office of the independent adjudicator

'for students in higher education'

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Professor Cliff Allan
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15 October 2015

Dear Professor Allan

Annual Letter

I enclose the OIA Annual Letter for your institution for 2014. This documents the University's record in handling complaints and appeals. Explanatory notes and relevant definitions are set out in Annexe 2. The Annual Letters will be published on the OIA website in due course.

I hope this is helpful.

Yours sincerely,

Rob Behrens

Rob Behrens

Independent Adjudicator & Chief Executive

The OIA is a charity, registered in England & Wales under number 1141289, and a company limited by guarantee, registered in England & Wales under number 4823842

Annexe 1

STATISTICS

Birmingham City University		
Year	OIA Band	Number of students
2014	F	23440
2013	F	24320

Annual Complaints to the OIA[1]		
Year	Complaints received at the OIA	Complaints closed at the OIA[2]
2014	20	36
2013	41	50
Annual Change	Decreased by 21	Decreased by 14

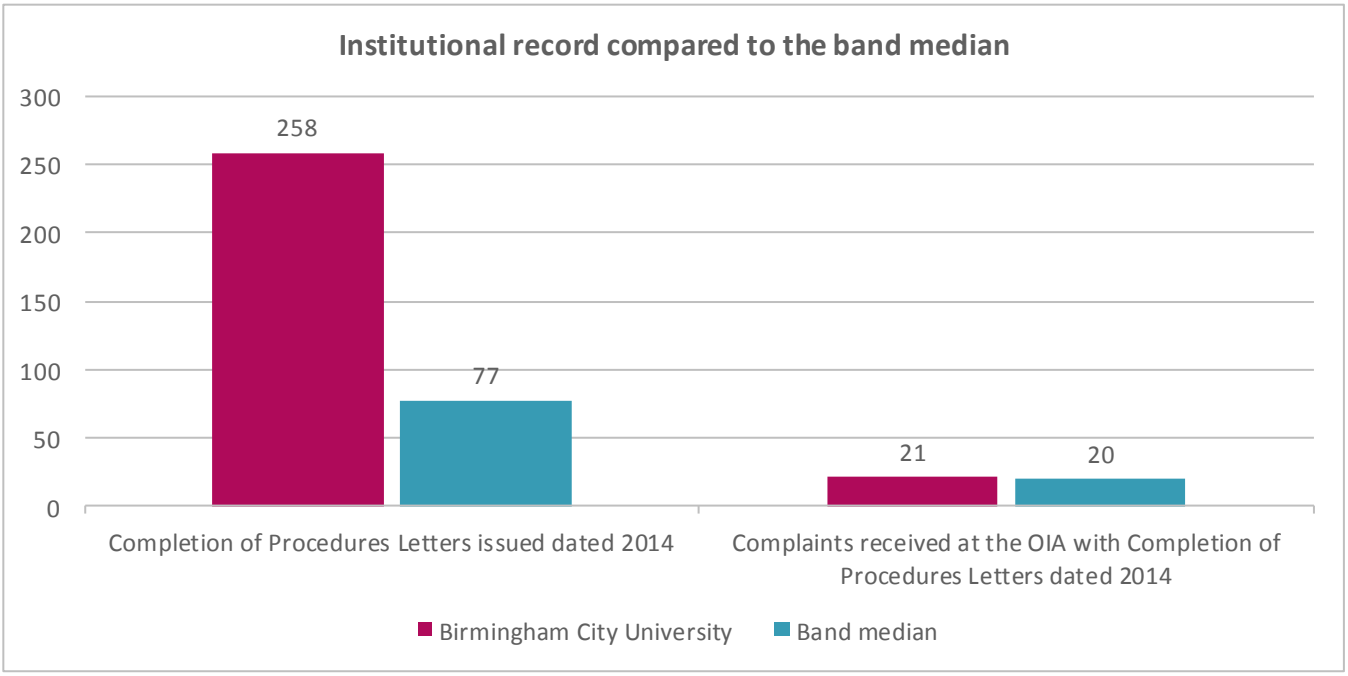
Completion of Procedures Letters issued dated	
2014	258
2013	379
Annual Change	Decreased by 121

Of these Completion of Procedures Letters issued the OIA received the following:

Complaints received at the OIA with Completion of Procedures Letters dated	
2014	21
2013	30
Annual Change	Decreased by 9

Birmingham City University has informed the OIA that 258 students were issued with a Completion of Procedures Letter in 2014. To date the OIA has received 21 complaints from Birmingham City University students with Completion of Procedures Letters dated 2014. This means that about one in every twelve students who exhausted the formal internal complaints procedures during 2014 brought their complaint to the OIA. By way of comparison, the mean average proportion of complaints brought to the OIA from universities in the same band was one in every six students who had complained.[3] Charts 1 and 2 below give the comparison between the returns from Birmingham City University and the band medians.

Chart 1

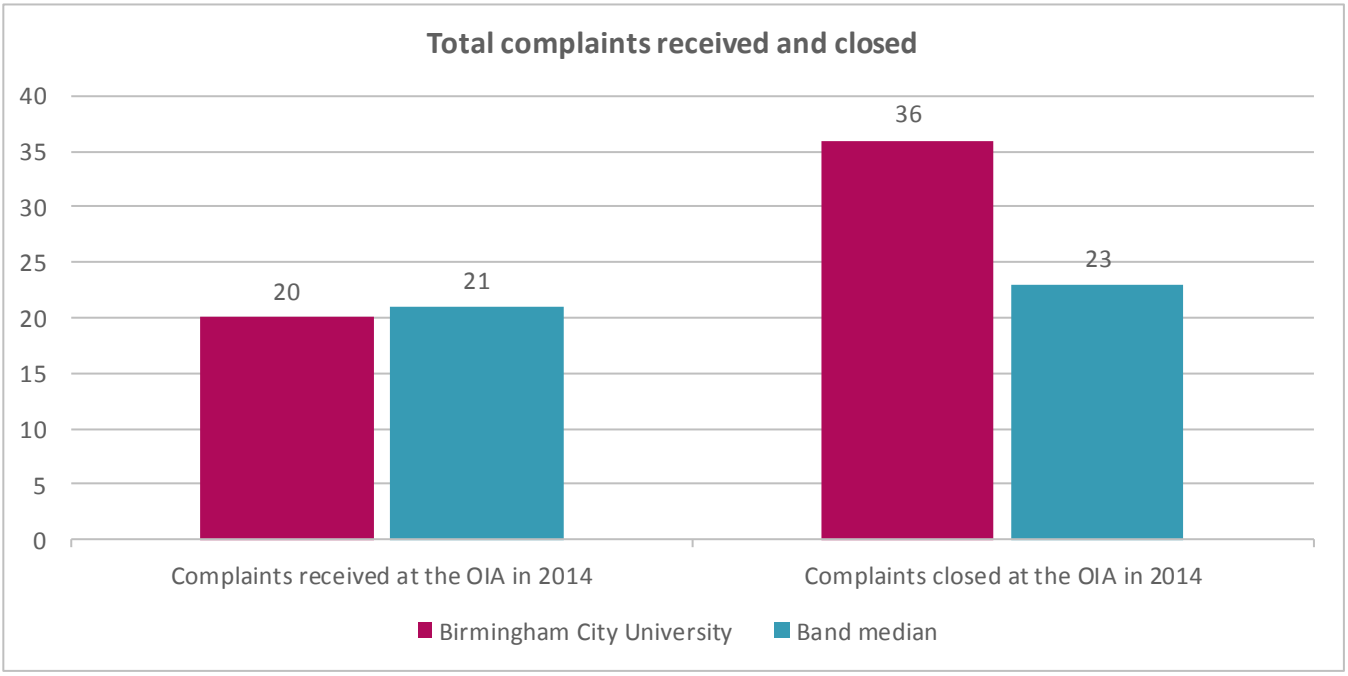


[1] The figures under headings "Complaints received at the OIA" and "Complaints received at the OIA with Completion of Procedures Letters dated [year]" may overlap. The figures under these headings should therefore not be added together.

[2] Some of the complaints might have been received in the previous year.

[3] Here we use the mean average for the band as the comparator. This is consistent with the way we have previously calculated the ratio of complaints to completion of procedures letters for the OIA as a whole. The charts that follow show comparison to the median average to limit the distorting impact of any outlying institutions within the band.

Chart 2



The OIA closed 36 complaints against Birmingham City University in 2014. Chart 3 below displays the outcome of the closed complaints and compares Birmingham City University figures to those of the band median.

Chart 3

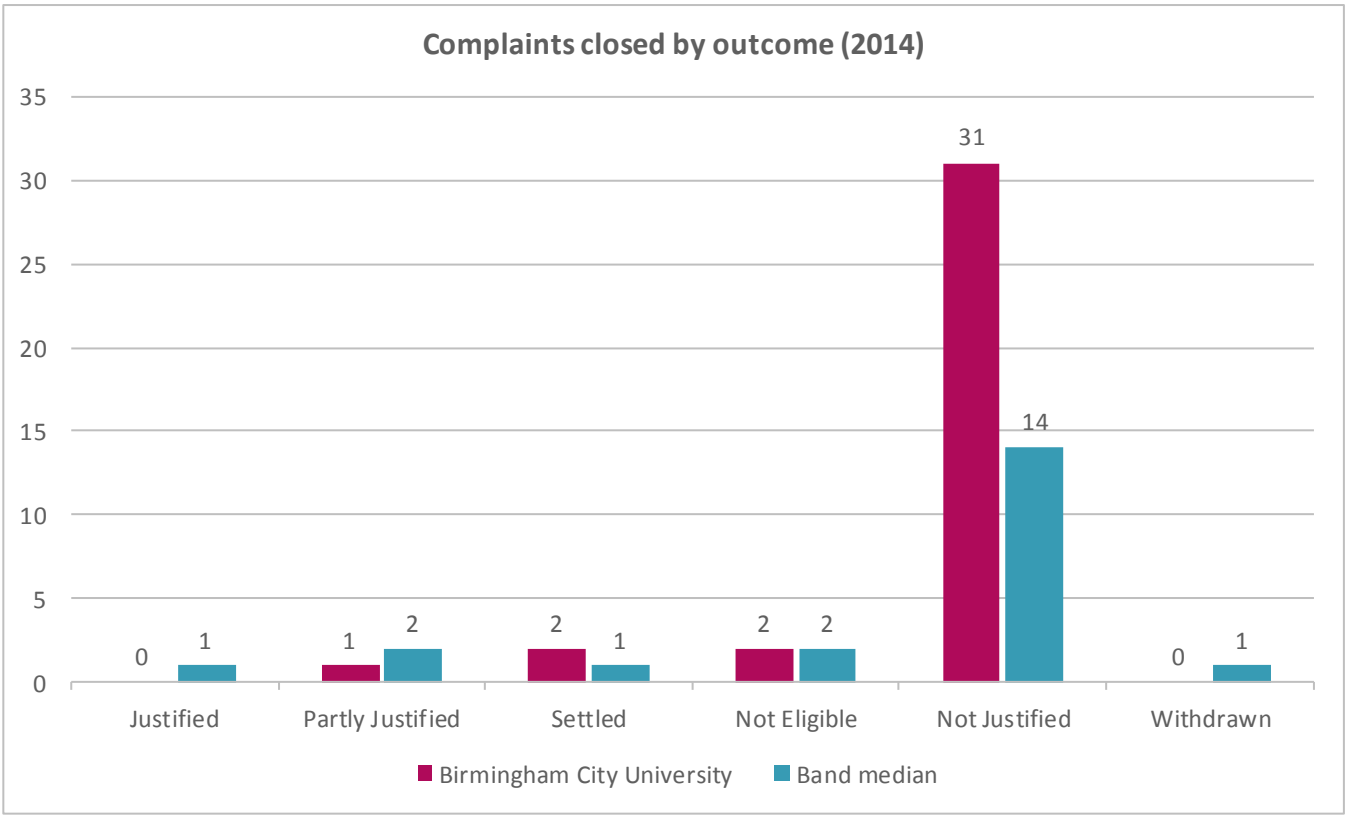


Chart 4 below breaks down the complaints about Birmingham City University closed in 2014 by subject matter of complaint. Chart 5 below illustrates the proportion of the total number of complaints about all universities closed by the OIA in 2014 attributable to subject matter of complaint. In chart 4 actual numbers of complaints are contained in brackets.

Complaints closed by subject matter (2014)

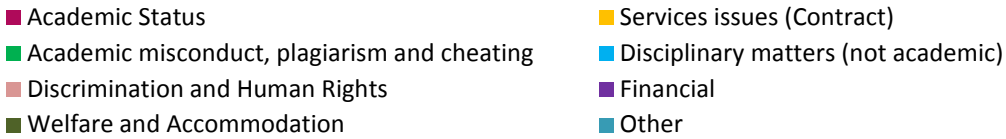


Chart 4

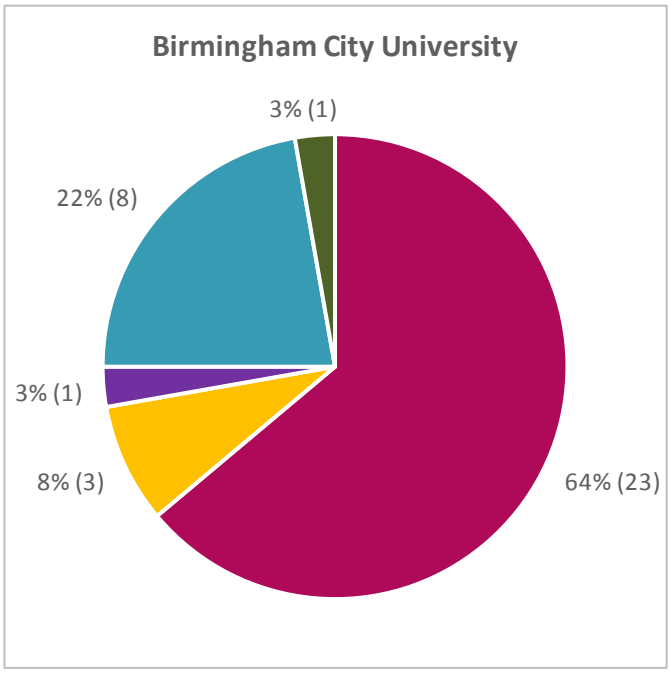
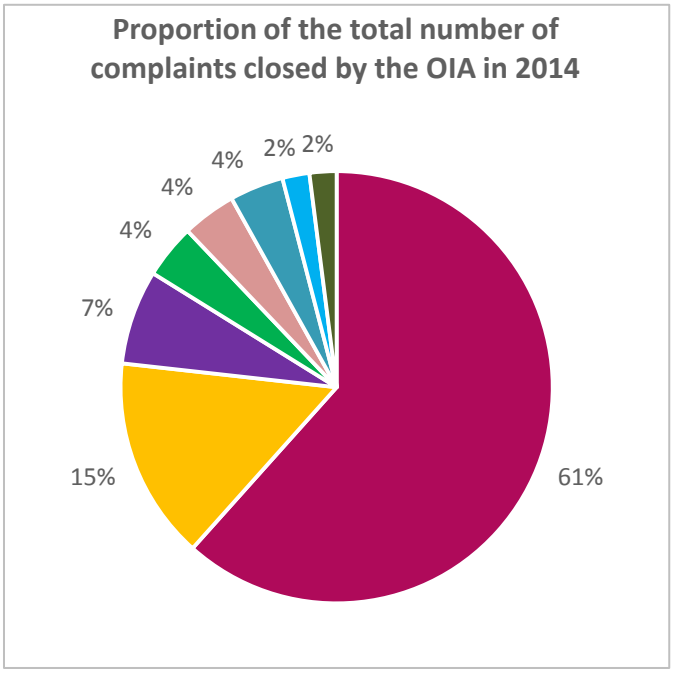


Chart 5



Annexe 2

Explanatory Notes

Note 1 Under Scheme Rule 4 the OIA has the discretion, exceptionally, to review complaints even where the internal complaints procedures have not been exhausted. For statistical purposes, we treat such complainants as having exhausted the relevant procedures.

Note 2 Student numbers were obtained from Higher Education Statistics Agency (HESA) - www.hesa.ac.uk. 2010/2011 HESA figures were used to assign universities to the relevant OIA subscription band in 2013 and 2011/2012 figures in 2014.

Note 3 The heading 'Complaints received at the OIA in 2014' includes all complaints where the OIA Complaint Form was received at the OIA during 2014. It also includes Not Eligible complaints. By contrast, 'Complaints received at the OIA with Completion of Procedures Letters dated 2014' includes only complaints received at the OIA with Completion of Procedures Letters dated 2014, whenever received. For example, a complaint may have been received in 2015 but with the Completion of Procedures Letter dated 2014. The example given also applies to 2013 statistics.

Note 4 In this exercise, bands G, H and I are merged for the purposes of calculating band averages for universities in those bands. This enabled the OIA to provide more meaningful contextual information where numbers of institutions in bands are small.

Note 5 The heading 'OIA Band' refers to OIA subscription bands which for 2014 were as follows:

Institution size	2014 band
Fewer than 500 students	A
501 to 1,500 students	B
1,501 to 6,000 students	C
6,001 to 12,000 students	D
12,001 to 20,000 students	E
20,001 to 30,000 students	F
30,001 to 50,000 students	G
50,001 to 100,000 students	H
More than 100,000 students	I

DEFINITIONS

Completion of Procedures Letter – Once a student has exhausted the university's internal complaints or appeals procedures, the university must promptly send the student a Completion of Procedures Letter. In line with published Guidance, this letter should set out clearly what issues have been considered and the university's final decision. This letter directs the student to the OIA.

Justified/Partly Justified/Not Justified – At the end of the OIA review process we will decide whether a student's complaint about the university is Justified, Partly Justified or Not Justified.

Not Eligible complaint – This is a complaint that we cannot review under our Rules.

Settled complaint - Once a complaint is received by the OIA and the University has been notified, a complaint will be considered "settled" where the parties to the complaint reach an agreed outcome prior to the OIA issuing a Final Decision.

Suspended complaint - A case may be suspended, normally at the request of a complainant, in exceptional circumstances e.g. bereavement or illness. Cases may also be suspended if there is on-going action taking place in another forum which could affect the outcome of the OIA's review e.g. secondary procedures taking place within the University.

Withdrawn complaint - A complaint will be considered "withdrawn" if a complainant requests that the OIA cease to review the complaint or in cases where the complainant fails to participate in the OIA's process.

CATEGORIES OF COMPLAINTS

Academic Status - complaints which are related to academic appeals, assessments, progression and grades.

Service Issues (contract) - complaints which are related to the course or teaching provision, facilities and supervision.

Disciplinary matters - complaints which are related to disciplinary proceedings for non-academic offences.

Academic Misconduct - complaints which are related to academic offences including plagiarism, collusion and examination offences.

Discrimination and Human Rights - complaints where the student claims there has been any form of discrimination, including harassment, and where he or she claims his or her Human Rights have been breached.

Financial - complaints relating to finance and funding: e.g. fees and fee status, bursaries and scholarships.

Welfare and Accommodation - complaints relating to support services, e.g. counselling, chaplaincy, assistance for international students and university accommodation issues.