

Minutes of the seventy-first meeting of the Board of Directors, held as a virtual meeting on 24 September 2020

Present: Dame Suzi Leather (Chair)
Adesewa Adebisi, William Callaway, Andrew Chandler, Natasha Dhumma, Wendy Finlay, Professor Alistair Fitt, Gillian Fleming, Martin Kirke, Andy Mack, Jonathan Rees, Sophie Williams

Apologies: Dave Hall, Jon Renyard, Hillary Gyebi-Ababio

Secretary: Sarah Liddell (Company Secretary)

In Attendance: Ben Elger (Chief Executive)
Felicity Mitchell (Independent Adjudicator)
Chris Pinnell (Head of Casework Support and Resolution Team)
Graham Gilmour (Casework Administrator)
Jennifer Runde (Communications Officer)

20/27 Chair's business

The Chair noted Diana Walford's resignation from the Board and expressed the Board's appreciation for her valuable contribution. We are in contact with CUC to appoint a successor.

20/28 Membership

The Chair welcomed Natasha Dhumma to her first meeting of the Board, Chris Pinnell (Head of Casework Support and Resolution Team), Jennifer Runde (Communications Officer) and Graham Gilmour (Casework Administrator) as staff observer to the meeting.

20/29 Declarations of interests

There were no declarations of interest.

20/30 Minutes of the last meeting

The minutes of the seventieth meeting of the Board held on 23 June 2020 were **approved**.

20/31 Matters arising from the minutes and actions log update

The Board received a record of the matters arising from the minutes and actions log update.

The Board received a verbal update on the meeting held on 21 September between Adesewa Adebisi, Martin Kirke and relevant senior managers to discuss diversity and matters arising from the Black Lives Matter movement. The group discussed what more can be done to take forward our commitment to diversity and inclusion across our organisation, in particular in recruitment and ongoing support for staff, in our casework and in our student engagement. The group will continue to meet periodically to act as a steering group for equality, diversity and inclusion work. Progress will be monitored and updates provided to the Board.

20/32 Report from the Independent Adjudicator and the Chief Executive

The Board received the quarterly report from the Independent Adjudicator and the Chief Executive.

It continues to be a hugely challenging and uncertain time for the sector. This creates challenges and increased risks for us but we are also very aware that that it is even more challenging for those on the front line. We have maintained an exceptionally high level of engagement over the summer, including with the Minister and senior-level government officials. It is positive that there is increased awareness of our work, but there are ongoing challenges around trying to ensure that the scope of our role is clearly understood and that there is coordination rather than duplication especially in our key areas of responsibility.

The potential for market exits remains a concern, particularly in the context of the pandemic. We continue to advocate that effective protection is needed for students in these circumstances. Providers across the sector are facing diverse challenges and we are maintaining a high level of dialogue with many of the representative organisations.

There was a positive development over the summer as the government issued clear guidance that providers delivering higher technical qualifications and their awarding bodies should be members of our Scheme.

The Tertiary Education and Research (Wales) Bill will not be debated until after the Senedd election in May 2021, though it has been published for consultation and our role within the draft Bill remains unchanged.

We have so far received around 120 complaints related to coronavirus, some of which also involve concerns arising from industrial action. Many of these complaints were premature as the student had not engaged with their provider's internal procedures. In some cases, the provider had refused to consider the student's complaint and we have made Recommendations for the provider to consider the issues through its complaints procedures. We plan to publish some case summaries to illustrate our approach once we have completed some more of the early coronavirus-related cases.

Actively managing our caseload remains our top priority and we are continuing to explore further ways to do this effectively. A pilot has been established to "front end" involvement of more senior case-handling staff in cases. Learning from initiatives will be fed into our wider processes where appropriate.

The Board considered the proposal to create a separate process for large group complaints.

The proposed process builds on plans that were developed, but not used, for cases related to industrial action. The new process would require a change to our Rules to allow it, and additional Rules to govern its operation. The Board discussed various elements of the proposed process.

The Board was broadly supportive of the proposed process. It was agreed that draft text for the Rules would be developed and then discussed at an interim meeting before being brought to the December Board meeting.

Board members working in the sector then shared their reflections on some of the current challenges.

IES are currently analysing the results from the employee engagement survey. Initial results are very positive. The overall engagement score has increased compared to the last survey (where it was already high) and our response to the coronavirus situation was well received. IES will present the report to the office and hold focus groups with staff, and the Nominations and Remuneration Committee will consider the report at its meeting in November ahead of consideration of the staff survey at the December Board meeting.

Work is ongoing to prepare the office for a partial reopening. We are working with the landlord to resolve concerns over the enhanced Covid-19 safety requirements of the air conditioning system.

20/33 KPIs

The Board received a report on KPIs from the Chief Executive.

We are continuing to meet our KPI of responding to enquiries within two working days despite a significant increase this year in the number of enquiries received.

The turnaround KPI of closing 75% of cases within six months of receipt remains under pressure.

Tackling aged cases is a top priority. In addition we have piloted a Case Coordinator role to communicate with and support students in the queue. The initial trial period has been successful and has been extended.

The Board recognised the hard work and achievement of staff in meeting KPIs in the face of sustained and significant increases in case receipts.

The Board considered the proposal to keep the existing KPIs for 2021, at their current levels. In view of the overall context, and in line with the earlier discussion of 2021 KPIs at the June Board meeting, the proposal was **approved**.

20/34 Financial matters

The Board received the Finance Report to July 2020 from the Chief Executive.

The Board received the unconfirmed minutes of the thirty-first meeting of the Finance Committee held on 8 September 2020.

The Board received and considered a paper on the 2021 budget and subscriptions from the Chief Executive.

The 2021 budget and possible subscriptions increase had been considered in detail by the Finance Committee at its meeting in September.

The Board was sensitive to the significant financial challenges in the sector, and noted the subscriptions reductions planned by some sector bodies. However, the Board was clear that additional financial resources are necessary for us to fulfill our role, particularly in light of the sustained increase of around 20% year on year in case receipts and the potential for an upsurge in complaints arising from coronavirus, and considered that a 5% increase in core subscriptions was appropriate in this context. Communication to providers of the core subscriptions increase should explain the

strong link between caseload and costs and that we have been able to absorb a substantial part of the cost of the significant and sustained rises in case receipts.

The Board **approved** the proposed 2021 budget including the 5% core subscription increase and the proposed increase in the per point fee of the case element from £210 to £220.

20/35 Report from the Company Secretary

The Board received the quarterly report from the Company Secretary.

The formalities of appointing Natasha Dhumma to the Board have been completed.

It was noted that several of the service complaints this quarter had been from students with serious mental health difficulties. Student mental health is an increasing concern in the sector especially in the current circumstances. Service complaints from students with mental health difficulties are handled as sensitively as possible. More widely in our case-handling students are given the opportunity to tell us about any mental health issues, and we support them through our process.

20/36 Any other business

The importance of our website making it easy for students to access our Scheme was noted. We keep the design and content of the website under review and have recently made some updates including to meet new accessibility standards.

20/37 Reflections on the meeting

The Independent Adjudicator thanked Board members for their positive feedback and support during these challenging times. The Board noted their thanks to all OIA staff for their hard work.

20/38 Dates of future meetings

- Wednesday 9 December 2020 at 10.30am
- Wednesday 31 March 2021 at 10.30am
- Monday 28 June 2021 at 10.30am (Away Day: 28-29 June 2021)
- Thursday 23 September at 10.30am
- Thursday 9 December 2021 at 10.30am

Sarah Liddell
Company Secretary

1 October 2020