

File: The Lifecycle of an OIA Complaint - Initial Review

Duration: 0:06:33

START AUDIO

Interviewer: I've submitted a complaint form, and it's been received, and it's passed those initial checks. What's the next stage in the process?

Female: What happens next is your complaint will be allocated to a case handler in the Assessment and Resolution Team. A case handler's role is to carry out the initial review of your complaint.

Interviewer: What does initial review entail?

Male: Well, there are four main aspects to initial review. The first one is to determine whether a complaint is eligible according to our rules. It's also then about gaining an overview of the complaint and what it's about, gathering the necessarily documentation from the provider, and also looking for early opportunities to perhaps settle a complaint, if we think that that's possible.

Interviewer: You mentioned that one of the things that initial review looks at is eligibility. How do you go about making a decision on whether my complaint's eligible or not?

Female: Okay. Well, in the first instance, we would look at what you've submitted. This is usually your complaint form, any supporting

documents, and this will have the Completion of Procedures letter in it as well.

If, for any reason, we can't make a decision, we would just request more information from either yourself or the university.

Interviewer: I've noticed from the OIA's annual reports that in the last year, about 14% of the 2,000 complaints received weren't eligible for review by the OIA. As case handlers who see a lot of these decisions, what do you think are the common reasons why a complaint isn't eligible for our review?

Female: Well, one of the reasons may be that if a student submits a complaint form without a Completion of Procedures letter, this may be because they haven't completed the internal complaints procedure at the provider they are attending.

As a review body, we only look at the final decision of a provider, and certain students come to us before they receive this decision.

Male: Sometimes there can be issues with complaints that involve multiple providers. Say, for example, you may be studying a course which is delivered by one provider, but it's validated by another one.

One particularly important issue is that the OIA is not able to look at complaints arising from issues which are the subject of ongoing court proceedings. It's always important that you tell us immediately if you decide to start initiating any sort of legal proceedings against your provider. If you do that, we won't be

able to look at your complaint, unless the proceedings have been stayed.

Female: We've got a time limit that students have to bring a complaint to us, and this is 12 months. If a complaint is received after that 12 months, that would also be ineligible, as would any complaint that is relating to admissions issues, and we also can't look at academic judgment. If you're unsure on what we can and can't look at, there are guidance notes on our website that you might find helpful.

Interviewer: Okay. Lots of things to look at in terms of eligibility. How long does it take for you to make a decision on whether my complaint would be eligible or not?

Female: You should normally hear from us within three weeks, depending on the complexity of the case, and if we need to ask for more information from either yourself or the university. Don't worry, you'll definitely hear from us.

Interviewer: Once you've reached a decision on eligibility, what do you do now?

Female: Well, we'd write to both yourself and the provider. We'd write to you and we'd scope out the review. We'd summarise what you're complaining about, and what you're hoping to achieve from the review of your complaint. We'll also contact the provider and send them a copy of your complaint form, and request information at this point.

In some cases, we might try and settle a case, or provide you with the likelihood of success, and ask you if you wish to withdraw at this stage.

Male: If we've decided that your complaint is ineligible, then we'll write to you and the provider, and set out our reasons for coming to that conclusion.

Although we close the complaint at that point, you do have an appeal opportunity, so you can write to us within two weeks, explain why you think we're wrong to say that your complaint's ineligible, and that'll be reviewed by an Adjudication Manager, who will make a final decision on the eligibility.

Interviewer: When you ask for information from the university, what information do you tend to request?

Female: We ask for the university's representations and comments on your complaint. We ask for all the documentation considered in reaching the final decision in your case. This can include the complete complaint or appeal file, handbooks. For example, if someone's on a placement, we'll ask for the placement logs.

We also ask for the regulations the university's used in reaching its decision. We also ask for any other information they've used to come to their final decision.

Interviewer: How long does it take for a provider to provide this information?

Male: Well, a standard timeframe that we use is four weeks, but that can be slightly longer, up to six weeks, if it's a particularly complex complaint, or maybe shorter, say, two weeks, if it's a particularly urgent complaint, or if we think there's not so much information that the provider's going to have to send us.

Sometimes, a provider will request an extension to a deadline, and in those cases, we'll consider it on a case by case basis, depending on their reasons for requesting it.

Interviewer: Once you get the information from the university, what happens next?

Female: Once the information's been received, the case handler looking at your case will check that we've got all the information that we requested. Once we're satisfied that we've got that, we'd then look for any data protection issues. For example, if we have Board of Examiner minutes, we will check that they don't refer to other students.

At that point, once we're satisfied that everything is correct, we will send it to you for comment. We will also consider priority at this stage, whether or not your case needs prioritisation.

Interviewer: Once I get the information sent to me as a student, the information from the university, what should I be saying now in response?

Male: Really, it is up to you. The first thing to say is you're not obliged to comment if you don't want to. The main thing is that

you don't have to repeat anything you've already told us,
because we've got everything on file already.

If there's something new that you want to respond to, in light of
what the provider has said, then this is your chance to say it
now.

END AUDIO