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OIA publishes 2015 Annual Report

The Office of the Independent Adjudicator for Higher Education (OIA) has today (9 June) published its annual report for 2015. The report details:

- The changes in OIA membership following new legislation, the Consumer Rights Act 2015, that extended its remit to cover students at more than 500 additional higher education providers. These include further education colleges and sixth form colleges for their higher education students, alternative providers and providers of School Centred Initial Teacher Training.
- The OIA's record of complaint handling over the year.
- Examples of the complaints student make to the OIA, and the recommendations the OIA makes when it finds complaints Justified or Partly Justified.
- Changes in the regulatory and legislative environment and what these mean for complaints handling in higher education.

Complaint numbers and outcomes

The report shows:

- The number of complaints to the OIA fell to its lowest level since 2011. 1,850 new complaints were received in 2015, compared to 2,040 in 2014.
- The OIA closed a record number of complaints, 2,327. 2015 was the third consecutive year in which it closed more complaints than it received.
- There were further improvements in the time it took to close a complaint, with the average falling from 207 days to 168 days by the end of 2015. At the end of the year 59 per cent of cases were being closed within six months of receipt.
- 22 per cent of cases were Justified (four per cent), partly Justified (nine per cent) or were settled by the OIA (nine per cent)
- The OIA recommended that higher education providers pay students financial compensation totalling £485,000 on Justified, Partly Justified and settled cases.

The nature of complaints

There was no significant change in the nature of complaints. 64 per cent of the complaints closed were about issues affecting a student's academic status, such as the mark given for an assessment or in an examination, progression between years, or final degree results. 15 per cent concerned service complaints relating to facilities, course content compared to the prospectus, processing of visa applications, teaching hours or research supervision. The remaining complaints were about academic misconduct and plagiarism (six per cent), financial issues (five per cent), discrimination (four per cent), disciplinary matters (two per cent), and welfare and accommodation (two per cent).



Commenting on the report, the Independent Adjudicator and Chief Executive of the OIA, Judy Clements, said:

“Coming in as the new Chief Executive I am particularly encouraged to see the substantial improvements in complaints handling times, which are continuing this year.

The number and nature of complaints has remained fairly consistent over the last four years. The slight drop in 2015 is likely to reflect work within providers to resolve issues locally and changes in the OIA Rules that mean students now have a year, instead of three months, to bring their cases to us.

The increased membership of the OIA is a welcome change that gives more students access to independent redress. This will become increasingly important as the higher education sector continues to expand.”

ENDS

Notes to Editors

1. For further information please contact jane.clarkson@oiahe.org.uk
2. An embargoed copy of the annual report is enclosed. The report will be published on the OIA website, www.oiahe.org.uk, on Thursday 9 June.
3. The OIA is the independent student ombudsman for higher education students in England and Wales. The OIA Scheme is free to students, and has been designed to be accessible to all students, without the need for legal representation.
4. The OIA has a wide remit to review student complaints about an ‘act or omission’ by HEIs in England and Wales. It does not review academic judgment or admissions issues. The Scheme Rules and all details related to OIA operations can be found at www.oiahe.org.uk.
5. A selection of the case studies included in the 2015 report is reproduced below.

Case studies

Academic misconduct – Not Justified (annual report page 15)

A student had admitted taking notes into an examination and disposing of them during a toilet break. She stated that she had not intended to use the notes and complained to the OIA that it was therefore unfair to penalise her by awarding a mark of zero. The regulations were clear that taking unauthorised material into an examination was in itself academic misconduct. The OIA found the case Not Justified.

Service issues – change of course content. – Justified (annual report page 16)

The OIA found a case Justified where a university withdrew the web programming modules from its software engineering degree.

The university was unable to demonstrate that it had given the affected students sufficient, timely information. This would have ensured that the students were able to make an informed decision about whether to consent to the changes, or to consider other options, such as transfer to another provider. The student who brought the complaint had specifically chosen the degree course because it specialised in web programming.

We recommended financial compensation for distress and inconvenience.

Academic status – Partly Justified (annual report page 17)

A student who was mistakenly informed that she had been awarded a first class degree complained to the OIA that the university had not escalated her complaint to the final stage of the complaints process. We decided the case was Partly Justified.

The OIA accepted that the university acted reasonably in closing the complaint at the end of the second stage as it would not be possible for another panel to award a higher degree. However, we were concerned that the university had not fully acknowledged the distress caused to the student. We recommended financial compensation.

Service issues, visa application – Justified (annual report page 20)

A university withdrew a student's visa sponsorship on the basis of lack of academic progress after she failed assessments at the first attempt. The regulations permitted a second attempt, which was successful. We considered that the university had not been reasonable in deciding that the student could not progress given that she met the requirements set out in the student handbook.

We decided her complaint was Justified. She was unable to return to her studies as the university's licence to sponsor international students had been withdrawn. We awarded financial compensation to refund tuition fees and for distress and inconvenience.