

## ADR Annual Activity Report for Period 1 October 2019 to 30 September 2020

### 1) "Domestic" and "Cross-border" disputes received by type and totals for the period

Type	Domestic	Cross-border	Grand Total
Service Issues	917	213	1130
Academic Appeal	683	245	928
Other	107	32	139
Financial	115	17	132
Equality law / Human rights	88	6	94
Disciplinary matters (academic)	61	30	91
Welfare / Non-course service issues	75	12	87
Disciplinary matters (non-academic)	51	11	62
Fitness to practise	44		44
Grand Total	2141	566	2707

On our Complaint Form we ask students to answer the following question: "when you applied for your course, were you: Resident in the UK; or Resident outside the UK. If you are unsure, please explain your circumstances." If students do not complete this question, we write to them asking them to do so. However, students who have withdrawn their complaint or whose complaint we have ruled not eligible, may not respond. For the purposes of this report we have included the "not specified" in the "domestic" column.

### 2) Systematic or significant problems occurring frequently that lead to disputes between consumers and traders. Your recommendations on addressing them.

Our annual report (<https://www.oiahe.org.uk/media/2470/oia-annual-report-2019.pdf>) details the trends and common themes that we see in the complaints we review, but we have not identified any "systemic or significant problems" that occur frequently. We continue our work on improving policy and promoting good practice within the sector through expansion of our Good Practice Framework (GPF) guidance, our outreach activities and our work with other sector bodies. In the past year we have launched a new section of the GPF on Fitness to Practise, and are in the process of finalising a further section on 'Requests for additional consideration' following sector wide consultation. Our outreach activities have continued to grow, responding to a big increase in demand for webinars, virtual visits and discussion sessions, since the nationwide lockdown in March 2020. We also issued two briefing notes and other information about our approach to complaints related to the Covid-19 pandemic, including FAQs for students, which have been well received. And in response to the closure of a specific provider were proactive in tailoring our process for affected students. We have also introduced a new 'bite size' area of our website (<https://www.oiahe.org.uk/resources-and-publications/bite-size-oia/>) providing further resources about our process and how we operate for students and providers.

### 3) Total number of disputes refused to deal with. Breakdown in % of each permitted ground.

<b>Total number of disputes refused to deal with</b>	<b>482</b>
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#### Percentage breakdown of receipts refused to deal with by permitted ground

Permitted ground	Percentage of disputes refused to deal with
(a) Prior to submitting the complaint to you, the consumer has not attempted to contact the trader concerned in order to discuss the consumer's complaint and sought, as a first step, to resolve the matter directly with the trader.	74.7%
(b) The dispute is frivolous or vexatious.	2.1%
(c) The dispute is being, or has been previously, considered by another certified ADR provider or by a court;	1.5%
(e) The consumer has not submitted a complaint to you within the time period specified by you for dealing with complaints, provided that such time period is not less than 12 Months from the date upon which the trader has given notice to the consumer that the trader is unable to resolve the complaint with the consumer.	6.2%
(f) Dealing with such a type of dispute would seriously impair the effective operation of your ADR operation.	2.7%
Other non-contractual reasons	12.9%
Grand Total	100.0%

There has been an increase in the number of complaints that we have refused to deal with because the consumer has not attempted to contact the trader concerned (from 71.3% to 74.7%). This is due to an increase in the number of premature complaints arising from industrial action in higher education providers and the Covid-19 disruption. We believe these premature complaints resulted from increased media activity around these issues. Our website, including briefing notes and FAQs for students about the industrial action and Covid-19 complaints, encourages students to complain to their higher education provider before bringing their complaint to us.

4) Percentage of ADR procedures discontinued for operational reasons and those reasons

0%

5) Average time to resolve "domestic disputes" and "cross-border disputes"

	Domestic	Cross-border	All
Average time to resolve disputes	131	112	128

**Please note** these figures show the average time in days taken from receipt of the original complaint form from the student to the time the outcome is reached. The increase in the overall average number of days corresponds with a **22% increase** in the number of complaints received in the same period compared to the previous reporting period (October 2018 - September 2019). This significant increase in demand coincides with and is in part related to the Covid-19 disruption.

We are currently piloting a new case coordinator role who (amongst other things) checks a file to establish whether we have all the information needed for our review and informs the parties if we have. This will help us to produce more accurate data for future reports.

6) Percentage of compliance

100.0%

7) Co-operation with network of ADR entities

European Network of Ombuds in Higher Education (ENOHE)  
Ombudsman Association