

a) including students studying for foundation degrees at Further Education Colleges?

The question should be focused on institutions which are either in or out of the OIA jurisdiction. Students on awards, not just foundation degrees, are protected by the complaints procedures of the delivery college and, where in a validated arrangement, a university partner which would ultimately bring them into the scheme. So in short, no, unless all directly funded Hefce provision, wherever delivered, was brought in.

b) reviewing individual complaints about pre-registration admissions?

No.

This area is a service area ahead of people becoming a student. Complainants have a range of redress available to them for service or service failure leading to disadvantage.

c) including in the Scheme non qualifying institutions such as private degree awarding bodies?

If the organisation has Degree Awarding Powers they should be included.

Accessibility

6. Do you think that the current mechanisms for making students aware of OIA processes are adequate? What improvements, if any, would you suggest? Are there specific areas where students are not aware that they can bring a complaint?

They are adequate.

7. Do the existing arrangements ensure that the OIA is sufficiently accessible for students to make a complaint? How might the OIA improve its website and communications?

Cannot comment.

Efficiency and Effectiveness

8. How might the OIA increase its operational efficiency and improve the timeliness of decision making?

See earlier answers about requiring complainants and case handlers to confine themselves to the original complaint dealt with by the institution and exclude any new or peripheral information.

9. Do you have any comments about the way in which the OIA reviews complaints or about the quality and consistency of its decisions?

See earlier answers.

10. Are existing OIA processes sufficiently user friendly and transparent?

From an institutional point of view they are not very user friendly nor transparent. In terms of correspondence tone and the extended scope which appears to be adopted they would benefit from a customer service review. The approach tends to convey a sense that they are operating as an advocate for the complainant, not an arbiter determining a case on the basis of a review of the original facts.

11. Do you have any suggestions for amending the OIA Rules to increase effectiveness?

See earlier answers about confining scope of review to original complaint and being more focused on the original complaint evidence and being willing to reach a determination of the case on the same evidence base that the institution had to use.

Impact

12. Does the OIA offer effective and appropriate remedies for students whose complaints are upheld?

Without knowing the full details of cases it is difficult to say. Whilst the case studies are instructive, they are not the full story. A key change the OIA should make is to separate its decision categories into Justified, Partially Justified and Rejected. The continued conflation of Justified and Partially Justified misrepresents the reality of the number of justified complaints. It is also apparent from the case studies that the partially justified often refers to a minor element or procedural aspect of the case and not necessarily something that formed part of the complainant's case to the institution, hence something the institution had no opportunity to deal with or remedy whilst handling the complaint within the university.

13. Should OIA adjudications be published?

Not until some of the issue raised earlier are dealt with. Perhaps when the system is more mature.

14. How might the OIA share better its knowledge and experience of complaints handling and promote good practice?

The published cases are interesting and workshops are useful. There is an equal need for Oia staff to have staff development in the reality of working in a university - there is an undoubted sense of a lack of understanding of the reality of everyday life and how much more complicated complaint situations often are than when viewed through hindsight.

Governance

15. Is the independence and impartiality of the Scheme safeguarded sufficiently?

Not in a position to comment.

16. Is the present composition of the Board appropriate? Should there be additional student representation?

How many board members are senior managers of institutions with regular involvement in the realities of managing complaints ?

17. Have you anything further to add?

Strongly urge the returnable fee - £250 for example - for making a complaint and strongly urge the separation of Justified and Partially Justified.