

Annual Report **2018**

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office of the
independent
adjudicator

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Foreword by the Chair

Our vision is that students are always treated fairly. Protecting and advancing fairness for students must be at the heart of a successful higher education sector that delivers for students and for our wider society. I believe that, in fulfilling our unique role, we play a vital part in this, and perhaps never more so than during this prolonged period of significant change in higher education.

The regulatory landscape continued to evolve through the year, with the creation of the Office for Students (OfS) in England and emerging plans for the reform of the post-compulsory education and training sector in Wales. We have shared our distinct perspective, as both an independent ombuds organisation and an integral part of the regulatory framework, to contribute effectively to the development of policy and practice, to the benefit of students and the sector. We welcomed further new members into our Scheme following the Higher Education and Research Act 2017, bringing our membership to well over 800 and giving more students access to independent redress for their unresolved complaints.

The Office has again performed very well against key performance indicators. We exceeded our timescale targets at all stages of our case-handling process despite a substantial rise in the number of complaints we received. This is testament both to the hard work of our staff and to our continued focus on providing a high-quality, efficient service.

We continued to develop how we share learning from complaints. We published another section of the Good Practice Framework, on disciplinary procedures. We maintained a high level of outreach across the full range of our membership, with a particular focus on engaging with students and student bodies.

None of our achievements this year would have been possible without the commitment of everyone in our organisation to our important work. I would like to thank Ben Elger, Chief Executive and Felicity Mitchell, Independent Adjudicator who, together, so ably lead the organisation, my colleagues on the Board, and all our excellent staff.



Dame Suzi Leather
Chair of the Board of Directors

Introduction to the Annual Report for 2018

We are very pleased to introduce the OIA's Annual Report for 2018. The OIA is an independent organisation, founded on strong values that underpin everything we do. We promote fairness for students through all aspects of our work: in our case-handling, through sharing learning from complaints to improve practice, and by playing our part in the wider regulatory framework.

2018 has been another exciting and successful year for our organisation. On a personal level, we were delighted to be formally confirmed in post from April. We are very much enjoying working with our excellent Board and staff, and a great many other people across the sector and beyond.

This Report gives a flavour of the important work the OIA has done during the year. But there is of course always more to do. Our organisation has a clear strategy to enable us to build on our strengths and what we have already achieved, to keep improving our service, and to make sure we are well placed to address the many challenges that lie ahead, for the benefit of students and the sector.



Felicity Mitchell
Independent Adjudicator



Ben Elger
Chief Executive

Highlights of the year



Complaints

- Received 1,967 complaints and closed 1,722
- Exceeded all KPIs that relate to the timeliness of our process

Good practice

- Published Good Practice Framework Disciplinary procedures section
- Published briefing notes on our approach to topics of interest for the first time
- Held a successful Enhancing Mental Health and Wellbeing event

Outreach

- Ran an extensive programme of webinars, workshops and visits
- Held student discussion groups for the first time

Regulatory environment

- Continued to develop our role in the regulatory framework
- Progressed plans for expanding access to our Scheme as part of wider developments in Wales

Our Scheme

- Revised and published new Rules following consultation
- Welcomed more members into our Scheme

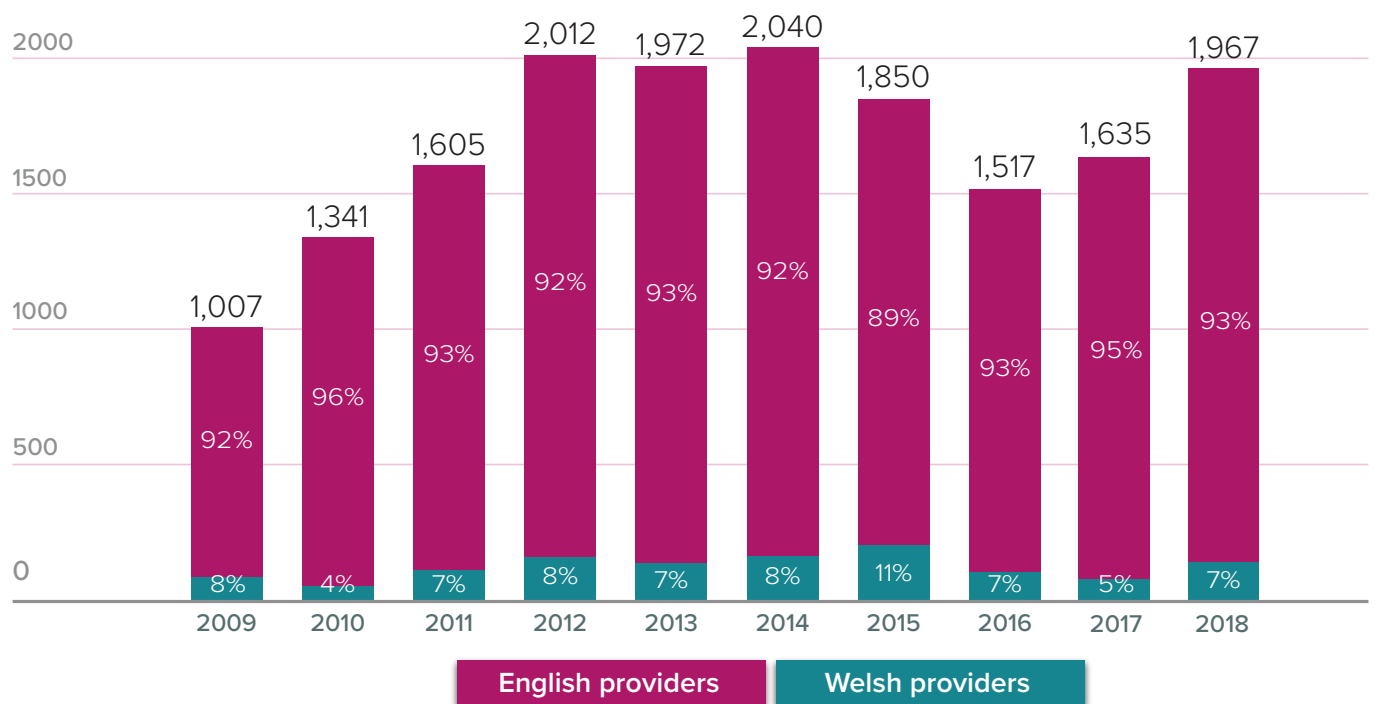
Trends in complaints

We include in this section some statistical information about the complaints we see and some tentative patterns which emerge. As we have said in previous years, the number of students that complain to us is very small in relation to the student body as a whole, so it is difficult to draw firm conclusions about whether our data reflects wider trends in the higher education sector. We also have to be cautious in interpreting what we see: the higher education environment is complex and there are a great many factors that might influence complaints.

Complaints received

In 2018 we received 1,967 complaints, an increase of 20% on the previous year (1,635). This is comparable to the peak levels we saw during 2012-2014.

 **Chart 1: Number of complaints received per year**



"Many thanks for the final decision. Regardless of the outcome which as stated in your report is disappointing for me, I would like to thank you for reviewing the case in detail and being very proactive/welcoming throughout the process to information I have provided."

Observations

The number of complaints that come to us is inherently variable and there are several factors that have an impact on it.

The introduction of the European Directive on Alternative Dispute Resolution for Consumer Disputes in 2015 led to the timeframe for students to bring a complaint to us being extended to 12 months. Following this change we saw a fall in the number of complaints we received. Complaint numbers rose somewhat from the second half of 2016, once we reached the end of the first full 12-month period following the change, but remained slightly lower than before the extended timeframe came into effect and continued broadly at this level through 2017. Since early 2018, numbers have been increasing again, with the sharpest rises towards the end of the year. We believe there may be a number of reasons for this.

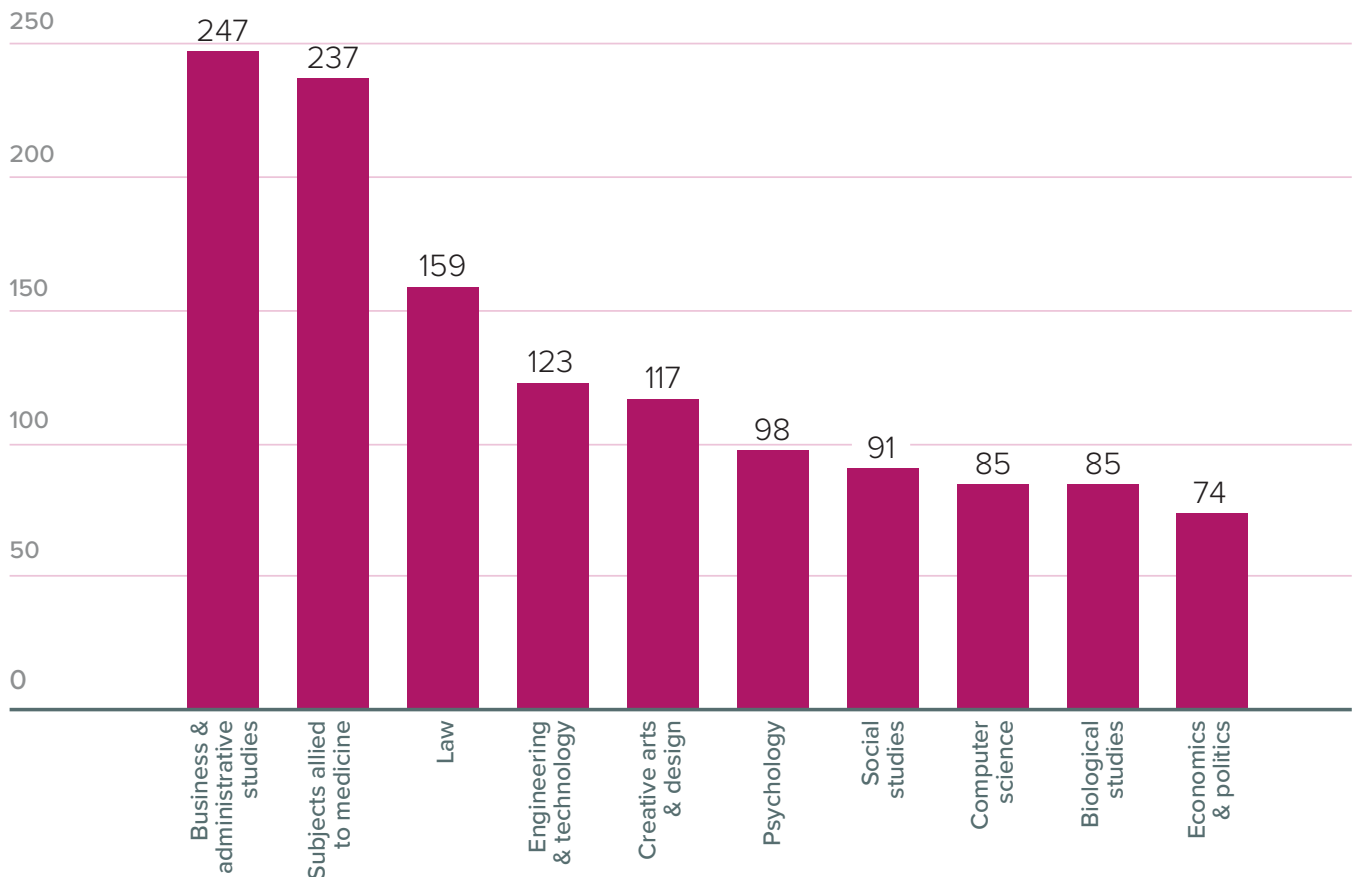
Feedback from providers is that they are seeing more complaints and academic appeals, and this may be because students are becoming more aware of their consumer rights and the “cost” of their studies. Our good practice work is helping providers to resolve complaints internally, but it also identifies and reduces barriers to students bringing complaints to us. Media attention around the USS pensions-related industrial action raised the profile of student complaints and that may have encouraged students to complain to us, even though we received relatively few complaints about the industrial action itself.

We hope that the work we are doing to make our service as accessible as possible is also having an effect. For example, during the year we improved our secure online portal MyOIA to make it easier for students to make their complaint. We now only ask students to provide one document, the Completion of Procedures Letter, with their Complaint Form. This reduces the amount of work for the student (or their representative) and minimises duplication, which helps everyone involved.



Complaints received by area of study

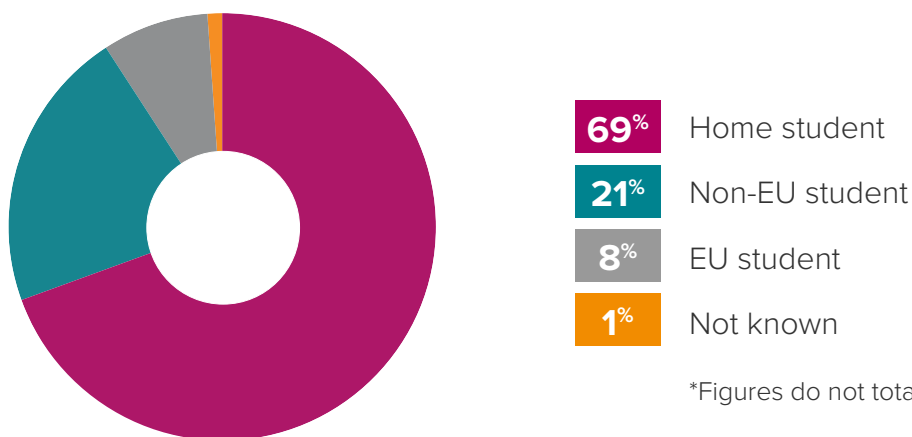
 Chart 2: Complaints received by area of study - Top 10



The rise in complaints in 2018 has been fairly evenly distributed across the different areas of study, with some exceptions (some variability is to be expected due to the small numbers involved once cases are broken down by study area). We again received more complaints from students on Business & administrative studies courses than we did from students studying other subjects. There was a significant rise in complaints from students studying Subjects allied to medicine, partly due to three separate group complaints involving a total of 53 students, but a fall in complaints from students studying Medicine and dentistry. There were also fewer complaints from students studying Law.

Complaints received by student domicile

 Chart 3: Complaints received by student domicile

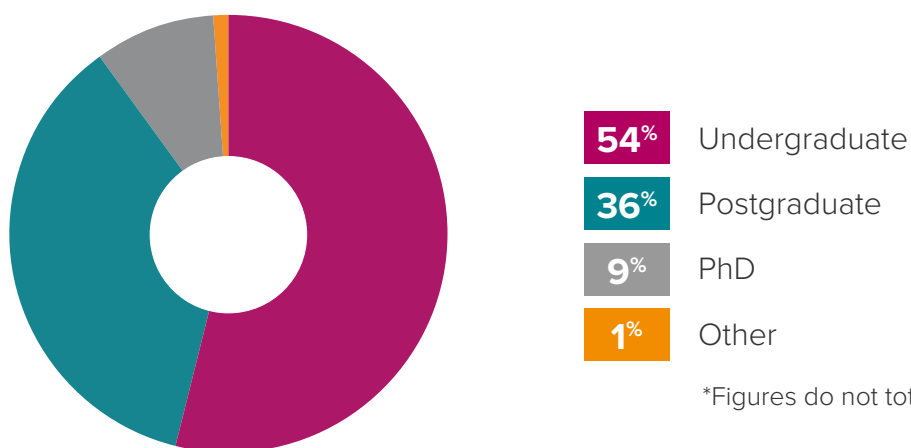


*Figures do not total 100% due to rounding

For a number of years, non-EU international students have been over-represented in the complaints we receive and this trend continued in 2018. As an indicative comparison, these students accounted for 14% of students in English and Welsh HE providers in 2017-18 (source: [HESA](#)) but 21% of the complaints we received.

Complaints received by level of study

 Chart 4: Complaints received by level of study



*Figures do not total 100% due to rounding

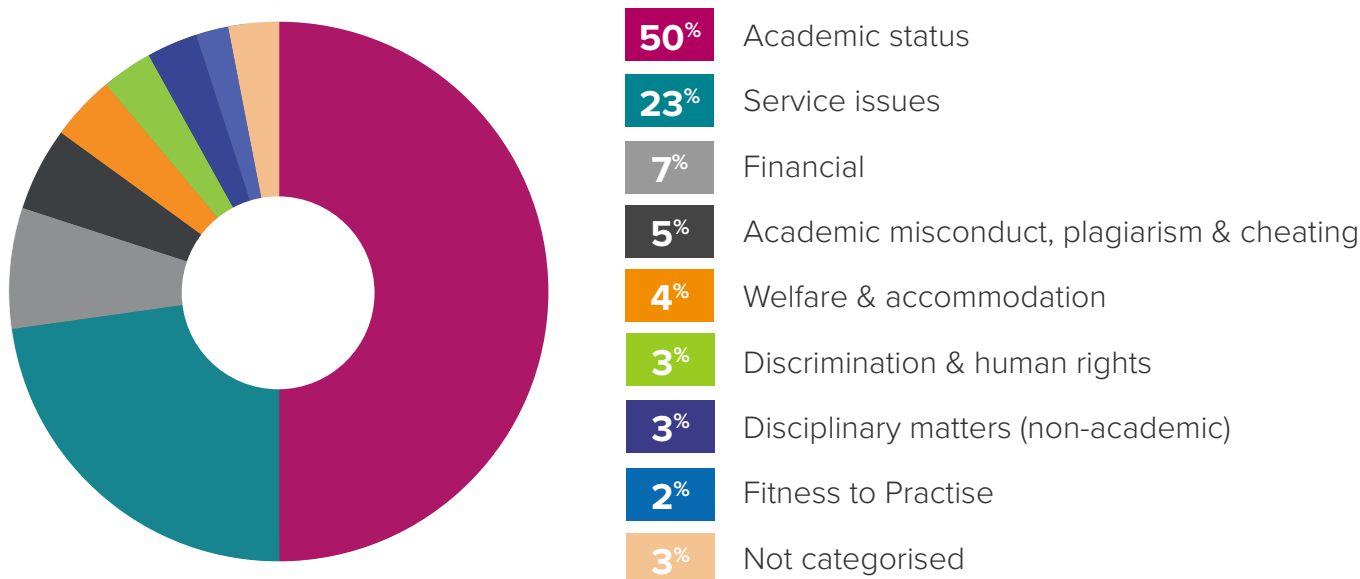
Postgraduate students continue to be over-represented in complaints to us, and this is especially true of PhD students. Complaints about academic status are still the most common type of complaint from these students. However, they are more likely than undergraduate and other postgraduate students to complain about service issues, most notably about supervision which accounts for about two thirds of the service issue complaints from PhD students.

Complaints closed

In 2018 we closed 1,722 complaints, compared to 1,640 in 2017.

Closures by complaint category

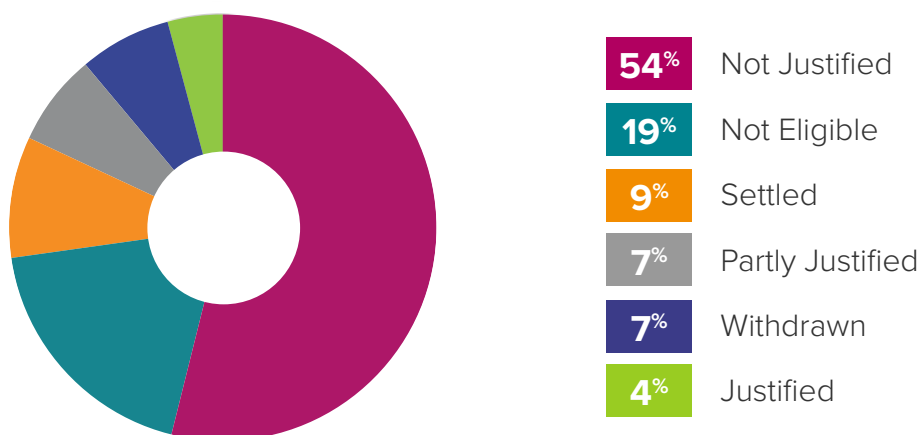
Chart 5: Closures by complaint category



The breakdown of case closures by complaint category shows a very similar pattern to the last two years. Half of the cases that we closed in 2018 were about academic status, that is, complaints which are about academic appeals, assessments, progression and grades. The majority of cases closed under this category arose from academic appeals. 23% of complaints we closed were about service issues such as the quality of teaching, supervision and facilities.

The outcome of complaints

Chart 6: Closures by outcome



In total, 20% of cases were Justified, Partly Justified, or Settled in favour of the student. This is lower than in 2017 (24%). This may indicate that providers are getting better at resolving well-founded complaints internally.

Each case is individual and we review every complaint on its own merits, but there are some clear patterns in the outcome of complaints. There are significant differences in the proportion of complaints that are Justified, Partly Justified or Settled in different complaint categories. For example, 33% of complaints about service issues were Justified, Partly Justified or Settled, compared to 14% of complaints about academic status. Complaints arising from academic appeals (which fall within academic status) often involve an element of academic judgment which we cannot look at and our focus is on the fairness of the process that has been followed.

The proportion of complaints that were Not Eligible for review rose very slightly again from 18% in 2017 to 19% in 2018. In most of these cases the student had not completed the provider's internal processes. This is particularly common when it may be less obvious to the student which process they have to follow, and shows how important it is for providers to signpost students to the right procedure. For example, students complaining about the outcome of an academic appeal are likely to have followed a clear appeal process through to its conclusion, whereas students who want to complain about a financial issue may find it less easy to work out what they need to do. Several students complained to us about the USS industrial action even though they had not complained formally to their provider.

We continue to try to make it clear to students that they normally need to complete their provider's internal processes before they come to us. We have improved the [information on our website](#) to set this out more clearly.





"I had a fantastic experience with OIA what a wonderful thing available for students who feel they still have unresolved issues. It was very important to me someone else looked at my case, and it was looked at thoroughly and the person working on the case really put her all into studying the case properly! Thank you OIA!"



"Thank you very much for helping me with my case. I am very happy with the OIA's recommendations. This is a significant step in the right direction, and I am now preparing myself for an assessment review panel. It is clear to see that a lot of expertise and thought was put into your review of my case, for which I am very grateful."



Common themes and sharing learning

Every complaint we look at is different. That is what makes our work so interesting – and so challenging. But our work also involves identifying the common issues and themes that emerge from complaints and sharing that learning to help improve practice in the sector. In 2018, themes included disciplinary matters, consumer rights issues and value for money, industrial action, and mental health concerns. In this section we discuss these themes and show some of the ways in which we have shared learning and good practice.

Disciplinary procedures

Good Practice Framework

Our Good Practice Framework is a key part of how we share our learning to help improve policies and practices. In October 2018, we published a new section on [Disciplinary procedures](#). As usual, the Good Practice Framework steering group contributed to the drafting of the section. A draft was published for consultation in June 2018 and we received submissions from providers, student representative bodies, other higher education bodies, stakeholders and interest groups. The final version incorporates many of the very helpful suggestions we received.

The section gives good practice guidance for providers in designing disciplinary procedures and in handling individual cases. It covers both academic and non-academic disciplinary procedures. The guidance will inform the way that we consider complaints relating to disciplinary matters from the 2019/20 academic year.

In addition to the guidance in the Disciplinary procedures section, we also published a [briefing note](#) on complaints involving sexual misconduct and harassment outlining the approach that we take to these complaints.

Disciplinary processes must be fair. This means that providers should explain clearly to the student exactly what they are accused of, show them all the evidence that the decision-maker has, and give them a proper opportunity to put their side of the story. The decision-maker must be (and be seen to be) independent, there should be no unnecessary delays to the process, and there should be a route of appeal. The procedures must also be accessible: easy to find, written in clear and straightforward language, and available in accessible formats. Students needing help and advice should be able to find it easily, through student advice services, students' unions, or other representation.

Academic disciplinary procedures

Academic misconduct includes things like plagiarism, buying essays on line, cheating in exams or formal assessments, falsifying data, breaching research or ethics policies, and collusion.

Most of the complaints we received about academic misconduct proceedings were about plagiarism and exam offences. Students complained that penalties for plagiarism and exam offences were unduly harsh, appeal processes were unfair and appeal hearings failed to consider all the evidence that was presented.

Case summary 1

A student was studying at a college for a degree awarded by a university. In their final year the student was accused of hiring or arranging for another person to sit one of their exams. The college invited the student (who denied the allegation) to a disciplinary panel hearing. The student did not respond. The hearing went ahead in the student's absence and the panel decided to terminate their registration and revoke all of the credits they had achieved during their degree. The student appealed to the college and said that they had been too ill to attend the hearing. The provider dismissed the appeal. The student then appealed unsuccessfully to the university that awarded the degree.

The student complained to us, saying that they did not have a fair opportunity to defend themselves and that the process followed was unfair. We decided that the complaint was **Justified**. We decided that the college did not follow its assessment offences procedure properly. It should have referred the case to a committee of investigation to establish the facts first but instead referred the case to a disciplinary panel. It did not give the student full details of the allegations against them. It did not give clear reasons for the penalty it imposed or show that it considered the range of penalties available to it. It was not clear that the disciplinary procedure allowed hearings to proceed in the student's absence.

In addition we decided that the awarding university did not follow its appeals procedure properly. The appeal panel was not properly constituted and was not provided with all information relevant to the case. The appeal panel (which considered the case by email) reached its decision within a few minutes of being sent the case file, which suggested that the panel did not properly consider the case. None of the appeal panel members gave reasons for their decision.

We recommended that the university should reconsider the student's appeal and that both providers should work together to review their procedures.

Case summary 2

An international student on a taught postgraduate course admitted to using unauthorised notes in an exam. In mitigation, they said they had been diagnosed with anxiety and depression by a UK doctor and provided evidence from a practitioner in traditional medicine. The provider awarded the student a mark of zero for the exam. The student appealed, saying that they did not understand the regulations relating to exams. During the appeal, the student admitted that they had not in fact been diagnosed with anxiety and depression by a UK doctor and that the evidence from the practitioner in traditional medicine was forged. The provider dismissed the appeal and increased the penalty, withdrawing the student without an award.

The student complained to us.

We decided that the complaint was **Not Justified**. The provider had followed its procedures and the student was given a fair opportunity to defend themselves. The exam regulations were clear and well-publicised, and the student had sat exams under similar conditions during their previous studies in the UK. The appeal committee had the power to increase the penalty, and it was reasonable to do so because the student had falsified evidence. That was an aggravating factor which made the original offence more serious.

Non-academic disciplinary procedures

Non-academic disciplinary procedures are for dealing with misconduct such as antisocial, abusive or threatening behaviour, sexual misconduct, violence, harassment, hate crimes, behaviour likely to bring the provider into disrepute, damage to property or abuse of facilities, causing a health or safety concern, and other behaviour that might also be a criminal offence.

Most of the complaints we received about non-academic misconduct proceedings were about behaviour towards others and general misconduct. Students complained to us after they had been accused of assault, drug use, antisocial behaviour and health and safety breaches. Students raised concerns that disciplinary processes were unfair, hearings were unfair, and the penalties applied were unduly harsh.

Case summary 3

An undergraduate Student A complained that they had been intimidated and bullied by Student B. The provider carried out a complaint investigation, and then also used its Student Disciplinary Procedure to investigate the matter separately. At the end of the disciplinary process, the provider recommended “mandatory mediation” between Student A and Student B, and offered a refund of £700 for the classes Student A missed during the complaints process.

Student A complained to us. We decided that the complaint was **Justified**. This was because the process the provider followed meant that Student A had to wait longer for their complaint to be resolved. The provider did not monitor Student B or follow up on their behaviour when Student A reported that the harassment was continuing. It was not reasonable to insist that Student A should mediate with Student B: the provider’s own guidance notes said that mediation must be voluntary. Student A should have been given the opportunity to challenge the provider’s recommendation.

We recommended that the provider should apologise to Student A and offer £2,000 in compensation for the distress and inconvenience they experienced. We also recommended that the provider should review its Complaints and Disciplinary Procedures.



“Having looked over the university’s offer, I am writing to accept it. I would also like to take the opportunity to thank you to yourself and the OIA for all your support with this matter, and for getting a resolution from the university so quickly.”

Case summary 4

An international student was reported to the police for an alleged assault on another student. The provider suspended the student, but made arrangements for them to sit their final assessments. A note was placed on the student's file that they should not be permitted to graduate while the matter was unresolved, but an error was made and the student was awarded their degree. Shortly afterwards, the police told the provider that they were taking no further action. The student returned to their home country.

The provider began its own disciplinary process. It concluded that the student had breached its disciplinary code, and expelled them without a qualification. The student appealed against this decision on procedural grounds and on the basis that the decision was not reasonable. The provider rejected this appeal. The student complained to us.

We decided that the complaint was **Justified**. The provider had let the student graduate, and its procedures did not allow it to take disciplinary action against a former student. The process itself had not been carried out in a fair way. There had been a substantial delay before the student was told about the proceedings. A key witness could not attend on the date proposed for the hearing but the provider did not try to get the witness's evidence on another day or in writing. The provider did not give adequate reasons why it had concluded that the assault had occurred and did not explain why it had applied the penalty that it did.

We recommended that the provider should overturn its decision that the student had breached its disciplinary code. We also recommended that the provider should pay the student £2,000 compensation for distress and inconvenience.



"I also would like to take this opportunity to extend further gratitude to you, for addressing how this time has affected me ... Thank you for your kindness and the tone of your e-mail, it was definitely reassuring for the meantime."

Consumer rights issues and value for money

We are approved by the Chartered Trading Standards Institute as the consumer alternative dispute resolution body for higher education complaints. In 2018, together with the Competition and Markets Authority (CMA) and the Office for Students, we set up a Consumer Benefit Forum. The aim is to improve understanding of the different remits of our three organisations: we have a common interest in ensuring that students are treated fairly as consumers of higher education but our roles in this arena are distinct and complementary.

The CMA and OfS are both regulators, and their focus is on whether a higher education provider has complied with its legal obligations. As an ombuds scheme, we look at whether the student has been treated fairly and, if not, what the consequences are for that student as an individual and how things can be put right. We have upheld several complaints because the contractual terms the provider relied on would not meet the requirements of consumer regulations or the CMA's guidance, "Higher education: consumer law advice for providers", or because a provider has not delivered something that it promised in its prospectus. But we do this in a broader context than the strict legal principles the Courts have to apply. We look at whether what the provider has done is reasonable.

Case summary 5

A student enrolled on an International Graduate Medicine (MBBS) programme that included some placements in the USA. In their second year the student complained about information provided in the prospectus about the placements and asked to do their placement in the UK rather than the USA. The provider's investigation report concluded that the placement issues in the USA had been resolved and that there was no evidence of an intention to mislead students.

The student complained to us. We reviewed the student's complaint and concluded that some of the Appeal Committee's conclusions were not reasonable. We thought that the Committee had not investigated properly or addressed the student's concerns about information contained in the programme prospectus. We decided that the programme had not been delivered as advertised and the complaint was **Partly Justified**.

We recommended that the provider should offer to pay the student the sum of £20,000 in compensation for the disappointment, distress and inconvenience caused by the incorrect information in the prospectus and for other issues with the course. We also recommended that the provider should review its internal procedures, guidance and practice to ensure that staff understand the requirements of consumer law and the importance of providing accurate information to applicants and students.

People are undoubtedly becoming more aware of their rights as consumers generally and students are no exception. Some students complain to us that they are unhappy with their course and, in the context of high fees and their considerable debts, they feel they are not getting good value for money. Students often link complaints about poor quality teaching or lack of facilities to their tuition fees.

Case summary 6

A student was studying for an HND at a further education college. The student, with some other students, raised concerns about the delivery of the course and complained that they had not received good value for money. The college investigated the complaint and concluded that the students had completed the course in outstanding facilities and received a qualification of a good standard. Students were offered, as a goodwill gesture, a Level 5 masterclass free of charge.

The student complained to us about a general lack of one-to-one tutorials and group tutorials, issues with timetabling, a lack of a main point of contact for the course, and concerns about coursework deadlines.

It was clear that the student's expectations had not been met. But we decided that the complaint was **Not Justified**. This was because the college had responded to the issues the student and others had raised, and had taken reasonable practical actions to put things right, including offering the free masterclass. The college had demonstrated that it had a system of internal quality assurance in place that it had designed to meet the requirements of the Quality Assurance Agency and the body that awarded the HND.

Case summary 7

A group of students were studying for a professional Postgraduate Diploma. They complained about the teaching, a lack of resources and poor communication. The provider upheld all of their complaints and offered each student £2,500 as a gesture of goodwill for inconvenience. The students did not feel that this was adequate compensation for the inconvenience and stress they had been caused, and complained to us.

The students said they had complained about the course within two weeks of starting. The provider had made some changes to address the problems but the students felt these changes would benefit future students, but not them.

The provider had accepted that there were problems with the course and we asked it to reconsider its offer. The provider agreed to increase its offer of financial compensation to £4,000 and the students accepted that amount. The complaint was **settled** on that basis.

Industrial action

In early 2018 students at some higher education providers were affected by industrial action over proposed changes to the USS pension scheme. In March we published a [briefing note](#) setting out the approach that we would take to complaints from students arising from industrial action.

During the year we had a number of conversations with providers, student representatives and solicitors about issues arising from the industrial action. We have made suggestions to providers about how they might deal with a large group of complaints fairly and efficiently. We have also reiterated that there is no need for students to be legally represented when they complain to us.

We have also looked at how we ourselves can most effectively deal with this type of complaint, and have developed a bespoke process for them.

In 2018 we received around 50 complaints arising from the industrial action. In more than a third, the students had not completed the provider's internal complaints procedures. We suggested to those students that they make a complaint under their provider's internal procedures, and come back to us once the provider had had the opportunity to respond to the complaint if they were still unhappy.

We have published some [case summaries](#) about complaints arising from the industrial action. We intend to publish more case summaries during 2019.



Mental health

Student mental health continues to be a significant concern. There is a lot of good work being done in the sector to try to address this issue, and in January 2018 we hosted an event to hear from some of those involved and to share insights from our work.

Mental Health and Wellbeing event

This event brought together about 70 delegates from across our membership. We also welcomed delegates from students' unions, the Higher Education Funding Council for England (HEFCE), the UK Council for International Student Affairs (UKCISA) and other sector bodies.

We explained our approach to the types of cases that we receive, the changes we have been making to make our service more accessible, and our approach to reasonable adjustments. Our Casework Support Team also talked about their work.

We were privileged to hear from two student ambassadors who spoke movingly about their lived experience of mental health difficulties while studying. They identified some things they think are helpful to students who are experiencing mental health issues:

- Peer mentoring
- Effective training for all staff about mental health
- Providers letting students know about the Disabled Students' Allowances (DSAs) and what it could mean for students who have a mental health diagnosis
- Encouraging conversation about mental health on campus to reduce stigma and help students feel confident to tell someone about their mental health difficulties.

We also heard from Student Minds about some of their activities and campaigns, from the Chair of the Universities UK Mental Wellbeing in Higher Education Working Group on the challenges that face providers, and from UKCISA on how international students can be supported more effectively.

Feedback from delegates was very positive and we found the opportunity to hear different perspectives on this issue very valuable.

The increase in the number of students experiencing mental health difficulties is reflected in the complaints we see. Students complain about a lack of support and about the way their provider has taken account of their mental health difficulties when considering their academic progress. Some students find it very difficult to engage with complaints or appeals processes and we make adjustments to our own process to help with this.

Case summary 8

A student was awarded a lower second-class honours degree. They appealed against the degree classification, saying that they had experienced mental health problems because of an assault by another student. The provider dismissed the appeal because the student had not provided evidence that they had a mental health condition or that they could not have made a mitigating circumstances claim.

The student complained to us. They provided additional information about their mental health.

We asked the provider to consider reopening the appeal based on the student's additional evidence and it agreed to do so. The provider offered to refer the student's appeal back to the Board of Examiners so it could take into account the additional evidence. The student accepted this offer and the complaint was **settled** on that basis.

Case summary 9

After some time away from study, a student living with long term mental health conditions returned to their course. They provided medical evidence that they were fit to return. Within a few weeks of term starting, the student began to send emails to members of staff suggesting that unless the provider changed its policy towards them as a returning student, the student would harm themselves. The provider began a fitness to study procedure, but stopped it when the student supplied medical evidence that they were fit for study. Over the next few weeks, the student's behaviour became more erratic. There was a fight with another student, and the student sent some staff members a large number of emails talking about suicide.

The provider began a disciplinary process. The student was expelled.

The student complained to us that the decision was unfair. We decided that the complaint was **Justified**. We recognised that the situation had become very difficult for both the student and the provider, and that neither had wanted things to continue as they were. The provider had made reasonable adjustments and done its best to try to support the student. But the disciplinary process had not been fair. There was evidence that the student was not well enough to engage with the process. The provider did not consider suspending or making adjustments to the disciplinary process; it did not resume the fitness to study process which might have been more appropriate. The provider could not show us how it had taken the student's disability into account when it decided to apply its most severe disciplinary penalty.

We recommended that the provider should provide guidance to its disciplinary panels about how to consider medical evidence and disability issues. We also recommended that the provider should overturn the disciplinary decision and pay the student £5,000 in compensation for distress and inconvenience. For practical reasons, the student was not able to return to study.

Putting things right

When a complaint is Justified or Partly Justified we will usually make Recommendations. Our Recommendations aim to put things right for the individual student and, where appropriate, to improve procedures or processes. We recently relaunched our guidance on [putting things right](#), explaining the sort of remedies we might recommend.

Wherever possible we will recommend practical remedies, for example to help the student to continue with their studies. But we will also consider whether the student should receive some financial compensation for what has gone wrong.

During 2018 we made over 170 Recommendations to put things right for individual students. Those included Recommendations for financial compensation totalling £366,107, with 17 students being awarded more than £5,000, and two being awarded more than £40,000. In addition, students received a total of £273,408 through settlement agreements we reached or following suggestions we made. The overall total compensation was just slightly lower than last year at £639,515.

The highest amount of financial compensation we recommended was £54,200 for a disabled student who complained about difficulties with the arrangements in place to support their needs and in arranging funding for non-medical help.

We also made Recommendations to improve practice in providers, for example:

- to give specific guidance and training to staff members;
- to review the process for managing cases where more than one policy or process might apply;
- to explain self-plagiarism more clearly in academic misconduct regulations and student guidance.



"I would like to thank you and your staff for the impartial, thorough and professional approach you have taken in dealings with both parties. "

Compliance

We expect providers to comply with the requirements of our Scheme, and they almost always do. This means responding to our requests for information, implementing our Recommendations and paying subscription fees. Compliance is important: for the individual student involved, for students' confidence in bringing their complaints to us, for improving practice to the benefit of other students, and for us to run our Scheme effectively.

Where providers do not comply, or do not comply on time, we take steps to address it.

University of Portsmouth

The student was a third year Pharmacy student at the University of Portsmouth who was withdrawn for unsatisfactory progress. The student's appeal was rejected by the University and they complained to us.

In September 2016 we decided that the student's complaint was Partly Justified. This was because we thought the Board of Examiners did not have full and accurate information about the student's results and it did not think about whether the student should be permitted a discretionary second repeat year; no reasons were given for refusing to accept the student's extenuating circumstances; and the course materials contained contradictory information. We recommended that the University should reconsider the student's case. We also recommended that the University should pay compensation to the student and made some good practice Recommendations.

The University accepted the Recommendations and reconsidered the student's case, reaching the same decision again. The student complained to us again. We decided that their second complaint was also Partly Justified. The University did not explain the appeal process to the student, or their exit award, it did not investigate the contradictory information in the course materials, and it did not properly consider the student's extenuating circumstances. This meant that the University had not complied with our Recommendations from the first complaint. We recommended that the University should pay the student some more compensation and should hear their appeal a third time.

Our Rules (at the time) said:

12.4 The Independent Adjudicator will report to the Board any non-compliance by a Member HE Provider with a Recommendation made under Rule 7.4, and will publicise it in the Annual Report, and by other means at his or her discretion.

We followed our non-compliance procedure, and visited the University in January 2018. We reported the University's non-compliance with our Recommendations to our Board in March 2018.

The failings we identified when we reviewed the student's second complaint were to a large extent caused by shortcomings in the University's record keeping: it was not able to show us that it had properly considered various significant elements of the student's case. The University then missed the opportunity to put this right when it reconsidered the case. The University accepted where things went wrong. The case does not indicate any wider issues with the University's systems or processes and there is no suggestion that the University deliberately ignored our Recommendations.

This was a complex case in which it was difficult to identify the key issues and what was most important to the student, and correspondence was not always well-focused. We initially concluded that the first complaint was Not Justified. The student brought a claim for Judicial Review of our decision, and at that point we saw that we had misunderstood some aspects of their complaint and we decided to reopen our review.

The case has been a helpful reminder to us that sometimes a student's complaint will develop over time for legitimate reasons. Misunderstandings will come to light as documents and representations are exchanged. Comments that did not initially seem important can become more significant. It is not always easy to distinguish between complaints that are entirely new and new arguments about complaints that have been raised before. Our case-handlers have to be sensitive to this and make judgments about what we can include in, and what should be excluded from, our review.



The University of Portsmouth says:

"As referred to in the OIA's case study, this was a complex case and the professional requirements of the student's course caused some issues for all parties.

The course concerned is well established and its staff are knowledgeable and experienced. However, this sometimes meant that matters were treated as "custom and practice" and were not always fully explained or recorded in sufficient detail for those without a thorough understanding of the regulations and professional requirements to understand how decisions had been reached. The Board of Examiners reached logical conclusions but their records were not sufficiently clear to demonstrate that this was the case. This meant that there was no clear evidence to prove that the correct procedures were followed and that the correct decisions were made.

The University accepted the OIA's Recommendations and reconsidered the student's appeal but the Board of Examiners reached the same conclusion. The University had indicated that the Board might reach the same decision in its response to the OIA's recommendations, but the student believed that the University had pre-judged the appeal and therefore disagreed with the University's decision, leading to their submission of a second complaint. This underlines the importance of ensuring that all parties properly manage complainants' expectations.

As a consequence of this case, our key learning point is that comprehensive written records must be kept to evidence the specific reasons for decisions. Also, in instances where, as in this student's case, a student is required to repeat a year, any curriculum changes are fully explained to students and documented as such."

Timeliness

It is not only important that providers give us the information we ask for and implement our Recommendations, but also that they do this in a timely way. In 2018, 88% of providers complied with our student-centred Recommendations on time. But providers sometimes find it more difficult to comply with our good practice Recommendations on time. Changing a policy or procedure can be a complicated process. We always ask providers to comment on the practicality of the Recommendations we make, and that includes the timeframes we set. We understand that sometimes a provider will need a little longer and we will usually agree to an extension if there are good reasons, and so long as students will not be disadvantaged by the delay.

If a provider persistently delays in complying with our Recommendations, or in providing information that we have asked for during our review, that can indicate that there is a problem with the provider's administration.

University of Plymouth

During 2018 we sent five letters to providers under our Compliance Protocol warning them of the consequences of not meeting our deadline for complying with Recommendations. Three of those letters were sent to the University of Plymouth.

We had concerns about delays by the University in responding to our requests for information throughout 2018. Our staff frequently had to chase up the University's responses to our initial requests for information. The responses provided were sometimes incomplete. As a result, our reviews were delayed. Out of 53 occasions in which we asked for information, information was provided late 41 times.

The most serious delays were in carrying out our Recommendations. In three cases the University delayed by nine months, five months and six months respectively, complying only after we had written to them under our Compliance Protocol telling them that we would report their non-compliance to our Board.

In November we visited the University to discuss our concerns.

The University has made changes to its administration of complaints and appeals and we are confident that those changes will result in better lines of communication and more speedy outcomes for students.



The University of Plymouth writes:

“The University of Plymouth has reflected on the large number of cases lodged with the OIA for which a response was not provided in time or in some instances, inadequately addressed. The situation arose from a number of highly unusual staffing circumstances, including the illness and subsequent death of the Director of the area. As a result, the work of the academic appeals and complaints team was impacted over a sustained period.

The University has strengthened the management and oversight of the work of the team to ensure that the issues, which arose as a result of the very unusual staffing circumstances, would not arise in future. This included the recruitment of an Academic Registrar and the re-establishment of the Academic Registry. As a result, the work of the team sits within a broader directorate which has enabled any staff shortages and/or peaks in workload to be addressed far more readily and effectively. Furthermore, a review was commissioned of the Complaints Procedure to allow for informal early resolution to take place, along with regulatory amendments eg: to permit self certification for extenuating circumstances, in order to reduce the number of formal cases being submitted to the University. Finally, an assessment of the work of the case-handling team has resulted in the transferring of the management of student disciplinary cases to the Student Service Department, to create capacity for the academic appeals and complaints team as well as to locate non-academic matters within an area which has a broader understanding of the overall student experience outside the classroom.”



Judicial review

In 2018 we received 12 new judicial review claims, one more than in 2017. The Court refused the students permission to proceed with their claims in each of those cases.

In July 2018 John Bowers QC, sitting as a Deputy High Court Judge, gave [judgment in the case of Mr B](#). Mr B had been granted permission to bring his claim in 2017.

Mr B studied medicine at his university until he was found to be unfit for practice in 2010. He complained to us in 2011 but we decided we could not look at the complaint because he had not been through the University's appeals procedures.

In 2015 Mr B sued the University for breach of contract. His claim was struck out by the court. He applied to have the claim reinstated but in 2017 he reached an agreement with the University that he would drop the claim (which would remain struck out) and it would not pursue him for its costs.

Some months later, Mr B wrote to the University asking it to reopen his appeal because he said he had new evidence. The University refused and Mr B complained to us. We said we could not look at the complaint because it was about the same issues as Mr B's breach of contract claim. Mr B brought a judicial review challenge against our decision.

The judge dismissed Mr B's claim, and agreed with our conclusion that the subject matter of the student's complaint to us was substantially the same as his previous legal proceedings against the provider.

In last year's Annual Report we reported on guidance given by Mr Justice Hickinbottom (now Lord Justice Hickinbottom) about whether students should be allowed to stay their judicial review claims against their higher education provider so that we can review their complaint. Two of the universities involved in that case appealed, and the case was considered by the Court of Appeal in October 2018. We did not oppose the appeal but we attended the hearing as an "Interested Party": essentially our role was to assist the Court.

The appeals were upheld. Lady Justice Nicola Davies DBE, giving [judgment for the Court of Appeal](#) in November, said that the starting point was that the OIA is a suitable alternative to judicial review, and that judicial review should always be a remedy of last resort. She concluded that it was not necessary to give detailed guidance for students on how they should proceed and that such guidance might result in a rigid approach that might compel students to consider judicial review proceedings and to consult lawyers.



His Honour Judge Keyser QC, refusing a student permission to bring a judicial review:

"I see nothing to suggest that the defendant's [OIA's] decision was either unlawful or irrational; it was a perfectly reasonable and proper decision upholding the exercise of the university's own academic judgment and the proper application of its own regulations."

Outreach

In 2018 we have focused on expanding our outreach activities with students and student representatives. For the first time we held [student discussion groups](#), and we relaunched our workshops for student representatives. These activities have helped us to improve our understanding of the experiences and concerns of students and those who represent them.

Our free webinars and workshops continue to prove very popular. These outreach events and our visits to providers are opportunities for us to learn as well as to share our learning.

The success of our outreach events relies on the participation of those who attend and we are very grateful to everyone who contributed to the many excellent discussions at our events in 2018. We are continually developing our programme in response to the helpful feedback we receive.

Workshops

People who attend our workshops want to learn more about what we do and about what good practice looks like. The workshops are also a good opportunity to meet and share with others doing similar roles.

We ran four introductory workshops for student representatives jointly with students' unions. We want to thank the Students' Union at UWE, Bath Spa University Students' Union, Cardiff University Students' Union, University of Manchester Students' Union and Worcester Students' Union for their involvement in hosting these workshops.

In London and Liverpool we ran our Good Practice in Action workshop. People who attended reported that they had learned something important about good practice that they would use to improve their provider's procedures or regulations.

In Birmingham, London and Reading we ran three workshops specifically for new member providers and/or new OIA Points of Contact. Participants came from a wide variety of higher education providers, including universities, further education colleges, alternative providers, school-centred initial teacher training providers, and providers delivering higher education courses for universities.



Workshop feedback

- Really enjoyable two hours which provided me with very useful knowledge which will help me improve my practices.
- This was so useful. I have had no training at my institution apart from 'have you read the Quality Assurance document?' and was getting increasingly frustrated. I will train myself through the OIA website.
- Everything was really great, one of the best organised, best located and useful workshops I have attended.

Webinars

In 2018 we ran another full webinar programme. We introduced a new webinar, Good Practice Framework: Supporting disabled students, which has been very popular, and our first Level 2 webinar, looking at a topic in greater depth. People from student representative bodies and providers across England and Wales, and from the full range of our varied membership, participated in our webinars.

Visits

During 2018 we visited 21 providers. This included, for the first time, four “virtual visits” which were successful and popular with providers and with our case-handlers.

Providers were interested to hear our views about their practices and approach, and examples of good practice in other providers. Many providers wanted to talk about how to support disabled students, especially those with complex mental health issues. Some wanted to discuss early resolution of complaints, and commented on how important it is to have good relationships with students in this context.

We found that providers that were familiar with the Good Practice Framework tended to have procedures that were clearer and better structured than those that were unfamiliar with it. We also found that several providers were not consistently keeping records of decisions made and actions taken when complaints are resolved at an early stage.

Visit feedback

- We were keen to talk about our case handling record to see if we could improve or learn lessons. Meeting case handlers face to face is incredibly valuable and offered opportunities for a wide range of questions and offered an opportunity to offer feedback on the OIA’s case handling activities.
- The discussions were open and honest and it was reassuring to hear that the OIA are pleased with the work that the university is undertaking and the relationship which has been built between the Students’ Union and the university.
- The visitors explain their work and process very well. It was really useful to learn about the type of matters that students can log complaints about.

As well as our structured outreach programme, we also engage with a lot of providers and student representative bodies on a more ad hoc basis, for example through attending events, or talking to providers that are joining our Scheme.





9

workshops in 9 different cities



272

people who attended our workshops & student discussion groups



21

visits and virtual visits to higher education providers & students' unions



26

webinars on 12 topics



497

people participated in our webinars



"Thank you very much for a really useful workshop. It was informative, enjoyable and I have lots of ideas for reviewing our policies."

Working with others in the changing regulatory environment

Our role in the higher education sector goes beyond reviewing individual complaints and sharing learning from those complaints with providers and student representative bodies. We are an independent organisation and we have always strongly protected our independence: it is a cornerstone of impartiality in our case-handling. But we also have a long-standing and equally important commitment to working with other organisations in the sector to promote a student-focused, proportionate and joined-up approach. It has become arguably more important during 2018 in the changing regulatory environment to try to make sure that students and their experience are at the heart of regulation. So how do we go about this?

Contributing to the development of policy

As a complaints-handling organisation, we have a unique perspective on many of the live issues in the higher education sector and we feed this into the debate at national level.

We are a member of the UK Standing Committee for Quality Assessment. During 2018, we contributed to the revised Quality Assurance Agency (QAA) Code. We worked with the writing groups on the advice and guidance for concerns, complaints and appeals section, and for partnerships so that the Code aligns with the principles and guidance we have set out for providers. We have contributed to the discussion on grade inflation, making the case that a fair approach to mitigating circumstances, which is so important for students, must not be inadvertently compromised. We have contributed to the QAA's document Quality Assuring Higher Education in Apprenticeships: Current Approaches, working with others across the sector to try to make sure the route for those who have a complaint is clear. We have also contributed to other discussions and consultations, such as the All-Party Parliamentary Group for International Students' inquiry into the future for international students in the UK.

We have continued to work with OfS and CMA on the Consumer Benefit Forum. The Forum represents a commitment to working together to help make our different but complementary roles clearer to students and providers. We have collaboratively developed terms of reference for the Forum and a joint public event is planned for 2019.



"I would like to thank you personally for your time, contribution and support given in seeking a mutual and positive resolution the complaint I have raised..."

Student protection and market exit

In our experience, a course or campus closure can leave students with complaints. In England the new regulatory framework and emphasis on market forces have renewed the debate about the consequences of a provider failing. We have been working with other organisations to share learning from our experience and to try to make sure that we have the information we need to be able to react quickly to this type of event. Student protection plans are of key importance in this area and we will be looking at these in the context of complaints.

We are keen to see all higher education students protected as much as possible and welcome the development of the statutory insolvency scheme in the further education sector.

Under the Higher Education and Research Act (HERA) 2017 a provider that stops being a “qualifying institution” for our purposes is still a member of our Scheme as a “transitional institution” for a further 12 months. A student can bring a complaint to us during this time about something that happened while the provider was a qualifying institution. This provision has also been adopted in Wales. This gives students some protection, but there are difficulties in dealing with complaints about a provider that no longer exists, in particular in terms of how things can be put right for the student if we find their complaint Justified. We believe further consideration is needed on how to make sure that remedies are available for students.

Sharing information

Information-sharing arrangements allow us to feed in our knowledge and draw on that of others. Through our work we gather information that may identify themes and concerns about quality and standards across all or parts of the sector. Complaints can, in some cases, suggest an underlying issue at a provider that other bodies need to be aware of. For OfS-registered providers in England we will be monitoring any breaches of regulatory conditions we identify in individual complaints. Our information-sharing arrangements also let us know about systemic issues that might lead to complaints from a large number of students. We have memoranda of understanding or similar agreements with a number of bodies, including OfS, QAA and the Higher Education Funding Council for Wales (HEFCW).

Building relationships

Constructive relationships between organisations built on mutual respect and understanding are vital for the effective functioning of the higher education sector. We regularly engage with a wide range of organisations including the Academic Registrars Council (ARC), the Association of Colleges (AoC), the Association of Heads of University Administration (AHUA), GuildHE, Independent HE, the National Association of School-Based Teacher Trainers (NASBTT), the National Union of Students (NUS), QAA, the UK Council for International Student Affairs (UKCISA) and Universities UK (UUK), through meetings and attending key events.

Access to our Scheme

We believe that access to our Scheme is an important part of student protection. The provisions of HERA that affect us came into full force in April 2018 and our Scheme is open to a growing range of students at higher education providers. All providers on the OfS Register are qualifying institutions as well as those providers in England that provide a course which leads to an award from another OIA member in England. Providers of School-Centred Initial Teacher Training (SCITTs) which are designated for student support funding are also members whether or not they are on the OfS Register. Our Scheme now has well over 800 providers in total, and we have also expanded the [definition of higher education course](#) that we use so that more students can bring their complaints to us.

We have continued dialogue about widening access to our Scheme throughout the year. We gave evidence to the Augar Review of Post-18 Education and Funding, stressing that consideration of possible changes to funding and regulation of the further and higher education sectors should include consideration of the framework for access to independent review of complaints.

In Wales, there has been continuing endorsement of our Scheme and commitment to expanding access to it. The intention, following the Hazelkorn review, is that all post-compulsory education and training students should have access to the Scheme, with the exception of those in school sixth forms where alternative arrangements apply. An implementation programme has been set up to progress the legislation needed to establish the new “Commission for Tertiary Education and Research” by 2023 and we are working closely with Government representatives on the development of the policy proposals.



“I would like to thank you for assisting in my case. I have really appreciated the help and support I have received from the OIA.”

Improving what we do

We have a strong service ethos. We aim to listen, reflect and learn, to be responsive to those who use our service, and to continuously improve what we do. In 2018 our main focus in this area was on creating more opportunities to listen to students and understand their views.

Students' experience of our service

We want to provide a good service to everyone who brings a complaint to us. Understanding students' experience of our service, and what is important to them, is a vital part of this. During 2018 we renewed our efforts to collect feedback from students. We redesigned and relaunched the questionnaire we send out once we have completed our review of a complaint. We are pleased that this has increased the response rate, giving us a better picture of students' experiences and expectations. We have trialled follow-up conversations with some students to understand more about their experience of using our service.

Some students are very satisfied with the service we have provided. Where there are concerns, these have mainly been around communication including understanding our processes and decisions, the extent and nature of our remit, timeliness and perception of a lack of impartiality. These are areas that we have been actively addressing for some time, and we continued to do this in 2018. We progressed work to move to a simpler and more informal style of communication, including running training for staff on Plain English and wider communication skills. We reviewed the structure, style and content of the information on our website (we launched the new site in early 2019), and tried to explain our processes and what we can and can't do more clearly. We understand it can be difficult for a student who is waiting for the outcome of their complaint, and we continued to focus on timeliness at all stages of our process. We take steps at all levels of our organisation to protect the impartiality of our case-handling. But it is not easy to reassure someone who is making a complaint that it is being considered in a fair and unbiased way, especially if the outcome may not be what they were hoping for. This is a challenge faced by all ombuds schemes.

Complaints about our service are another route through which students tell us what they think, and so are a further opportunity for us to learn from their experiences. Sometimes a complaint may lead to a specific change, for example a change to our guidance to explain a point more clearly. Sometimes it feeds into wider work such as developing a simpler and more informal style of communication. In 2018 we received 59 complaints about our service (52 in 2017). Many of them raised issues about the merits of the student's complaint against their provider rather than about our service itself. Where service issues were raised, they have generally been similar to the concerns expressed in the wider student feedback.

We will continue to look for learning in the feedback we receive and use it to inform our work.

Student discussion groups

In 2018 we held student discussion groups for the first time, talking with around 60 students in England and Wales about their experiences, concerns and views of higher education to improve our understanding of student perspectives. Discussions were exploratory and wide-ranging, and the students were generally positive about their experience of higher education.

Some themes emerged across the groups. These tended to reflect issues we see in our casework and that have been highlighted before by work elsewhere in the sector. Students told us it could be challenging to adjust to life in higher education and to the requirements of different levels of higher education study, especially for students who were previously unfamiliar with UK higher education. Students were concerned about fairness and consistency in what is expected of them, how they are assessed, the feedback they get, how their mitigating circumstances are considered and the support that is available to them. They wanted diversity to be supported and valued. Communication was important to them, both keeping them informed about issues that affect them and making sure that students' voices are being heard.

The students identified some barriers to making an academic appeal or complaint: confusion about which procedure to follow; long processes which could be time-consuming and stressful; difficulties with getting the necessary evidence, particularly medical evidence; feeling that it would be unlikely to achieve anything; and a fear of repercussions for raising issues. This is a reminder that it is not enough for providers to have appropriate procedures in place. They must also create a culture in which students feel comfortable about raising issues and are supported when they do.

The discussion groups were a valuable opportunity to hear directly from students about some of the issues that concern them. We are using the insights we gained to inform our thinking about our case work and outreach activities. We are grateful to all the students who participated and shared their experiences so openly with us. We will be running more discussion groups in 2019 to build on what we have learnt so far and explore some issues in more depth.

OUR VALUES	Integrity & independence	
	Quality	
	Openness & accessibility	
	Service ethos	
	Engagement	
	Equality & diversity	

Advisory Panels

We have continued to benefit from the expertise and advice of our two Advisory Panels. Both Panels meet twice a year to discuss topics of interest, and our case-handling staff can refer issues to Panel members for their expert input.

The Higher Education Advisory Panel

During the year we referred several issues to our Higher Education Advisory Panel (HEAP), which provides expert opinion on practice in higher education providers. During the year we discussed topics such as industrial action, sexual misconduct, hate crime, international students and visas, good practice for holding and providing “historic” transcripts or award confirmations, and mitigating circumstances procedures.

The Panel reflects the diversity of our Scheme membership and includes student advisers and a balance of administrators and academics from providers.



“Being able to ask questions of people currently working as student advisers or in providers is really helpful. The answers given can be invaluable to either confirm your own view of an issue or lead you to look at it in a different way.”

Wendy, Assistant Adjudicator

HEAP members during 2018

- **Gregory Allen**, Head of Quality and Governance, GSM London (Chair)
- **Mandi Barron**, Head of Student Services, Bournemouth University
- **Sarah Clark**, Associate Pro Vice-Chancellor (Corporate and Quality), University of Wales Trinity Saint David (to April 2018)
- **Jonathan Hall**, Higher Education Deputy Manager, Recruitment, Admissions & Engagement, South Devon College
- **Jawanza Ipyana**, Student Adviser, University of Sunderland Students’ Union
- **Madeleine King**, Research and International Officer, Mixed Economy Group (to June 2018)
- **Melanie Siggs**, Programme Director, Learning Solutions, The London Institute of Banking and Finance (to November 2018)
- **Nicholas Whitehouse**, Coordinator, Mixed Economy Group
- **Sarah Wilmer**, Student Adviser, Leeds Beckett University Students’ Union
- **Tim Woods**, Professor in English and American Studies, Aberystwyth University (to April 2018)

The Disability Experts Panel

Our Disability Experts Panel (DEP) is made up of disability practitioners and experts in disability matters from specialist organisations and higher education providers. We expanded the membership of the Panel this year.

Recent examples of issues we discussed with the panel include: Occupational Health referrals; changes to students' Disability Support Notification and adjustments, and the impact of automated notification; funding for non-medical helpers; student mental health issues; and language as a potential barrier to some disabled students.

The Panel also helped us in other ways. Panel member Antony Chuter ran a session for case-handling staff, giving valuable insight into the experience of people who are living with chronic pain. Some members of the Panel also looked at the accessibility of our new website and provided very useful feedback.

DEP members during 2018

- **Hannah Abrahams**, Secretary and Mental Health Advisor and Mentor, University Mental Health Advisors Network (UMHAN) and City, University of London
- **Mary Bown**, Head of the Disability Advisory Service, Imperial College (from December 2018)
- **Antony Chuter**, Chair, Pain UK (from April 2018)
- **Stephen Heath**, Lawyer, Mind
- **Martin McLean**, Education and Training Policy Advisor (Post-14), National Deaf Children's Society
- **John Milligan**, Team Leader, Visually Impaired Children, Young People & Families Virtual School Sensory Support (from April 2018)
- **Levi Pay**, Director and Principal Consultant, Plinth House (from December 2018)
- **Lynn Wilson**, Operations Manager, National Association of Disability Practitioners (NADP)

Equality and diversity

Our belief in the importance of equality and diversity, like our other values, underpins what we do both as an employer and through our work.

We promote an inclusive working culture in which everyone is valued for who they are and for the different life experiences they bring. When we are recruiting, we actively reach out to groups that are currently under-represented in our Office. We have a flexible approach to working arrangements, including part-time positions and enabling people to work from home where appropriate.

We have a robust job evaluation framework and grading structure to set the appropriate pay grade for each role so that people doing the same or similar roles are paid equally. About three quarters of our staff are female, and the proportion in senior roles is similar. At 31 December 2018 we had a small gender pay gap in favour of men (median 7.6%; mean 5.7%). This figure is likely to vary significantly over time due to the small size of the organisation.

During the year we ran externally-led training on unconscious bias, with follow-up sessions to explore how we can minimise the effects of this in our work. Advice from our Disability Experts Panel supports our understanding of disability issues.

We monitor diversity of our staff and our Board. In 2018 we reviewed our approach to monitoring the diversity of our Board, and where appropriate we will use this to inform future recruitment of Directors. We also collect diversity information from students who complain to us. Initial analysis of this shows broadly comparable outcomes across different groups. We plan to do more analysis of this data in future as part of our wider work to understand more fully trends in the complaints we see.

We view equality and diversity in the widest sense. We have a great diversity of higher education providers in our Scheme. We encourage providers and student representative bodies across the full range of our membership to engage with our outreach activities and our work to share learning from complaints. Our goal is that students, wherever they are studying, can benefit from what we do and have truly equal access to our service.

Data protection

The nature of our work means that we hold a lot of information about people. It is very important for students who bring their complaint to us to know that we treat this information carefully and hold it securely.

The General Data Protection Regulations and Data Protection Act 2018 took effect in May. In preparation, we re-trained all our staff on our responsibilities towards the personal information we hold. We updated our privacy notifications, and issued [guidance for providers](#) about sending us personal data appropriately. We also continue to monitor and develop the security of our IT systems to minimise the risk of any unauthorised access to our data.

During 2018 we received more requests from students for access to the information we hold about them ("subject access requests") than in previous years. We responded to all of these within the timeframes required by the law.

Our people

Our people make our organisation what it is. We are fortunate to have a strong team of committed people with shared values and a wide range of skills and experience. We work in a collaborative, cross-organisational way to deliver the best service we can across all areas of our work.

We believe in ongoing professional development and the benefits it brings both for individuals and for our work. We provided a wide range of training and development opportunities during the year to build knowledge and skills. We held our second “Casework Connect” event where external speakers joined us to discuss topics that are relevant to our casework such as international student issues, mental health and fitness to practise. A number of our people attended specialist ombuds and various technology training courses. We also ran management training and workshops on mental health and telephone skills. As well as externally-led training, we have a regular programme of internal knowledge-sharing sessions.

We are committed to supporting the wellbeing of our people. A number of colleagues have been trained as mental health first aiders, and we have invested in an improved and extended employee assistance programme.

What some of our colleagues say about working here:

Graham (Casework Administrator)

“As a member of the Casework Support Team one of my main responsibilities is to act as a first point of contact for the organisation. I hope that students who contact us feel well informed on the role of the OIA in addition to understanding at what point they can submit a complaint to us. Along with the rest of the team I try to provide accurate information to both students and higher education providers during the complaints process as well as signposting individuals to relevant organisations for advice and support when necessary.”

Jo (Casework Administrator)

“Unexpected outcomes are difficult to handle sometimes. Handling someone’s disappointment at a Complaint Outcome is challenging. After spending time guiding the student through the stages of the complaint process, signposting and offering support, if when they receive the Complaint Outcome they see Not Justified at the top, it seems like they often stop reading and pick up the phone to speak to us. I can remember one such call where a student was upset, but I managed to talk him through the decision and at the end of the call he felt better and had accepted the outcome.”

Jim (Case-handler)

“Complaints handling can be gruelling as we deal largely in people’s unhappiness. However, I believe we are privileged in that sometimes we make a genuine positive difference to someone’s life. For instance, by getting them another chance to complete a course, or ensuring they receive appropriate adjustments, or simply by listening and understanding their concerns. For me those occasions make this the best job I’ve ever had.”

Anda (Executive Assistant)

“The most rewarding aspect of my job is continually working out how to deal with different situations. I don’t always get it right, but being part of a great team means that we always find the best solution. Diary management is always a challenge, working with a large number of external organisations such as DfE, OfS and NUS means juggling busy diaries. I enjoy helping with internal newsletters and communications, because it involves interaction with other teams across the office. I believe in the power of shared information, it strengthens teams and keeps us focused on the common goals.”

Georgina (Assistant Adjudicator)

“When a student’s complaint reaches us, it has often undergone many weeks or months of procedures elsewhere. One of the most rewarding parts of our work is the relief that we can bring to a student when we resolve a lengthy, deep-rooted issue. Even if our outcome is not exactly what a student had hoped for, often it is the sense of closure that they are most thankful for. If my review helps a student to put a complex matter to rest and move forward with their studies or life outside of academia, then I know I have done my job well.”

Zoë (Adjudication Manager)

“Over the 10 years I’ve been at the OIA, I’ve been involved in reviewing a very large number of cases but – like everyone here – I’m mindful of the individual student who has brought a complaint to us, and recognise the importance that the issues raised and our decision has for them. I’m committed to ensuring all students feel some sense of resolution in that we have listened and understood their complaint, and have clearly explained the reasons for our decision.”

Christopher (IT Infrastructure Lead)

“Technology is moving at an incredible pace, and we are always working hard to stay up to date and keep improving our infrastructure and systems. This has included things like developments to support flexible remote working and to improve our cyber security protection. My role has really grown over the last few years and I enjoy working in a collaborative workplace where everyone can have an opinion. Support is especially important to me and by listening to my colleagues I am able to make the necessary adjustments to allow them to work effectively.”

Dr Rebecca Marsland, 1985-2019

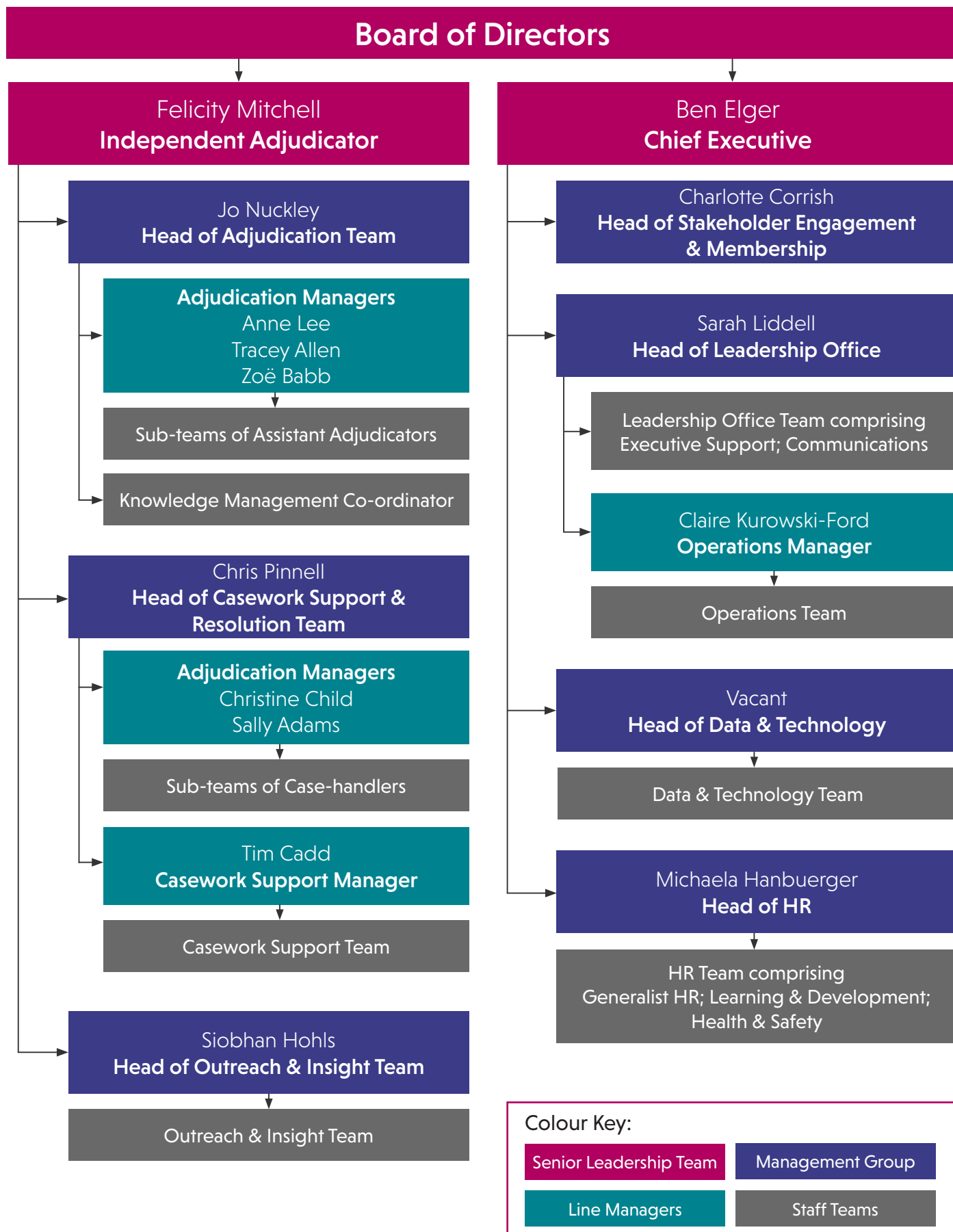
In January 2019 we lost a much loved and greatly admired colleague and friend, following a long illness. Rebecca joined us in early 2015 after gaining her doctorate at Oxford University. She made an immediate impression as an excellent case-handler and colleague.

Rebecca was fiercely intelligent and wickedly funny, with a tenacious sense of justice and an outgoing - and outspoken - personality. We are enormously grateful for the four years that Rebecca spent with us, for her absolute professionalism and dedication, and for her inspirational positivity. We miss her very much.



Our organisational structure

(as at 31 December 2018)



Colour Key:

Senior Leadership Team	Management Group
Line Managers	Staff Teams

Our Board of Trustees/Directors

The OIA is overseen by an independent Board of Directors.

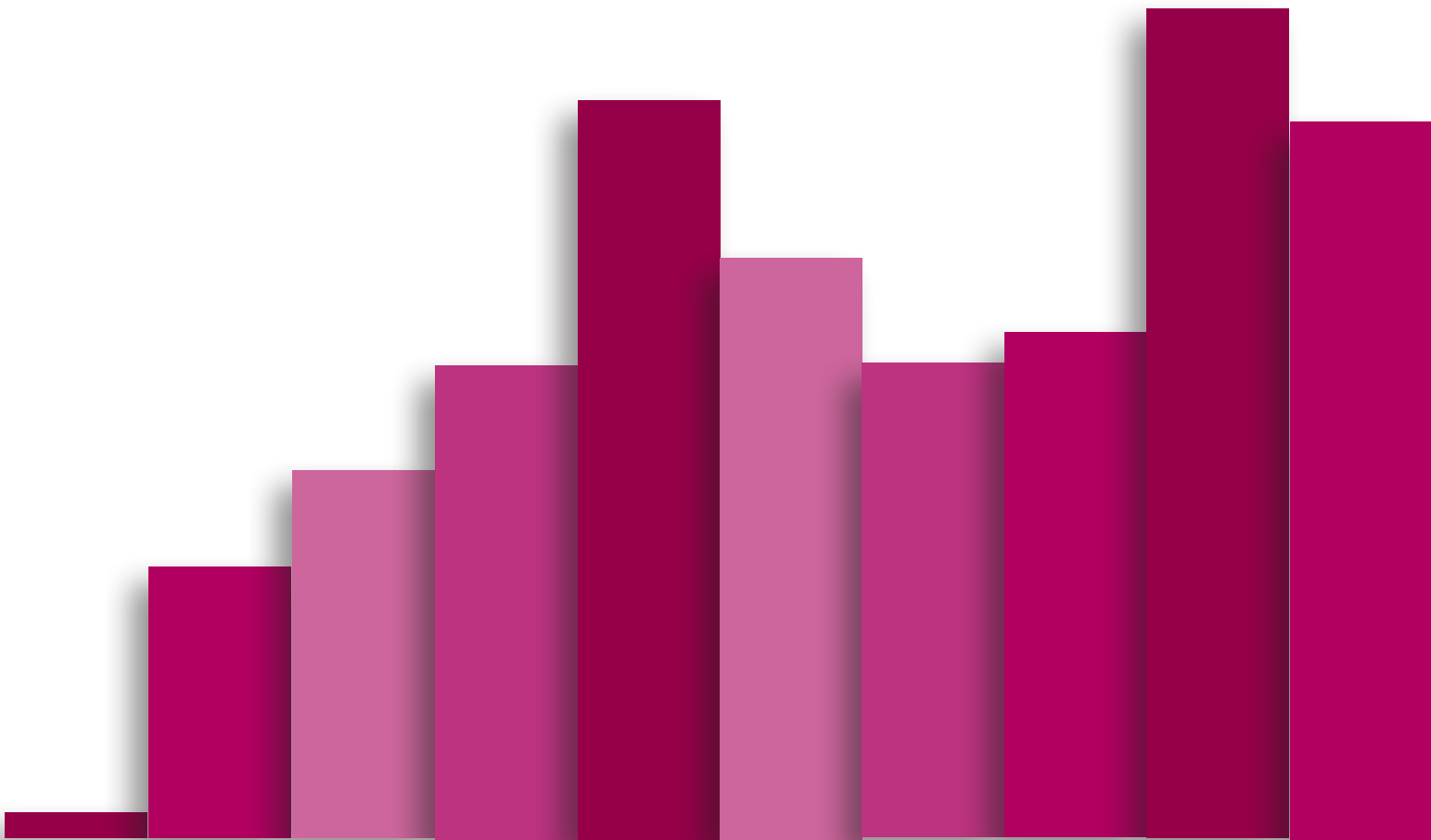
The Board has 15 members. Nine, including the Chair, are Independent Directors appointed by fair and open competition on the basis of their skills and experience. Six are Nominated Directors from representative bodies in higher education in England and Wales. These bodies may also appoint Alternate Directors, to attend Board meetings if their Nominated Director is not available.

Directors are normally appointed for a term of three years and serve up to two terms. No Director can serve for longer than nine consecutive years.

Board members are independent from the Office and are not involved in the review of individual complaints.

The Board's responsibilities include:

- preserving the independence of the Scheme and the role of the Independent Adjudicator
- oversight of the performance and effectiveness of the Independent Adjudicator, the Chief Executive and the OIA Scheme
- setting the budget for the OIA and the level of subscriptions payable by providers each year
- approving the Rules and procedures for the operation of the Scheme.



Trustees/Directors

The Trustees of the charity and Directors of the charitable company, who served throughout 2018, unless otherwise stated, were as follows:-

Independent Trustees/Directors

Chair

Dame Suzi Leather

Deputy Chair

Andy Mack

Members

Andrew Chandler (appointed 1 April 2018)

Dr Wendy Finlay

Gillian Fleming

Peter Forbes

Carey Haslam

Jonathan Rees (appointed 1 March 2018)

Sophie Williams

Nominated and Alternate Trustees/Directors

Nominated by the Association of Heads of University Administration

Mark Humphriss - Nominated Director

Dave Hall - Alternate Director

Nominated by the Committee of University Chairs

Dr Simon Walford - Nominated Director

Nominated by GuildHE

Professor Geoffrey Elliott - Nominated Director

Jon Renyard - Alternate Director

Nominated by the National Union of Students

Amatey Doku - Nominated Director

Victoria Lowry - Alternate Director (resigned 19 January 2018)

Gareth Lindop - Alternate Director (appointed 1 February 2018; resigned 25 October 2018)

Alan Roberts - Alternate Director (appointed 1 December 2018)

Nominated by Universities UK

Professor Alistair Fitt - Nominated Director

Professor Paul Layzell - Alternate Director

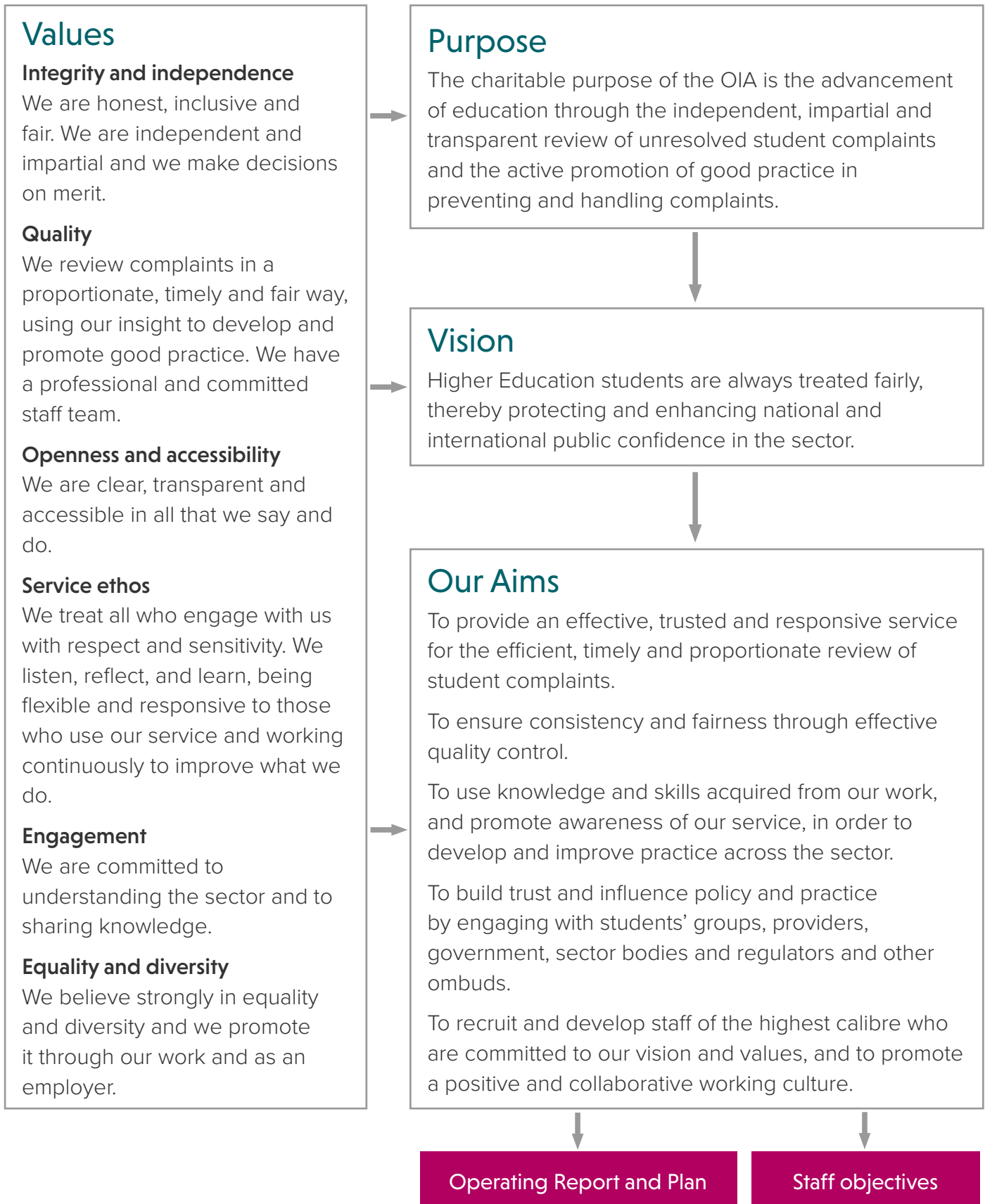
Nominated by Universities Wales

William Callaway - Nominated Director

Richard Walters - Alternate Director (resigned 31 December 2018)

Our strategy

The OIA is the Designated Operator of the Student Complaints Scheme established under the Higher Education Act 2004, and a charity registered in England and Wales.



Operating Report 2018

We published our Operating Report in January 2019. It is set out in accordance with our Aims in our [Strategic Plan](#).

To provide an effective, trusted and responsive service for the efficient, timely and proportionate review of student complaints

Timescales

We received 1,967 complaints, an increase of 20% compared with the previous year, and closed 1,722 complaints in 2018. We have continued to achieve excellent turnaround timescales throughout the year, exceeding our KPI of closing 75% of cases within six months of receipt despite the rise in the number of complaints coming to us. We have taken an average of 113 days to close a case. At the end of the year around 13% of cases were still open six months after receipt.

Eligibility

It is important for students to know as soon as possible whether or not we can look at their complaint. In 2018 we made an average of 99% of eligibility decisions (or requested further information) within 10 working days against a KPI of 90%.

Enquiries

In line with our aim to provide a responsive service, we increased our KPI for responding to enquiries within two working days from 90% to 95% for 2018. We have responded to 96% of enquiries within that timeframe.

Settlement

We believe in resolving complaints at the earliest opportunity. We have continued through the year to encourage case-handlers to try to settle cases where appropriate. Our KPI of settling 10% of cases is intentionally stretching to support this aspiration. In 2018 we settled 9% of cases.

Feedback and user experience

We have updated how we collect feedback from students after we have closed their case. This has improved the response rate, giving us a better picture of students' experience of bringing their complaint to us. This is helping us to improve our service by focusing on what matters to students, such as how we explain our process and our decisions.

In 2018 we held several student discussion groups for the first time. These have enabled us to have discussions with over 60 students about their experiences, concerns and views of higher education and have been valuable in helping us to understand wider student perspectives.

We have continued to work towards a simpler and more informal style of communication. Our staff have been trained in the principles of Plain English. We have introduced a simpler structure for our case decisions. We have also been making more use of the telephone, including routinely offering students a call with their case-handler so that they can ask any questions about our processes.

The "MyOIA" portal is a convenient and secure way for students and providers to update their information and see the progress of their complaints. During the year we have improved functionality and added more guidance to the MyOIA Complaint Form.

We now only ask students to provide one document, the Completion of Procedures Letter, with their Complaint Form. This makes it easier to submit a complaint and reduces duplication of effort for both the student (or their representative) and the provider.

During the year we have been developing our new website to provide a better user experience, making it easier for people to understand what we do and find the information they need. We will launch the new website in early 2019.

European Directive on Alternative Dispute Resolution (EU ADR)

We have continued to meet the standards expected of us as the approved ADR body for higher education complaints. We had a successful audit visit and submitted our third annual report to the Chartered Trading Standards Institute (CTSI).

Membership of and access to the OIA Scheme

Following the Higher Education and Research Act (HERA) 2017, in 2018 we welcomed more higher education providers into membership of our Scheme. We revised the Rules of our Scheme with effect from 1 April 2018, reflecting changes under HERA and simplifying the language. We updated our definition of a “higher education” course to be consistent with definitions in the wider regulatory framework, enabling more students to bring their complaints to us.

We have agreed initial information-sharing arrangements with the Office for Students (OfS) to try to make sure that we get timely information on matters relating to our membership.

We have continued to promote access to independent redress for unresolved student complaints and appeals as the Welsh Government reforms the post-compulsory education and training sector. We have engaged constructively with Welsh Government representatives. We have the support of the Higher Education Funding Council for Wales (HEFCW) and the National Union of Students (NUS) Wales for the proposal that our role in this sector is extended so that more students can bring their complaints to us.

We have continued to work with other bodies considering the interface between higher and further education. We submitted evidence to the Augar Review of Post-18 Education and Funding. We have regular discussions with the OfS on evolving higher education policy. We are a member of the Quality Assurance Agency (QAA) Apprenticeships Advisory Group and we have worked to promote clarity about our role in the complex environment surrounding apprenticeships.

Financial planning and subscriptions

We continue to provide a cost-effective and efficient alternative to the courts, benefitting both providers and students who use our Scheme.

Delivering value for money is important to us. We continually monitor our processes to make sure they are effective and efficient and to look for ways to improve them. In 2018 the unit cost of cases was a little over £2,000.

In recognition of both current financial constraints in the higher education sector and the need to make sure we are properly funded so that we can fulfil our remit, our Board agreed a core subscription increase of 2.0% for 2019. A small increase in the per point fee for the case-related element of subscriptions from £190 to £200 was also agreed. More information about [subscriptions](#) is on our website.

Transnational education (TNE) students already have access to our Scheme, and in 2018 the Board decided that in the interests of fairness they should be taken into account in the student numbers on which our subscriptions are based. From 2019, the data in HESA Aggregate Offshore records will be included in the student numbers used for determining providers' subscription bands. We communicated this at an early stage to all providers, including writing individually to those that will be affected in 2019 by the change.

We have had discussions with HESA about the collection and consistency of student number data within the regulatory framework. We have also been monitoring the development of the OfS's funding model which may impact the data collected by HESA (as the designated data body).

In 2018 we revised our approach to reserves to make sure that it continues to be appropriate in the context of the inherent uncertainties in our operating environment.

To ensure consistency and fairness through effective quality control

Quality control

Our risk-based approach to case-handling decision making is supported by robust quality assurance measures overseen by the Casework Quality Group, including training, coaching and random sampling of correspondence and decisions.

We have further refined how we allocate cases so that they are reviewed by people with the most appropriate knowledge and skills for the individual case.

We reviewed our approach to correspondence with students after we have issued a decision on their case. We have begun implementing improvements to how we record such correspondence to help us to analyse and learn from it more effectively.

We ran training for all staff on unconscious bias with follow-up sessions to maintain awareness and promote understanding of how to minimise its effects in our work.

We have continued to use learning from other ombuds schemes' experiences and perspectives on quality assurance to inform our own approach.

Judicial review

We used our learning from judicial review cases to inform the revisions to our Rules, and we continue to apply learning from judicial review cases in our case-handling.

Knowledge management

In 2018 we continued to work on embedding our Record Management Policy across the organisation. We have upgraded our intranet, improving document management functionality. We have made good progress with archiving and anonymising case information into a format which enables it to be searched more effectively. These developments are supporting efficiency and consistency in our case-handling.

We have developed how we capture knowledge from our external engagement activities and feed it back into our case-handling and outreach work. We analyse feedback from our engagement and use it to inform the continuous development of our outreach and other aspects of our work.

Data protection

In 2018 we reviewed and revised procedures and documents relating to data protection to make sure that we protect personal data in line with the requirements of the General Data Protection Regulation (GDPR). We issued guidance to members of our Scheme about how GDPR affects their sharing of personal data with us. We contributed to Ombudsman Association data protection guidance.

Advisory panels

Our Higher Education Advisory Panel (HEAP) and our Disability Experts Panel (DEP) have continued to provide an excellent resource for case-handlers, both in relation to our approach to individual complaints and as a source of intelligence and a sounding board on wider issues affecting the sector. In 2018 we recruited two new members to our DEP, broadening the expertise on the panel.

To use knowledge and skills acquired from our work, and promote awareness of our service, in order to develop and improve practice across the sector

Compliance and Recommendations

In 2018 we maintained our strong record of compliance with our Recommendations. We exceeded our KPI of 85 per cent of student-centred Recommendations implemented by the specified date.

We have continued to work with providers to make sure that we recommend actions which are both achievable and an appropriate resolution for the student. We have made extensive use of case examples in our good practice work to explain our approach to Recommendations.

We have monitored compliance closely. We have worked with some providers under our non-compliance procedures to help them to meet the requirements of our Recommendations, to minimise the impact on students of any delay in complying, and to ensure learning is captured. We will be making a report in our Annual Report in line with our non-compliance procedure.

Good Practice Framework

In 2018, working with the Good Practice Framework steering group, we consulted on and published a new section of the Framework, on [Disciplinary procedures](#). The section gives good practice guidance for providers in designing disciplinary procedures and in handling individual cases.

Good practice and outreach

In 2018 we maintained a high level of outreach activity. We ran a successful programme of events, webinars, visits and workshops. We have developed our programme to reach a more diverse range of the students who may complain to us and to improve their awareness and understanding of our Scheme.

We introduced two new webinars, one on the Supporting disabled students section of the Good Practice Framework and a more advanced (level 2) webinar on Fitness to Practise. We introduced a new workshop, Good Practice in Action. We visited a number of providers to share good practice, focusing on the guidance we provide in the Good Practice Framework, and offered follow-up discussions. We continued to monitor the impact of our good practice work.

Public interest cases and case studies

We reviewed and revised our public interest case publication strategy, which we will implement in 2019. We published case studies on cases involving mental health issues and cases involving settlement.

OIA complaints data

There is increasing demand for empirical evidence drawn from our casework. During the year we have reviewed and revised our case categorisation system (for implementation from 2019) to improve our ability to share data and insight in an evidence-based way.

Annual Statements

We again published our [Annual Statements](#) documenting providers' records in handling complaints and academic appeals for the previous year. During the year we have continued to highlight their value as a source of information for providers and others, and to explore other elements for possible development in response to feedback.

Contextual data on formal student concerns

Information about the number of formal student concerns that providers receive under their internal processes has the potential to provide meaningful context for the data which we hold and to inform practice. We brought together a group of providers for a pilot project that ran from February to October 2018. Those that participated have shared their internal data with us and we are analysing this and considering next steps.

To build trust and influence policy and practice by engaging with students' groups, providers, government, sector bodies and regulators and other ombuds

Role of the OIA in the regulatory landscape

We have continued to play our full part in the evolving regulatory landscape whilst always safeguarding our independence. There is a clear expectation from Government that organisations in the sector will work together and share information where appropriate to ensure a joined-up approach for providers and to protect the student interest. We have had regular discussions with the DfE and the OfS and have agreed appropriate information sharing arrangements for this transitional period in the regulatory framework.

Where appropriate we have shared concerns about possible systemic issues with other organisations in the regulatory framework. We are members of the UK Standing Committee on Quality Assessment and we have contributed to the development of the Quality Code. We have also responded to a number of relevant consultations.

We have maintained regular dialogue with the Welsh Government and HEFCW through the year.

Engagement with student organisations and providers

In 2018 we maintained a high level of engagement with providers and student organisations. The further developments to our outreach programme have helped us to connect with providers across the full range of our membership.

In 2018 we focused particularly on engagement with students and student representative bodies. We held a number of student discussion groups. We worked with student representative bodies to set up four “Introduction to the OIA workshops” which were well attended and gave us the opportunity to talk with those who are helping students within providers. We began work to gather more contact details for student representative bodies so that we can give them information about our work. We are grateful to NUS for their continuing support for our student engagement work.

Governance

During the year we have undertaken an externally-led review of our governance. The review first focused on assessing how well our governance meets the expectations of the Charity Governance Code, and is now moving on to consider optimal governance structures including how best to reflect the expanded membership of our Scheme in our governance.

Ombudsman Association and European Network for Ombuds in Higher Education

We have continued to participate in Ombudsman Association meetings and events including HR, First Contact, Casework, Legal and Communications special interest groups, to share learning and good practice.

We have continued to be involved in the European Network for Ombuds in Higher Education (ENOHE). Our Chair Dame Suzi Leather was elected Chair of ENOHE in June 2018. We attended and presented at this year’s ENOHE conference *Higher Education Ombudsmen – Resolving Conflicts on Campus: Strategies for Enhanced Policies and Effective Operations*.

To recruit and develop staff of the highest calibre who are committed to our vision and values, and to promote a positive and collaborative working culture

Succession planning

The Board reviewed our senior leadership structure to make sure that it enables strong and effective leadership of the organisation. The Board decided that the optimal structure is to have two separate but equal roles: the Independent Adjudicator and the Chief Executive. This structure operated on an interim basis from late 2017. Felicity Mitchell and Ben Elger were formally confirmed in these respective roles in April 2018 to jointly lead the organisation.

Two Independent Directors were appointed to the Board in Spring 2018 to replace Directors who had completed their terms of office.

Flexible workforce

In 2018 we have made good use of our flexible workforce approach to help us to respond effectively to the increase in the number of complaints coming to us. We have continued to draw on the skills of staff across the organisation so that our case-handling and good practice work are mutually informative and to enable us to fulfil these aspects of our remit effectively.

Living our values

Our values underpin everything we do. We have continued to maintain our independence whilst engaging positively with our stakeholders. We have kept a strong focus on the quality and integrity of our case-handling. Our commitment to openness and accessibility has informed our approach to developing our website and our communication style, and we have listened to feedback to help us further develop our service.

Equality and diversity

We have continued to work to increase diversity in our workforce. In 2018 we reviewed where we advertise vacancies and now include specialist recruitment platforms to reach out to a greater diversity of candidates. We have reviewed how we monitor the diversity of our Board.

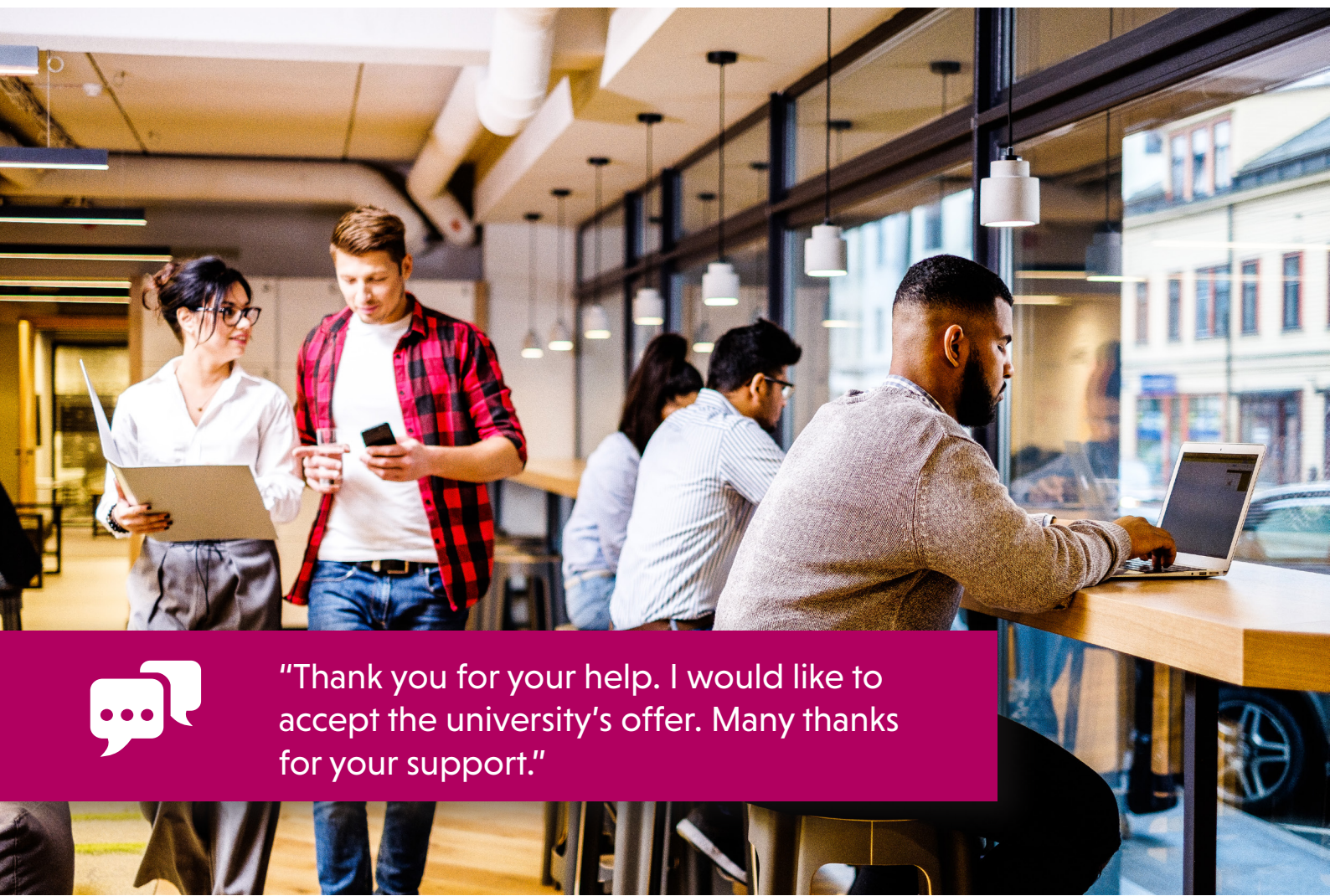
Health and Safety

The health and safety and wellbeing of our staff remains a priority. In 2018 we promoted awareness of mental health issues, training mental health first aiders and upgrading our externally-provided employee assistance programme.

Learning and development

In 2018 we expanded our internal knowledge-sharing sessions. We ran externally-led training sessions on a range of topics of importance to our work, including unconscious bias, telephone training and management training, and a one-day event for case-handlers to learn more about issues that are relevant to our casework. We offered opportunities for some case-handlers on the Ombudsman Association Professional Certificate in Ombudsman and Complaint Handling Practice.

The OIA is funded by mandatory subscriptions from providers, as prescribed by the Higher Education Act 2004. Subscription levels and arrangements are determined by our Board. The aim is to make sure that we are properly funded to carry out all aspects of our remit while being mindful of the need to manage resources effectively, and to have a system that is as fair as possible to all providers in our Scheme.



"Thank you for your help. I would like to accept the university's offer. Many thanks for your support."

Subscriptions

Our subscription model is designed to reflect the diversity of our membership and, to a lesser extent, the number of complaints about a provider, through a core subscription fee and a case-related element.

All providers pay a core subscription. For most providers this is based on student numbers (see Core subscription fee rates below for more information). Core subscription levels are reviewed annually. In 2018, the Board agreed an increase in core subscription fee rates for 2019 of 2.0% for all types of provider.

Historically we have not taken transnational education (TNE) student numbers into account in our subscriptions (although many of these students could already complain to us). After careful consideration, and in the interests of fairness, we decided that we should recognise these student numbers for the purposes of subscriptions and related banding for our Annual Statements and case-related element points allocation. Our Board therefore agreed that the HESA Aggregate Offshore record should be included in the student numbers used for determining our subscription bands from 2019.

The case-related element of the subscription is payable when the number of complaints (converted into points) we received from students about the provider in the previous year exceeds the points threshold for the provider's subscription band. The number of points allocated to a case is based on whether it is not eligible for us to review, settled or withdrawn before it goes to full review or is fully reviewed. This maintains the vital principle that there should be no link between the outcome of eligible cases and the amount of any fee paid. We have not made any further amendments to the system for the case-related element this year, following changes in 2017 designed to make further progress towards our long-term aim of deriving around 10% of our income from that element. In 2018 the Board agreed a small increase in the per point fee from £190 to £200 (which will affect case fees payable in 2020).

More details of our [subscriptions](#) arrangements can be found on our website.

CORE SUBSCRIPTION FEE RATES FOR 2018

(pro-rated for providers joining the OIA Scheme part way through the year)

	Band	Core Subscription Fee (£)	Core Subscription Fee (£) (HE in FE providers)
Up to and including 200 students	AA	426.11	298.28
201 to 500 students	A	881.32	616.92
501 to 1,500 students	B	1,778.23	1,244.76
1,501 to 6,000 students	C	9,561.47	6,693.03
6,001 to 12,000 students	D	18,972.24	13,280.57
12,001 to 20,000 students	E	31,537.26	22,076.08
20,001 to 30,000 students	F	47,670.15	33,369.11
30,001 to 50,000 students	G	56,649.62	39,654.73
50,001 to 100,000 students	H	69,712.46	48,798.72
More than 100,000 students	I	107,108.19	74,975.73

CORE SUBSCRIPTION FEE RATES FOR 2019

(pro-rated for providers joining the OIA Scheme part way through the year)

	Band	Core Subscription Fee (£)	Core Subscription Fee (£) (HE in FE providers)
Up to and including 200 students	AA	435	304
201 to 500 students	A	899	629
501 to 1,500 students	B	1,814	1,270
1,501 to 6,000 students	C	9,753	6,827
6,001 to 12,000 students	D	19,352	13,546
12,001 to 20,000 students	E	32,168	22,518
20,001 to 30,000 students	F	48,624	34,036
30,001 to 50,000 students	G	57,783	40,448
50,001 to 100,000 students	H	71,107	49,775
More than 100,000 students	I	109,250	76,475

The core subscription fee for all providers of School-Centred Initial Teacher Training (SCITTs) was £249.43 in 2018 (£254 in 2019).

The core subscription fee for providers whose only HE provision was franchised from another provider was £249.43 for 2018 (in 2019 these providers and providers in England that are not on the OfS Register but are providing a course leading to an award of another member that is in England will pay a core subscription fee of £254).

Statement of financial activities

for the year ended 31 December 2018

	Unrestricted funds		Total 2018	Unrestricted funds		Total 2017
	General Reserve	Pension Reserve		General Reserve	Pension Reserve	
	£	£	£	£	£	£
Income						
<i>Income from investments</i>	13,297	-	13,297	9,237	-	9,237
<i>Income from charitable activities</i>						
Subscriptions	4,636,061	-	4,636,061	4,377,250	-	4,377,250
<i>Other income</i>	3,600	-	3,600	636	-	636
Total income	4,652,958	-	4,652,958	4,387,123	-	4,387,123
Expenditure						
Charitable activities	4,586,623	(13,161)	4,573,462	4,484,284	38,367	4,522,651
Total resources expended	4,586,623	(13,161)	4,573,462	4,484,284	38,367	4,522,651
Net (expenditure)/income	66,335	13,161	79,496	(97,161)	(38,367)	(135,528)
Transfers between funds	-	-	-	-	-	-
Net movement in funds for the year	66,335	13,161	79,496	(97,161)	(38,367)	(135,528)
Total funds at 1 January 2018	711,554	(683,435)	28,119	808,715	(645,068)	163,647
Total Funds at 31 December 2018	777,889	(670,274)	107,615	711,554	(683,435)	28,119

The amounts derive from continuing activities. All gains and losses recognised in the year are included in the statement of financial activities.

Balance sheet at 31 December 2018

	2018		2017	
	£	£	£	£
FIXED ASSETS				
Tangible assets		366,168		402,394
CURRENT ASSETS				
Debtors	179,858		207,928	
Cash at bank and in hand	2,713,913		2,790,944	
	<u>2,893,771</u>		<u>2,998,872</u>	
CREDITORS				
Amounts falling due within one year	(2,154,634)		(2,292,385)	
NET CURRENT ASSETS		<u>739,137</u>		<u>706,487</u>
TOTAL ASSETS LESS CURRENT LIABILITIES		1,105,305		1,108,881
CREDITORS				
Amounts falling due after one year		(327,416)		(397,327)
NET ASSETS EXCLUDING PENSION PROVISION		<u>777,889</u>		<u>711,554</u>
Pension provision		(670,274)		(683,435)
TOTAL NET ASSETS		<u><u>107,615</u></u>		<u><u>28,119</u></u>
FUNDS				
Unrestricted funds				
General reserve		777,889		711,554
Pension reserve		(670,274)		(683,435)
		<u><u>107,615</u></u>		<u><u>28,119</u></u>

These constitute summarised financial statements and do not include the financial information and disclosures required in a full set of financial statements.

The full set of audited financial statements can be found on our website at www.oiahe.org.uk.



office of the
independent
adjudicator

Office of the Independent Adjudicator for Higher Education

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