



office of the
independent
adjudicator

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STRICTLY EMBARGOED until 00:01 14 June 2011

PRESS NOTICE: OIA ANNUAL REPORT 2010

Rob Behrens, Independent Adjudicator and Chief Executive of the OIA presented his **Annual Report** for 2010 at the OIA's Annual Open meeting in London on Tuesday 14 June 2011

Rob Behrens reported that:

- The Office received a record 1341 complaints against universities in England and Wales. This represents a **33 per cent increase on the previous, record, year**. This is a significant rise, but still constitutes a very small proportion of the number of enrolled students.
- **20 per cent of Formal Decisions were either Justified (6 per cent) or Partly Justified (14 per cent) and 53 per cent were found to be Not Justified.** The proportion of Justified and Partly Justified decisions rose in comparison to 2009 (when a total of 14 per cent of decisions were Justified or Partly Justified).
- Data for Welsh universities is this year disaggregated. This will be an important benchmark for years to come.
- **For the first time, two universities are named in the Annual Report for not complying with Recommendations in OIA Formal Decisions.**
- The OIA published and began implementing the Pathway Report which set out key recommendations for the future development of the Scheme. As a result, the OIA was able to reform its case-handling processes putting greater emphasis on the early resolution of complaints. Following a second round of consultation, the OIA now has broad support for a revised publishing scheme, including publishing summaries of a number of Formal Decisions by name of university, from January 2012.
- **Private providers were welcomed to the Scheme with two private colleges joining as 'Non-Qualifying Institutions'.**
- The OIA's approach to complaint handling was once again endorsed by the Courts following a number of Judicial Review challenges.

Rob Behrens commented:

“2010 was a year of delivery and continuing to prepare for the new era of Higher Education in which our role in safeguarding the student experience is central.

Once again we saw a record number of complaints from students. This rise presents us with important challenges. We are creating greater awareness of issues amongst universities, so that more complaints are resolved internally rather than being escalated to the OIA. And where the complaints are escalated to the OIA, we are developing our complaints handling processes to put the emphasis on early resolution.”

With regard to the first instances of university non-compliance with OIA Formal Decisions, Rob Behrens commented:

“Non-compliance is serious and to be regretted, particularly in cases like those reported where the OIA has concluded that individual students have not been treated fairly by the university. Nevertheless, over the year the vast majority of universities complied in disciplined fashion to Recommendations set out in Justified and Partly Justified OIA decisions.

The decision to name the two universities as non compliant is not a recourse to what some might call ‘naming and shaming’ with all the associations of moral censure that term implies. Rather, it is the application of OIA processes clearly set out in the Scheme Rules.

I will be reviewing the affected universities’ responses to this development in coming to a wider view about whether or not the current legislation gives the OIA sufficient power in relation to non-compliance issues. I expect to make the OIA position clear in responding to the Higher Education White Paper.”

Commenting on the Annual Report, the OIA Chair, Ram Gidoomal CBE said:

“Last year was one of intense activity for the OIA. The Board gave its unanimous support to the decision to name two universities as non-compliant. The Board has also worked closely with the Office to look at necessary reforms to the case-handling process in the light of submissions made to the Pathway consultation and the continuing annual rise in complaints received. We are confident the Office is well positioned to deal with the challenges facing the sector in the coming years.”

ENDS

Notes to Editors

1. The Annual Report 2010 and this Press Notice are **STRICTLY EMBARGOED** until 00:01 on 14 June 2011.
2. The Annual Report is launched at 10.30am on Tuesday 14 June 2011 at Grays Inn, 8 South Square, London WC1R 5ET. Members of the press and other media are very welcome to attend and ask questions. Please give notice of any intention to attend.
3. To arrange an advance briefing with the Independent Adjudicator or for an advanced embargoed copy of the report please contact Nigel Calvin, Communications and Policy Manager (maternity cover), by emailing nigel.calvin@oiahe.org.uk or by phone on 0118 959 9813 or 0758 170 8926

4. The OIA is the designated operator of the Scheme for reviewing student complaints in England and Wales, established under the Higher Education Act 2004.
5. The OIA has a wide remit to review student complaints about an 'act or omission' of 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.