



Check against delivery

Thank you Dame Suzi for that kind introduction. It is very good to see so many of you this morning as you join us in the magnificent Great Room here at the RSA, surrounded by this epic series of paintings aptly entitled “ Progress of Human Knowledge and Culture” by the 18th century artist James Barry. About a year ago when I addressed many of you at this event I had only been in post for a short time. Today I stand before you proud to share our achievements over the past year. But first I thought I would tell you about some of the things I have been doing. For me personally the last year has been a steep learning curve steering my way through a period of considerable uncertainty in the HE sector landscape. One of my priorities has been to get to know the sector. Through visiting providers, I have had the opportunity to meet with a large number of student representatives and HE staff across England and Wales, with something new to learn from each visit. I have been pleased to see some of the innovative ways in which both student bodies and providers are working to offer students a positive experience throughout their studies. I have also contributed to and attended many sector events, and I was particularly pleased to be invited to speak at NUS’s ‘Strategic Conversation’ conference in December.

Last year I reported that around 500 new members joined our Scheme following the introduction of the Consumer Rights Act 2015. The number of providers in membership of the OIA Scheme has since increased further and now stands at well over 700. I would like to extend a warm welcome to those who have joined us since last year, and I look forward to visiting some of you in the not too distant future.

One of things that very quickly became clear to me as I got to know the HE sector is the scale and diversity of the challenges facing higher education.

The rise in mental health difficulties among students is a major concern and I will talk more about this later as it is an important issue and one which we see reflected in the complaints that come to us. I am also very aware of the real concerns about issues such as sexual harassment on campus and racial and religious discrimination in all its forms, which have no place in our society. The OIA is supportive of the important work being led by NUS, UUK and others, as well as the many initiatives at local level, in these areas.

Some of the challenges unfolding before us have been due to the uncertainty created since June 23rd last year following the outcome of our EU referendum. The consequences of the Brexit vote for the HE sector are still emerging, but we have already seen a drop in the number of international students applying to study at British higher education providers later this year.

And of course we now have the long awaited Higher Education and Research Act.

At the OIA we welcomed the early recognition by the Government of the importance of an independent ombudsman for students, and of the OIA’s role in the regulatory landscape.

We also welcome the further expansion of our membership under the Act. This will give more students than ever before access to independent redress for their unresolved complaints and is a further step towards equal access for all students.

The issue of student protection is a key element of the legislation. It enshrines the requirement which is already in the OIA's Rules for a provider to remain a member of the OIA Scheme for twelve months after ceasing to be a Qualifying Institution. A similar protection is being put in place by the Welsh government. We have also long argued that there is a need to ensure that adequate provision is in place for students in the event that they are unable to deliver the courses students sign up for, or in the event of closure of a provider, and this is addressed in the Act.

We will be involved in the expected autumn consultation on the new regulatory arrangements. We look forward to working with Sir Michael Barber and his OfS colleagues.

The regulatory framework is a complex one and there needs to be clarity for students about where in the new regulatory landscape they can raise concerns, and what action each organisation is able to take. The OIA is the student ombudsman: we are the only organisation that considers individual complaints by students and provides individual remedies where appropriate.

This distinguishes us from the regulatory bodies to which students might turn. For example, HEFCE's Unsatisfactory Quality Scheme looks at concerns about the integrity of degree standards and the quality of the student academic experience. The QAA's Concerns scheme still plays that role for providers which are not HEFCE funded. The CMA looks at the actions of the provider as a whole in the context of consumer protection laws. They all have an important role but they do not consider individual complaints or give individual remedies. We are working with DfE and these bodies to try to make sure that these distinctions will be clearly set out for students.

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Turning now to our work over the past year. I am really pleased to report that we have enjoyed a sustained improvement in the time we take to resolve cases. This is important as I am only too well aware how difficult and frustrating it can be for students if they have to wait a long time for the outcome of their complaints. By the end of last year we were consistently closing more than 75 per cent of complaints within six months of receipt, exceeding our key performance indicator, and we have significantly reduced the average number of days we take to close a case.

However, it is also true that that in 2016 we received fewer cases than the previous year. Whilst it is only a very small change in relation to the total student population, we think that there may be a number of reasons for the drop. It is possible that the EU ADR Directive introduced in July 2015 which extended the length of time a student has to bring their complaint to the OIA from three months to twelve months may be a contributory factor. In the initial period after the extended timeframe was introduced, we saw a dip in receipts which we believe was because students delayed bringing their complaint to us. In addition to the immediate impact, we also think that with the greater passage of time a small number of students are deciding not to pursue their complaints further and are therefore not coming to the OIA at all.

Anecdotal evidence from our engagement with students' unions and providers suggests that the OIA's good practice guidance is another contributory factor. Providers have found the Good Practice Framework and the OIA's work in sharing good practice helpful in developing their complaints and appeals handling, and appear to be resolving more complaints internally and at an earlier stage.

The OIA currently collects information about the number of Completion of Procedures letters each provider issues during a calendar year and this forms part of the statistical data we publish in our Annual Statements (and many of you will have received your draft Statements recently). But to get a fuller picture it is necessary to look at how many complaints or appeals a provider actually receives. With the embedding of the Good Practice Framework across the sector, we will look to build on the data that we publish to include such wider contextual information.

In 2016 we built on our existing good practice work. After gathering feedback and reflecting on experience of the Good Practice Framework in its first year of operation, we worked with the excellent Good Practice Framework Steering Group to develop and publish a revised version in December 2016. We have also consulted on new sections of the Framework and we are grateful to everyone who engaged with and contributed to their development. This work is continuing in 2017. In March, the section: **Delivering learning opportunities with others** was published and the section: **Supporting disabled students** is currently out for consultation. Work is also underway on a new section on disciplinary proceedings.

In addition to published guidance, we ran an expanded programme of outreach visits to students' unions and providers. We have also trialled new formats such as webinars and podcasts to share good practice in a way that we hope is convenient and accessible. In early 2017 we ran a series of workshops in Cardiff, Reading and Leeds. I know that many of you here today have found our outreach activities useful and we appreciate your positive engagement with the OIA. We are continuing to develop our good practice and outreach work under our new Strategic Plan and we very much hope that this will be of benefit to students and the sector.

At the OIA we are also committed to improving what we ourselves do. We have learnt a lot from those of you and your colleagues who are working at the front end of complaints and appeals. Additionally we have greatly benefited from the specialist advice of our Higher Education Advisory Panel, and from our Disability Experts Panel which was newly constituted in 2016 and brings together a range of expertise from leading disability organisations. We are grateful to the Disability Experts Panel for providing extremely helpful advice in relation to the **Supporting Disabled Students** section of the Good Practice Framework.

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Moving on now to talk a little more about the complaints themselves. My Annual Report has a range of case studies illustrating the type of complaints students bring to us and our decisions.

Complaints related to academic status still account for over half of the complaints we receive. Most of them arise from academic appeals. This is perhaps to be expected as it is of course very important to students to complete their course successfully.

In terms of area of study, students on vocational and professional courses such as business and administrative studies, law, and medicine and related courses remain the most likely to bring a complaint to the OIA.

Postgraduate students and international students from outside the EU also continue to be over-represented. In 2016, 22% of complaints were brought by non-EU students and 36% by postgraduate students, of whom 9% were PhD students. It seems that these students are more inclined to exhaust all the available processes for raising complaints, including bringing a complaint to the OIA. The investment which they make in their studies is often substantial both in financial terms and their often significant commitment in taking on their course. The higher fees and higher expenses which international students incur are also likely to be a factor. They often have family circumstances or sponsorship arrangements which mean that the stakes are higher than for other students. Postgraduate students have often put their careers on hold to pursue their studies.

The proportion of complaints which were found Justified or Partly Justified, or were settled by the OIA has remained steady at 22%. This is perhaps not surprising because those complaints have already been through the provider's internal processes. It is good to learn from my visits that many providers are seeking to resolve complaints at the informal resolution phase and are often successful in doing so. But in over a quarter of complaints which were eligible for review, we identified something that had not been dealt with properly. Often this is because the provider has not followed its own procedures or regulations, but that is not always the case. As an ombudsman scheme we will look at whether the student has been treated fairly: the provider may have followed its own regulations but the outcome for the student is simply not reasonable in the circumstances of his or her case.

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I mentioned earlier that I would return to the matter of students' mental health and wellbeing. I am passionate about this, as I know many of you who work to support students are, and I am troubled by the rise in mental health difficulties among students. At the OIA we find that many students who complain to us are experiencing some form of mental health difficulty. It has sometimes been a factor in the substantive issues of their complaint, and it can make it more challenging for the student to engage with complaint processes at the provider and at the OIA. We are committed to sharing our learning, both from what we see in complaints and from our own experience of supporting students through our processes. We want to contribute what we can to ensuring that students with mental health difficulties are well supported in higher education.

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Now all of our work would not be possible without the earnest dedication of our staff and their clear focus on ensuring fairness for students, and to them I would like to express my appreciation and praise for the work they do. I would also like to thank our Board for their commitment to the OIA and the expertise that they bring. And finally I thank Josef Leidenfrost, who has travelled from Austria to be here today, for his long-term commitment in leading the important work of the European Network of Ombudsmen in Higher Education.

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The OIA has an important role in the higher education sector. Through reviewing unresolved student complaints and promoting good practice, we will continue to play our part in ensuring that students across the higher education sector are treated fairly.

Thank you.