

Schedule 5 - OIA Annual Activity Report for Period 1 October 2020 to 30 September 2021

(a) Disputes received

No. enquiries received (total)	No. disputes received (domestic)	No. disputes received (cross-border)	No. disputes received (total)	No. disputes accepted (domestic)	No. disputes accepted (cross-border)	No. disputes accepted (total)
3676	2134	558	2692	1742	436	2178

The new reporting category of 'enquiries' includes those that have no relation to cases, and those related to a case before it is submitted. Those enquiries received related to a case once it has been submitted are not included as they are part of our casework. We are not able to break the enquiries category down into domestic or cross-border sub-categories as, by their nature, we do not collect sufficient data during such interactions to be able to do so. Please note: these figures do not include complaints from a large group of students about the same provider, which we are reviewing together, and which we will account for separately once closed.

(b) Types of disputes

	Domestic	Cross-border	Grand Total
Service Issues	975	237	1212
Academic Appeal	592	194	786
Financial	123	32	155
Equality law / Human rights	109	8	117
Welfare / Non-course service issues	102	14	116
Disciplinary matters (academic)	56	48	104
Disciplinary matters (non-academic)	90	12	102
Fitness to practise	42	1	43
Other	45	12	57
Total	2134	558	2692

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 However, students who have withdrawn their complaint or whose complaint we have ruled not eligible, may not respond.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.

(c) Systematic or significant problems occurring frequently that lead to disputes between consumers and traders.

We give detailed information on the trends and common themes that we see in the complaints that we review in our Annual Report (<https://www.oiahe.org.uk/media/2566/oia-annual-report-2020.pdf>) but we have not identified any "systemic or significant problems" that occur frequently. We have shared information about systemic issues we identified in some complaints about individual providers with the sector regulator, the Office for Students. We continue to work towards our vision of fairness for all students through: the work we undertake in promoting understanding of our remit and Scheme so there is clarity for students and providers about how we can help; the continuing development of the Good Practice Framework - for example the publication of the 'Requests for additional consideration' section in December 2020, the sixth section of the Framework; our extensive outreach programme - which has continued and expanded virtually, reaching over 1800 participants in 2020; and our engagement with the sector. We have published further case summaries and guidance on dealing with complaints related to the Covid-19 pandemic, which have remained an important source of information and guidance for students, the sector and our work over this reporting period. The summaries identified some common issues arising in complaints about the Covid-19 disruption such as around delivering learning opportunities and fair accommodation charges. The year has also seen changes to the Rules of our Scheme (April 2021) for the introduction of our new process for reviewing large group complaints; those involving around 100 students or more from a single provider where there is a high degree of commonality in the issues raised.

(d) Recommendations on addressing problems identified in (c).

We have made Recommendations in individual complaints as well as incorporating our insights into guidance we have published. We have seen providers responding positively to our guidance and case summaries, for example by engaging with students, finding ways to deliver learning opportunities that have been missed, and adjusting formal processes, as well as trying to resolve complaints internally, and being open to settlement opportunities that we identify.

(e) Number of disputes refused to deal with

Total no. of disputes rejected	529
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Reason	No. rejected	Percentage of rejected*
a) the consumer has not attempted to contact the trader first	424	80%
b) the dispute was frivolous or vexatious	8	2%
c) the dispute is being or has been previously considered by another ADR body or a court	4	1%
d) the value fell below the monetary value	0	0%
e) the consumer did not submit the dispute(s) within the time period specified	24	5%
f) dealing with the dispute would have impaired the operation of the ADR body	4	1%
g) other (enquired too early, not yet complained to trader, trader not member, advice call etc...)	65	12%

* Percentages do not add up to 100 due to rounding.

There has been an increase (from 74.7% to 80%) in the number of complaints that we have declined to deal with because the consumer has not attempted to contact the trader concerned first (we include in this category students who have not completed the provider's internal complaints procedures). This is due to an increase in the number of premature complaints about Covid-19 disruption and, we believe, the sustained media activity around this. We continue to promote materials on our website (e.g. case summaries, briefing notes and guidance, FAQs for students about Covid-19 related complaints) to help make it clear to students that they need to complain to their higher education provider in the first instance.

(f) Number of procedures discontinued for operational reasons and those reasons

No. discontinued	Percentage of discontinued
0	0%

Reasons: n/a

(g) Average time taken (days) to resolve domestic and cross-border disputes

Average time taken to resolve dispute	Domestic	Cross-border	Total
from receipt of complaint	135	125	133
from complete complaint file	10	7	9

There has been a small increase in the average time taken to resolve disputes. This is in the context of an ongoing increase in our overall case load and disruption caused by the pandemic, which has affected our own staff, staff at higher education providers and students themselves. We have also seen some changes in the profile of complaints received, partly resulting from the pandemic, that have meant some complaints took longer to resolve.

(h) Percentage of provider compliance 99.8%

There was one instance where a provider did not comply with one of three Recommendations, in relation to a single dispute.

Additional information

We are members of the Ombudsman Association and the European Network of Ombuds in Higher Education (ENOHE) and regularly share learning and reflect on issues within the ombuds and higher education sectors. We have adopted the Ombudsman Association Casework Competency Framework.