

OIA Annual Open Meeting 2017

Speech by Ben Elger, Chief Executive The OIA's evolving role in the HE sector

Check on delivery

April has been such a month for organisations coming and going in the higher education sector that it's hard for any of us not to be considering our evolving role. But perhaps especially if you happen to work in an organisation whose demise has been proposed by multiple reviews - at least one of them Government-instigated!

It is therefore with great pleasure and no little relief that the Annual Report for 2017 describes the Higher Education and Research Act further embedding the OIA in the sector for years to come.

Much has changed in the seven years since the Browne review. The importance to the OIA of our integrity and independence – the first of our values – has not.

But we have embraced too the need for organisations to work together to the benefit of students and providers. Alongside independence we recognise and value our inter-dependence within the regulatory framework.

At the heart of this is a twin belief in the importance of the individual student experience and of identifying systemic issues whenever possible.

So for example with the QAA, HEFCW and HEFCE we have had in place agreements that on the one hand have meant we could draw attention to a pattern of complaints that may suggest a systemic issue worthy of investigation and, on the other, problems that might lead to a cluster of complaints could be shared with us.

This has helped promote joined up and efficient regulation for the benefit of students, providers and the sector as a whole.

It is this way of working in partnership – transparent, risk aware, mutually supportive – that we are keen to bring to the new environment. Discussions with the Office for Students are of course well underway and we have the opportunity to build on our existing relationship with QAA and HESA as the designated quality and data bodies.

We are also looking forward to contributing to the new consumer panel – alongside OfS and the Competition and Markets Authority – secured following assurances during the passage of HERA through the House of Lords and recognising our key role in terms of redress for students.

And we can now provide a safety net for more students studying at a wider variety of providers than ever before. A few years ago I spoke at this event about the difference between two students – this time I'll call them Jo and Sam –

Jo at a provider within the regulatory framework with access if needed to a free adjudication service whose independence and expertise had been upheld by the courts – whilst Sam – at what was known as an 'alternative provider' who had not joined the OIA – generally had no such route to redress.

In 2017, the Higher Education and Research Act building on the Consumer Rights Act two years before secured a version of the famed level playing field in England with all providers on the OfS Register required to be members of the OIA.

In fact our remit extends even further than that to include the delivery partners of those on the Register as well of course as providers of School-Centred Initial Teacher Training who joined the Scheme back in 2015.

By the end of 2018 we expect to have more than 800 members. And students are no longer disadvantaged simply by the historical origins of their provider. So Sam perhaps has a bit less to worry about.

But there is more to do here. As most of you will know initial plans for the regulatory framework included a "registered basic" category for those providers who wanted to be recognised as part of the HE system but did not seek the benefits available to those in other categories.

We recognise that the loss of this category in the final framework – flawed as it potentially was without student protection plans – as well as the continued exclusion of awarding bodies that don't themselves deliver HE courses – still leaves some outside of the OIA fold.

We invite and encourage such providers to apply to voluntarily extend the right to independent review of complaints to their students too.

Those choosing to join by this route can nowadays do so on the same subscriptions basis as other members – a change in response to feedback from members who joined voluntarily some years ago.

And having listened to your views at Annual Open Meetings and elsewhere we continue to develop the case related element of our income towards 10 per cent and have done this through a change to the points allocated to full reviews rather than to settled or ineligible cases, whilst for the first time lowering the fee per point.

Sometimes this last year it has felt like HERA has rather monopolised HE discussions. But as a proudly England and Wales Ombuds organisation we have been equally focused on important developments in Wales.

The Hazelkorn review of post compulsory education in particular raised key issues. For some time we have recognised that there is not a straightforward divide between higher and further education. More of our members are Further Education Colleges than any other type of provider – our remit of course being for colleges' HE students.

On Tuesday this week the Welsh Government published its technical consultation on the establishment and operation of the Tertiary Education and Research Commission. In it the Government clearly states its desire to extend the OIA's remit across the PCET sector – including FE colleges, work based learning and adult learning.

We are delighted at the Welsh Government's support for the role of an independent complaints handling body for students across the sector - and that they feel that extending the OIA's remit is the best way to achieve this.

We have had great support in the consultation phase notably from NUS Wales and from HEFCW and want to recognise their contribution to this direction of travel. We look forward to working with the Welsh Government and all stakeholders in Wales as we move into the legislative – and we hope implementation – phases.

We recognise that as the higher education sector in both England and Wales changes and the OIA's membership continues to expand – the governance of the OIA will need to develop as well.

We have started a review – and our Board is very open to change – but what we don't want to lose is the great balance between our Nominated and Alternate Directors from within the sector and the Independent Directors bringing such a diversity of skills and experience.

And we will remain absolutely committed to student involvement in all aspect of the OIA – from visits to expert panels, focus groups to the Board itself.

We have pointed out not just in Government consultations this year – but also crucially in regard to the revised UK Quality Code – that student engagement is an early resolution approach in its own right – student and student representative involvement in considering assessment methods, the curriculum and teaching styles – along with feedback mechanisms – can play a crucial part in assuring the experience of individuals students, their peers and future cohorts.

It's possible I'm a bit biased. Some of you will know – although obviously I never like to mention it – that more than 20 years ago I started out as a student representative – and then a sabbatical officer at NUS where I attended a meeting with the Committee of Vice Chancellors and Principals and the Standing Conference of Principals about the possibility of talks about talks about an independent organisation for student complaints.

In a year where we are preparing for complaints to be used as a lead monitoring indicator it does seem we've come quite a way in valuing the student perspective and independent complaints handling since external redress at my college at least had to be entrusted to the Archbishop of Canterbury – nowadays the Archbishop as a holder of degree awarding powers is himself a member of the OIA.