

Responding to OIA information requests – Guidance for Providers' Points of Contact

In order to make a decision on a complaint, we normally consider all the information available to the higher education provider during the internal complaints procedures and when it reached its final decision.

During the initial stages of our process we request this and other relevant information from providers in order to build a complaint file. We recognise that information requests need to be proportionate and individual to the circumstances of a case. However, we need the necessary information to be provided in a logical and accessible format at the initial stage to enable us to process the complaint as quickly as possible and to prevent delays arising from additional information requests at a later stage in our process. This document provides some guidance for providers on how to present the response to our information requests.

Case files that help us review complaints more efficiently and effectively:

Include a cover letter or email that briefly summarises the crux of the complaint and the provider's response

This can be especially helpful when the student's Complaint Form is unclear as to the crux of their complaint or the internal complaints procedures have been protracted.

Include an index or contents page of the information being provided

An index or contents page makes it easier for us to check that the provider has provided the information requested especially if the index or contents page:

- says where the documents can be found for example, bundle 1, page 108, Stage 1 Appeal.doc
- refers to documents with the corresponding file name
- cross references the numbers used in our original request.

Identify any documents that are not provided and explain why

For example, 'no minutes taken' or 'not relevant to complaint'.

State the procedures/regulations that were used (including the relevant year) and send a copy or link if appropriate

The regulations used should be referred to in the Completion of Procedures Letter (see guidance) and many documents are provided to us annually. However, if you are referring to regulations we should have in our regulations bank or are sending us a link to the regulations web page, it is helpful if you identify which regulations or version applied. If you think there could be any confusion, for example because the links may change as regulations are updated, please send us a copy of the relevant procedures/regulations with the case file.

Include a chronology or timeline

A brief chronology or timeline of key events (e.g. Stage 1 Appeal submitted, Stage 1 Appeal rejected) can help us check the information provided more quickly. Although it may not be proportionate in all cases, a brief chronology or timeline can be particularly useful when:

- the internal complaints procedures have been particularly protracted
- the sequence of events may not be immediately clear from the documents, or there are 'gaps' that need to be explained
- the student has been through several different procedures
- the student has conflated several issues raised at different times when bringing their complaint to the OIA.

Take the opportunity (where relevant) to provide representations on the student's complaint to the OIA

The provider may wish to comment on specific issues that the student has raised in the OIA Complaint Form or advise us of any issues that have not previously been raised or that may be ineligible for some other reason. It is also helpful if the provider makes us aware of any events that have taken place after the COP letter was issued that may be relevant, for example, that the student has subsequently accepted an offer that was made or has passed a reassessment related to the appeal that is subject to our review. It is particularly important that the provider makes us aware of any legal proceedings that may be relevant to the complaint because this may affect our ability to complete our review.

Provide the information in a chronological or other logical way, and clearly identify the information that was available and considered at each stage of the internal complaints procedures

In a single file it is helpful to separate documents (using tabs/bookmarks) into different sections for each stage of the proceedings and to present each section chronologically so that we can identify what information was considered at each stage and the order/timing of events. Alternatively send separate bundles that are clearly identified e.g. Bundle 1 – Appeal Document, Bundle 2 – Relevant regulations and handbooks.

Organise email correspondence by:

- avoiding sending emails within emails which often create difficulties when we send them onto students for comment and could mean we miss something
- avoiding sending duplicates of the same chain of email messages.

Provide the information in an accessible format

Where possible, a single PDF should be submitted electronically because these types of file generally avoid compatibility issues when we forward information on to the student for comment and make it easier to redact any outstanding third party information. If it is necessary to send multiple files, they should have a clear and understandable file name which will enable us to easily cross reference them with either the index or contents page, or our original request.

Where file size means the provider has to send more than one email it helps if the emails are clearly labelled e.g. 1 of 5, 2 of 5 etc. and where possible, a complete file or bundle is attached to a single email, for example one email includes the relevant regulations, handbook and procedures; and another contains the Stage 1 Appeal documents.

Where information has been sent electronically there is no need to send a duplicate paper copy.

Avoid unnecessary duplication

For example if the same bundle of documents was considered at all stages of the internal complaints procedure, the provider only needs to send the bundle once but should make it clear in either the cover letter or the Index or contents page when these documents were considered. It can also reduce the file size and the time it takes to consider the file if you avoid sending duplicates of the same chain of email messages.

Are suitably redacted

Providers should consider their responsibilities under the Data Protection Act 1998 when submitting information to the OIA. For example, providers should suitably redact other students' personal data (including student numbers) from minutes of exam board meetings, mitigating circumstances committees etc. before sending them to the OIA because this information will subsequently be sent to the student to comment on. Care should be taken to ensure that information redacted electronically or hidden or filtered text cannot be disclosed. Providers may also need to redact personal information about staff or other third parties. Where documents have not been correctly redacted we may be able to remove the third party data ourselves. However, if it is extensive and would be unduly time-consuming we will return it to the provider.