

Compliance with OIA Recommendations and Requests for Information during an OIA Review

1. This document sets out the procedures that will normally be followed when the provider does not comply with confirmed Recommendations made in relation to the complaint or does not inform us that it has done so, and when the provider does not comply with Requests for Information during a Review. Compliance statistics will be reported in the Annual Report. Where appropriate, and for ease of reference, we use the word 'provider' throughout this procedure to include all member Higher Education Providers.

Non-compliance with Recommendations

2. These procedures will be followed when the provider has not complied with the confirmed Recommendations made in relation to the complaint within the specified timescales.
3. In the first instance, we will contact the provider regarding the outstanding compliance.
4. If the provider does not respond, or its response indicates that it has not complied in full with the Recommendations, we will write to the Point of Contact (POC) setting out any outstanding compliance issues and setting a new deadline for compliance or a response from the provider.
5. If there is no satisfactory response, the matter will be referred to the relevant OIA Manager, who will warn the provider about the consequences of failing to comply with our Recommendations. This letter will be copied to the Vice Chancellor, Principal or equivalent, and to the Independent Adjudicator.
6. If the provider does not provide a satisfactory response, or informs us at any stage that it does not intend to comply, the Independent Adjudicator will write to the Vice Chancellor, Principal or equivalent of the provider (copied to the POC and the Chair of the provider's governing body), confirming that he/she considers that the provider has failed to comply with our Recommendations. The provider will be given a final opportunity to respond.
7. If the provider still fails to comply, the Independent Adjudicator will inform the Chair of the OIA Board, who will in turn inform the Chair of the provider's governing body that the failure to comply will be reported to the OIA Board. It will also be reported in the next published Annual Report, and may be reported elsewhere in the interim. The provider will be deemed to have failed to comply at this stage, even if it later complies. At least five working days before publication in the Annual Report the OIA will send a copy of the relevant text, for the provider's information.
8. The Independent Adjudicator will give an account of the provider's actions in his/her Annual Report and this will include steps taken by the provider to comply with Recommendations after a report to the OIA Board has been made. Information about compliance may also be included in the OIA's Annual Statements.

When a provider has complied with Recommendations

9. Once the OIA is satisfied that a provider has complied with our Recommendations, this will be confirmed to the provider and (where appropriate) to the complainant.

Non-compliance with requests for information during an OIA review

10. These procedures will be followed when the provider has not complied with the deadline set in our request for information and no extension request has been agreed. Our [approach to common requests for extensions](#) can be found on our website.
11. In the first instance, the information will be recorded as 'late' and we will contact the provider regarding the outstanding information request.
12. If the provider does not either respond or provide the information requested we will write to the POC indicating that if we do not receive the information we have requested within a specified period of time, we will proceed with our review on the basis of the information available where we consider it appropriate to do so. We may make a recommendation that the provider should pay compensation to the student in relation to delays occasioned by its failure to respond promptly to our requests for information.
13. If we are unable to proceed with the complaint, or we do not receive a satisfactory response from the provider, the matter will be referred to the relevant OIA Manager. He/ she will warn the provider that if it does not comply with our request for information it will be in breach of the OIA Rules and may be reported to the OIA Board. This letter will be copied to the Vice Chancellor, Principal or equivalent and to the Independent Adjudicator.
14. If the provider does not provide a satisfactory response, or informs us at any stage that it does not intend to comply with our request, the Independent Adjudicator will write to the Vice Chancellor, Principal or equivalent of the provider (copied to the POC and the Chair of the provider's governing body), confirming that he/she considers that the provider has failed to comply. The provider will be given a final opportunity to provide the information requested.
15. If the provider still fails to comply, the Independent Adjudicator will inform the Chair of the OIA Board, who will in turn inform the Chair of the provider's governing body that the failure to comply may be reported to the OIA Board. It may also be reported in the next published Annual Report, and may be reported elsewhere in the interim. The provider will be deemed to have failed to comply at this stage, even if it later provides the information requested.
16. The Independent Adjudicator will give an account of the provider's actions in his/her Annual Report and this will include steps taken by the provider to comply with requests for information after a report to the OIA Board has been made. Information about compliance may also be included in the OIA's Annual Statements.

[The current OIA Rules are available on our website.](#)

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