



**THE OFFICE OF THE
INDEPENDENT
ADJUDICATOR FOR
HIGHER EDUCATION**

resolving student complaints

A Guide to the Student Complaints Scheme

Second Edition

Please note that we are currently unable to meet the timescales indicated on pages 6 and 7 of this Guide owing to exceptionally high caseloads.

www.oiahe.org.uk

1. INTRODUCTION

The OIA provides an independent scheme (the Scheme) for the review of student complaints. All qualifying higher education institutions in England and Wales are required by the Higher Education Act 2004 to participate in the Scheme; other institutions can subscribe to the Scheme on a voluntary basis with the approval of the OIA's Board. A list of all participating institutions can be found on our website - www.oiahe.org.uk.

The purpose of this Guide is to provide guidance on our practice and procedures. The Guide should be read alongside the Rules; in the event of any conflict between this Guide and the Rules the latter will prevail. Where appropriate, and for ease of reference, we use the word 'university' throughout this Guide to include all participating institutions. The Guide may be amended from time to time.

2. WHAT THE SCHEME COVERS

In order to complain to the OIA a student must be a registered student or a former registered student of the university complained about.

We can review a wide range of complaints by students about acts and omissions of universities. Complaints might be about:

- A programme of study or research
- A service provided by a university to a student
- A final decision of a university's disciplinary or appeal body

Some examples of eligible complaints

- Teaching and facilities
- Student accommodation
- Research supervision
- Welfare
- Discrimination - race, sex, disability, age, sexual orientation or religious belief
- Bullying and harassment
- Placements
- Maladministration
- Procedural irregularities
- Unfair practices
- Disciplinary matters, including plagiarism
- Fitness to practise issues

There are some matters we cannot look at, however. The Scheme does not cover complaints about:

- Admissions
- Academic judgement
- Student employment
- Matters already considered by a court or tribunal (unless formally stayed)

Case example 1

A university declined to provide information to the OIA on the grounds that a complaint was about academic judgement. We reminded the university that it was for the OIA to determine whether or not the complaint was about academic judgement. The university must comply with its statutory obligation to provide us with information promptly. The handling of complaints should not be delayed by taking procedural points. However, the university was quite entitled to make a submission that the complaint was about academic judgement. In fact once we received the requested information we accepted that submission. Nevertheless it had taken nearly four months to reach that stage – this was unfair to the student.

Frequently Asked Questions about the Scheme

Do students have to pay anything to have their complaint dealt with by the OIA?

No, the Scheme is absolutely free to students, although they may need to budget for out of pocket expenses such as postage and copying.

Does the OIA provide help or advice about a complaint?

Our help desk is available to answer general questions about the operation of the Scheme. We can explain our procedures and help with the filling in of Scheme Application Forms. But we cannot provide advice about the merits of an individual complaint because we have to be impartial. Nor can we assist students in taking their complaint through the university's internal complaints procedures.

Can someone else complain on behalf of a student?

It is preferable for students to handle their complaints themselves. However, a representative may be appointed (e.g. friend, family member or students' union representative) provided the student gives us written authority in the Scheme Application Form. The student will need to ensure that the representative is thoroughly briefed and able to keep the student fully informed. We will not correspond with both the student and the representative.

Should a student involve the students' union?

It can be a very good idea to discuss a complaint with a students' union as they may be able to give advice about OIA procedures and whether the complaint appears to be eligible under our Rules. Some unions may also be willing to represent students in dealing with the OIA although this is entirely optional.

Who will see details of the complaint?

The OIA will respect the confidentiality of the parties when handling a complaint. However, both parties should be aware that we will normally pass on information that a student provides to us to the university (and vice versa). We may also need to obtain information from third parties about a complaint. By signing the Scheme Application Form a student consents to our releasing details about the complaint to such persons or institutions.

Supposing a student starts legal proceedings after a complaint has been taken on by the OIA?

The student must inform us if this happens. We will discontinue the review unless the proceedings are put on hold (by being formally stayed, discontinued or withdrawn).

Does the OIA Scheme cover complaints about short courses?

We can look at complaints about all types of courses run by universities, including short courses and Summer Schools, provided a student is or was registered on that course.

Will you consider complaints about university services operated by third parties, e.g. privately-run student accommodation?

We cannot look at complaints about third parties but we will consider the extent of a university's responsibility (if any) for the provision of the service.

What happens if a complaint is about discrimination?

The Higher Education Act 2004 allows students who bring a complaint to the OIA about sex, race or disability discrimination an additional period of two months over existing time limits to institute court proceedings. But students should bear in mind that time will already have started running before a complaint is referred to the OIA and that the OIA will not take the same approach as a court – so consideration will need to be given to the appropriate avenue for redress. The OIA cannot give advice about these matters.

What is the role of the university's Point of Contact?

All universities must notify the OIA of the name of their Point of Contact, the person authorised on behalf of the university to deal with a complaint brought to us. Although we will always write to the Point of Contact in the first instance, a deputy may be appointed to deal with a specific complaint as long as we are notified in advance.

Can a group of students bring a complaint to the OIA?

We look at each complaint on its own merits and consider each student's individual circumstances. But it may be helpful if a group appoints a representative to co-ordinate the complaints with us.

Can complaints be made by students who are not attending a university but are undertaking a higher education course?

Where a university validates or franchises a course or programme of study at another institution which leads to an award of the university then the student may still bring a complaint to the OIA. But the complaint must be about something the university has done wrong itself, not the other institution. And the student will still need a Completion of Procedures Letter from the university.

How should complaints be made under university partnership arrangements?

The university should ensure that the respective responsibilities of the two institutions are set out contractually and that students can readily ascertain which complaints procedure they need to embark upon.

The OIA is an inquisitorial scheme. What does this mean?

The OIA decides what information it needs to carry out its review and to reach a decision about a complaint, rather than permitting cross-examination by the parties. Hence we do not necessarily respond to each point that a party may make, nor review documents that we do not consider are relevant. Essentially it is up to us to decide how a complaint can best be dealt with.

Using lawyers

Should a student instruct a lawyer?

Students will seldom need a lawyer to take a complaint through our procedures. The Scheme is informal. We decide what questions we want to ask and the evidence we want to see. If a student does decide to employ a lawyer we will not normally make a recommendation that he/she receive a contribution towards legal costs.

What is the OIA's position regarding lawyers acting for universities?

Universities are, of course, free to seek legal advice. However, because we look at questions of fairness as well as law, we expect universities to do the same. We require all universities to appoint an internal representative (the Point of Contact) to manage the complaint on behalf of the university. We do not normally expect to deal with a university's lawyers directly.

3. COMPLETION OF THE UNIVERSITY'S INTERNAL PROCEDURES

Before bringing a complaint to the OIA a student must complete the university's internal complaints procedures. Once a student has done so the university must promptly issue the student with a Completion of Procedures Letter. Failure to do so is a breach of our Rules.

Under our Rules this letter must be in the format prescribed by the OIA from time to time. Students have **three months** from the date of the Completion of Procedures Letter to bring a complaint to the OIA.

Completion of Procedures Letters should set out clearly what issues have been considered and decided upon by the university. This will help the OIA to focus its investigation primarily on the decision(s) made at the final stage(s) of the university's internal procedures.

We will not normally consider a complaint if a Completion of Procedures Letter is issued more than **three years** after the substantive event(s) complained about.

The issuing of a Completion of Procedures Letter does not give the student an automatic right to bring a complaint to the OIA. The complaint must be eligible under our Rules and the student must have grounds for complaining.

From time to time the OIA issues guidance notes about the issuing of Completion of Procedures Letters. These can be found on our website.

Frequently Asked Questions about Completion of Procedures

What if a university unreasonably denies a student access to its internal complaints procedures or takes a long time to process the complaint?

In such cases we may, at our discretion, review a complaint even though a Completion of Procedures Letter has not been issued or the internal complaints procedures have not been exhausted.

What if a university won't issue a Completion of Procedures Letter?

If a student thinks the university's internal procedures have been completed but no Completion of Procedures Letter has been issued he/she should ask the university in writing how to progress the complaint. If the university does not respond to the student's request within a reasonable time he/she can approach us with a copy of the correspondence. Where appropriate we will contact the university.

Should a Completion of Procedures Letter be issued where a university makes a decision that a student has no grounds for appeal?

Yes. Depending on the nature of the complaint we may need to review that decision as part of our investigation.

Shouldn't complaints about the way appeals and disciplinary hearings are handled be considered under the university's internal complaints procedure before coming to the OIA?

This won't usually be appropriate. A student cannot reasonably be expected to go through a further set of procedures about the hearing itself. But the issuing of a Completion of Procedures Letter does not prevent the university from trying to resolve the complaint. The OIA should be kept informed though.

Case example 2

Due to ill health a student missed a two week deadline to submit an academic appeal concerning alleged poor supervision of her dissertation. The university had no system for extending the deadline due to mitigating circumstances and refused to consider the appeal or issue a COP letter. We accepted that it was not necessary for the university to issue a COP letter as the student was out of time. However the complaint received by the OIA alleging poor supervision appeared to have some merit. We felt that the university should have been willing to at least consider an appeal out of time in the circumstances, so we agreed to review the complaint, notwithstanding that a COP letter had not been issued.

4. HOW THE OIA REVIEW PROCESS WORKS

Students and universities want us to deal with complaints as quickly as possible. In order to do this we require the cooperation of both parties. Information must be provided promptly. It is not necessary to submit formal pleadings, but students will need to state clearly what they consider has gone wrong and how it has affected them. Most complaints are decided on documents without the need for a face to face meeting.

Our normal process for dealing with a complaint is as follows:

Application Stage

1. A complaint must be made in writing using a Scheme Application Form (the Form). The Form should be available from the student's university or students' union. Alternatively it can be downloaded from our website, or requested by telephone or letter.
2. The Form must be accompanied by a Completion of Procedures Letter and all the relevant information about the complaint.
3. It is important that the Form sets out clearly the key aspects of the complaint. Supporting documentation must be submitted in an organised manner. Usually there is no need to send original documents.
4. We aim to acknowledge receipt of the Form to the student and to send details of the complaint to the university within 5 working days of receipt.
5. An initial screening will take place to see whether the application is eligible for consideration under our Rules.
6. If we decide that it is not eligible at that stage, we will advise the student accordingly and we will usually send just a copy of the Form and our letter rejecting the complaint to the university.
7. In all other cases we will send the university the documentation provided by the student. The university is not required to respond to us at this stage. However if the university does not consider that internal procedures have been completed at this time it should let us know.
8. At this stage, we sometimes ask the student or the university for further information to assist us in determining whether the complaint is eligible and/or determining the nature and extent of our review.

Complaint Stage

1. Where we decide that a complaint is eligible under our Rules we will write to the university (normally within 20 working days of receipt of the Form) requesting that it provides its representations and any further information that we require. The university must provide all relevant information about the complaint. This should be supplied within any time limit imposed, usually 28 days.
2. We may not require the university to provide a formal response to the complaint if we consider that we have sufficient information to issue our decision (see note on page 7 about Preliminary Decisions).
3. Where an appeal or hearing has been held we would expect to receive the complete file, which should include submissions, witness statements, evidence considered, correspondence, the decision and any notes, minutes or record of the events and the regulations relevant to the complaint being considered.
4. As a general guide, any relevant information that could be issued to a student following a subject access request under data protection legislation should be provided to us.
5. After we have received the university's response we will normally send a copy of this to the student, together with any material new documents provided, for a response within 28 days.
6. We may also ask further questions of the student or the university at this time.
7. Once we have all the information we require we will review the full case and make a decision. We will also consider whether any particular Recommendations should be made.

Formal Decisions

1. We will normally first send a draft of our Formal Decision to the parties who may comment on any material factual inaccuracies within 14 days.
2. When we have received any responses, we will consider them and then issue our Formal Decision unless we first require one party to respond to the other party's comments.
3. We would normally expect to issue our Formal Decision within 21 days of receipt of comments.
4. Where we recommend that an offer be made to the student we will usually ask the university to send us a copy of the offer letter and to let us know whether or not the student accepts the offer. Where we recommend the university reviews or changes its procedures we will usually ask the university to report back to us within a specified time period.

A note about Conciliation and Preliminary Decisions

The nature and extent of the review is a matter for us to decide. Sometimes we may consider, from the documents provided to us by the student and/or the university, that it may be appropriate to attempt to conciliate the parties or that we are in a position to make a decision without the need for a lengthy investigation.

In the case of conciliation we will contact the parties to see whether the complaint can be resolved informally. We expect the parties to cooperate in this regard. If we consider a party is acting unreasonably we may discontinue our review or issue a Formal Decision based on the information we have in our possession.

Where we consider we have sufficient information to issue a Preliminary Decision we aim to do so within 20 working days of receipt of the Form, although it may take longer if we need some additional information. Where we have received some further information from a party we will send a copy to the other party at the time we issue our Preliminary Decision (provided we consider it is material). If a party does not accept our Preliminary Decision it will have the opportunity to comment and/or provide new information, usually within 21 days. We will consider any representations received and either take further steps to investigate the complaint or issue our Formal Decision.

Case example 3

A student submitted a complaint to the OIA about her degree classification. She considered that the university had not considered her mitigating circumstances properly – she claimed that the death of a relative had affected her academic performance in her final year. We wrote to the university for some further information. It was clear that the exam board had fully considered how her mitigating circumstances had affected her exam results. No further investigation was required by us so we issued a Preliminary Decision that the complaint was not justified. At the same time we sent the complainant the further information we had received from the university. It was not for us to substitute our decision for an exam board's decision in these circumstances.

Frequently Asked Questions about the Review Process

Why does the OIA impose deadlines for responses during its review process?

We need timely and complete information. Most complaints will already have been considered in full by the university and we expect universities to have a comprehensive file ready for us should we request to see it. Requests for extensions of time by a student or the university will be considered on a case by case basis. Extension requests must be made before a deadline has expired. Requests for extra time merely on the grounds that it is a vacation period will not usually be granted; universities should make sure that arrangements are in place to deal with complaints at these times.

What criteria do the OIA use to decide whether a complaint is justified?

We will consider whether or not the university properly applied its regulations and followed its procedures, and whether or not any decision made by the university was reasonable in all the circumstances.

Will the OIA look at the complaint in the same way as a court?

No. Our procedures, criteria and remedies are different. We are primarily looking at fairness in the round, so we may wish to take into consideration matters that a court or tribunal may not choose to look at. It would not normally be appropriate for the Scheme to determine undecided points of law.

Once a complaint has been made to the OIA is the university still free to settle or look at it again?

Yes, we don't want to stop universities proactively seeking to resolve complaints, but if they are going to try to settle a complaint they should do so expeditiously. Moreover it is essential that we are kept in the picture. Once we have issued our draft decision it is very unlikely we would agree to an extension of time requested by a university to settle a complaint.

If a complaint is settled after the draft decision stage we will normally then re-issue our draft decision as a Formal Decision.

Can the OIA terminate or suspend the review?

We may terminate or suspend consideration of a complaint if, in our opinion, the university has satisfactorily dealt with the complaint, the complaint is being considered or would be better considered elsewhere or where a party has unreasonably delayed or has otherwise acted unreasonably.

Why do the OIA's Rules say that it is not bound by rules of evidence or precedent?

We do not want to spend time and resources on legal arguments about whether evidence is admissible or previous decisions are followed. But we intend to be fair and to aim for consistency in our decision making.

How long should the whole process take?

This will depend on the complexity of the case and how long it takes us to obtain all the required information. Generally, we would expect a case to be completed, on average, within 6 months. We will keep in regular contact with the parties while we are dealing with the complaint.

Case example 4

We received a complaint from a student alleging disability discrimination by a university. The student could have taken his complaint to the county court but chose to come to the OIA. The student demanded that the OIA should hold a hearing with an examination of witnesses, like a court. We explained we were a review body and our prime role was to review how the university had dealt with the alleged discrimination. It would seldom be necessary for us to have a full hearing of the case. In fact, the complaint was upheld by us and compensation recommended.

What types of Recommendation can the OIA make?

Where we find a complaint to be justified in whole or in part, we can make Recommendation(s) to the university. These may include, but are not limited to, any of the following:

- that the university should consider a matter afresh because its procedures have not been properly followed in a material way
- that the complaint would be better considered in another forum
- that the university should offer to pay an amount to the student, including, at our discretion, an amount for inconvenience and distress
- that the university should take a course of action that we consider to be fair in the circumstances
- that the university should review or change the way it handles appeals and/or complaints
- that the university should review or change its procedures or regulations.

What happens after the Formal Decision has been issued?

We expect universities to comply with our Formal Decision and any Recommendations fully and promptly. Where we recommend that the university should take action it should comply with any time scales we stipulate, or where we do not indicate a time scale, as soon as reasonably practicable.

The OIA considers any non-compliance with a Recommendation by a university to be a very serious matter which will be reported to the Board for its consideration and publicised in our Annual Report. Should a university intend not to comply with a Recommendation it must inform us in writing, giving reasons as soon as reasonably practicable, and no later than any date specified by us or any extended period granted by us.

As noted above, our recommendations may require the university to make an offer to the student. If the student accepts the offer then he or she will not be able to take the complaint further.

Recommendations are not binding on students who may reject them (unless they have accepted an offer) and pursue any other remedies available. We cannot provide any advice as to any alternative action students can take.

Redress

Although generally we prefer a university to have the opportunity of putting matters right itself (and, indeed, that is usually what the student wants too) there will be complaints where, because of the passage of time or for other reasons, this will no longer be appropriate or possible. So we may recommend that monetary compensation is paid to a student. Students need to be realistic about compensation: in most cases compensation will be a modest amount. Only in cases where a student can demonstrate real financial loss or inconvenience arising out of a breach by a university is compensation likely to be at a higher level. In assessing compensation we may have regard to what other alternative dispute resolution schemes and the courts award.

Also it should be borne in mind that we would seldom (if ever) recommend that a university should award a particular mark or degree classification: what we may do is to ask a university to reassess the marks given, if for example, there had been a material procedural flaw.

Making the offer

Is a university entitled to qualify any offer they may make following a Recommendation by the OIA?

Generally no. However, our Recommendation may permit a university to make an offer in full and final settlement (but only in respect of the matter(s) complained about) and for the offer to remain open for a period of time.

Can the university make the offer subject to confidentiality?

In most circumstances it will not be acceptable to the OIA for a student to be asked to enter into a confidentiality undertaking about an OIA decision. However, students will obviously need to bear in mind that our decision may contain personal or confidential information.

Frequently Asked Questions about providing information to the OIA

The provision of information can sometimes involve difficult legal issues. The Information Commissioner's website may be of assistance: www.ico.gov.uk. The comments below are for guidance only.

What information must universities provide to the OIA?

Universities have a statutory duty to provide us with all the information we ask for, whether or not it supports the university's case. The information must be relevant to the complaint and it must be lawful for the university to provide it. Failure to provide all relevant information is a breach of our Rules and we may draw adverse inferences if we discover that it has been withheld. Sometimes we will ask the Point of Contact to certify that the information provided is complete.

What about data protection legislation?

By signing a Scheme Application Form students consent to the release of their personal data for the purposes of our review. Data about third parties may need to be anonymised or their consent obtained.

What if information is confidential, privileged or in "without prejudice" communications between a university and a student?

We will usually disregard information submitted to us in confidence although in very limited circumstances we may permit a university to submit information to us on the basis that it is not to be disclosed to the student (an example might be where the information relates to a criminal investigation).

If a student provides us with statements from fellow students containing personal information he/she should ensure that permission to release that information to us and the university is obtained from the fellow students. Little (if any) reliance will be placed on such statements if they are not disclosable to the university.

Documents that include confidential information about third parties which is not relevant to our investigation must be blanked out by a party before being presented to the OIA. We cannot accept responsibility for the disclosure of any confidential or personal data about third parties where such information has not been redacted.

Requests for information by the OIA are not made under the Freedom of Information Act and it is not therefore appropriate for universities to withhold any information from the OIA under any of the exemptions in that Act.

Universities are entitled to withhold legally privileged information but should remember that the Scheme is informal and that resolution of the complaint may be facilitated by disclosure.

The OIA is not bound by legal rules of evidence, so we would expect to see without prejudice communications. Normally they are unlikely to play a significant part in our decision making.

Supposing a party provides new information after a draft Formal Decision has been issued?

We may disregard such information because the party will have had the opportunity to provide full information before the draft decision was issued

Does the OIA accept electronically recorded material?

Provided a recording (e.g. of a meeting between a student and university staff) has not been made illegally it can be considered as part of a submission to the OIA. However, two copies must be provided so that it can be disclosed to the other party.

How long does the OIA keep documents for?

Our hard copy file will normally be destroyed one year after the issue of a Formal Decision or after the file is closed, where appropriate. Some electronic records will be kept for longer. Our data protection policy can be found on our website.

Case example 5

A university sought clarification from us regarding our request for information about a harassment incident because it involved information about other students. We advised that the information could be submitted in a redacted form, with the names of the other students removed. This would then be passed on to the complainant.

Can a party object to the way we are handling a complaint?

If a party is not happy about the way we are handling a complaint we hope that they will first tell the person handling the case of their concern so that we can provide an explanation. If they remain unhappy with the explanation provided they should write to the Deputy Adjudicator.

If they are still not satisfied they should write to the Company Secretary (at the same address). The Company Secretary will only consider issues about service quality. He cannot interfere with the investigation itself. He will not consider complaints more than 2 months after the Formal Decision has been issued or when the case was closed, where applicable.

Once we have issued a Formal Decision our adjudication role ends. We will not enter into further correspondence about the merits of the complaint.

Students will normally receive a feedback form within 6 weeks of the issue of the Formal Decision where they may comment on the way their complaint has been dealt with. This information is used to help us improve our service in the future.

5. ABOUT THE OIA

Is the OIA a regulator?

Our role is to resolve individual complaints by students against universities. We have no powers to monitor or regulate universities, nor to punish or fine them.

What is the legal status of the OIA?

The OIA is a private company limited by guarantee. Its members are:

Association of Heads of University Administration
Committee of University Chairmen
Higher Education Wales
National Union of Students
GuildHE
Universities UK

Is the Scheme independent of the higher education sector?

Yes. The Articles of Association of the OIA provide for there to be a majority of independent directors on the Board. A list of our directors can be found on our website. The Independent Adjudicator and the Deputy Adjudicator are appointed by the Board.

Who pays for the running of the Scheme?

Universities are legally bound to pay for the costs of the Scheme through subscriptions and/or fees according to a scale set by the OIA's Board.

What else does the OIA do?

From time to time we may publish suggestions about how universities should handle complaints and what constitutes good practice. We may also make suggestions to a university about good practice in our Formal Decisions. Although these suggestions do not have the status of a 'Recommendation' we would expect the university actively to consider any suggestions we make.

How do we keep universities and student organisations informed about the OIA?

We publish information about our work in our Annual Report and on our website. We also speak at conferences and run a series of workshops.

6. PROMOTING THE SCHEME

We expect universities to promote the Scheme to all students (including students on validated courses). Universities should provide students with information about how to obtain our literature, including a Scheme Application Form. Our literature is available in English and Welsh.

Help us create awareness about the Scheme - universities and students' unions can:

- Ensure that Scheme Application Forms and other OIA literature is readily available to students
- Display OIA posters on appropriate notice boards (please contact our help desk if you require additional posters)
- Appoint somebody within the university/students' union who can deal with enquiries about the OIA
- Create a link to the OIA website - www.oiahe.org.uk

TEN TIPS FOR UNIVERSITIES ON EFFECTIVE COMPLAINTS HANDLING

Our Rules require universities to have in place internal procedures and systems that are compatible with the OIA Scheme. This section of the Guide offers some suggestions for best practice in the operation of internal procedures for the handling of complaints, appeals and disciplinary matters. It is based on our experience in handling cases and in talking to universities, students' union representatives and other persons involved with the Scheme.

- Universities should ensure that they have clear, simple procedures that are well-publicised to students and are open and transparent.
- There should not be too many stages to an internal procedure. An informal stage followed by two formal stages before referral to the OIA should be sufficient for complaints. Appeals and disciplinary procedures should not be unduly cumbersome.
- Procedures should be operated fairly and impartially. Personnel involved in investigating a complaint at one stage should not be involved in deciding the outcome at a later stage.
- A file of the complaint, appeal or disciplinary matter should be kept.
- Procedures should have realistic time limits for both students and the university (our experience is that these are often unrealistically short for students). Students should be kept informed of progress and given an explanation if a procedure becomes delayed at any stage.
- Procedures should be followed. It is obviously sensible to try to resolve concerns informally but universities should recognise when a situation needs to be moved into formal procedures.
- Procedures should be internally consistent and coherent. There should be clear pathways to be followed for complaints, appeals, disciplinary matters and any other procedures such as discrimination, harassment and bullying. These should be well-publicised and the relationship between different procedures clearly explained. For example, if a student raises a complaint which cannot be considered under one set of procedures the student should be informed of his or her right to take the complaint through another set of procedures, if this is applicable. Where appropriate, procedures should allow an appeal, for example, to be put on hold while a complaint is considered.
- Furthermore, when a student has completed one complaint stage he/she should be told of his/her right to escalate the complaint to the next stage and of any time limits that may apply.
- The possibility of introducing mediation or a campus ombudsman service to students should be considered. Campus ombudsmen must be independent and observe professional ethics. Regulations requiring compulsory arbitration of student complaints leading to a binding decision would be contrary to the Higher Education Act 2004 as they would deny access to the OIA altogether.
- Procedures must not prevent the OIA from operating the Scheme in an efficient, open and fair manner; for example, by unreasonably delaying a student's access to the OIA or hindering effective compliance with a decision of the OIA.

SOME TIPS FOR STUDENTS ABOUT BRINGING A COMPLAINT TO THE OIA

- Read this Guide to check that your complaint is about something we can look at under our Rules.
- Check that your university or higher education college participates in the scheme. (see our website www.oiahe.org.uk)
- Provide as much relevant information as you can about your complaint using a Scheme Application Form* - and remember the three month time limit.
- If you are appointing a representative to handle your complaint you must still sign the Scheme Application Form yourself.
- Explain concisely what you think the university has done wrong and how it has affected you.
- Set out what you would like to be done about it - be realistic!
- You must send us a copy of the Completion of Procedures Letter with the Scheme Application Form.
- Do not send us original documents unless we ask for them and keep copies of everything you send us - we do not normally return them.
- Be patient; we will try to be as quick as we can but the adjudication process usually involves us in corresponding with both parties for some time.
- If you change your address or contact details while we are dealing with your complaint please let us know in writing.
- If there are any other changes in your personal circumstances which are relevant to your complaint; for example, you are offered a research post or a job opportunity and this affects the outcome you are looking for, please tell us in plenty of time.
- Do not let the fact that you have brought a complaint to the OIA affect a course of action you would otherwise take: in other words do not assume that we will uphold your complaint.
- We can provide information about our service in different formats and adapt the way we communicate with you – depending on your needs. Please let us know what your particular needs are, and we will try to help.

**Students at universities and higher education colleges in Wales may, where appropriate, complain to us in the Welsh language*



OIA
Third Floor
Kings Reach
38-50 Kings Road
Reading RG1 3AA
Tel: 0118 959 9813

(calls to and from the Office may be recorded)
email: enquiries@oiahe.org.uk

www.oiahe.org.uk