MEETING
STUDENT EXPECTATIONS –

Increasing Satisfaction or complaints ? Warning signs for the smart HEI.

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NSA Conference
Cavendish Conference Centre London W1
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"Silent pain evinces no hurt" Nye Bevan

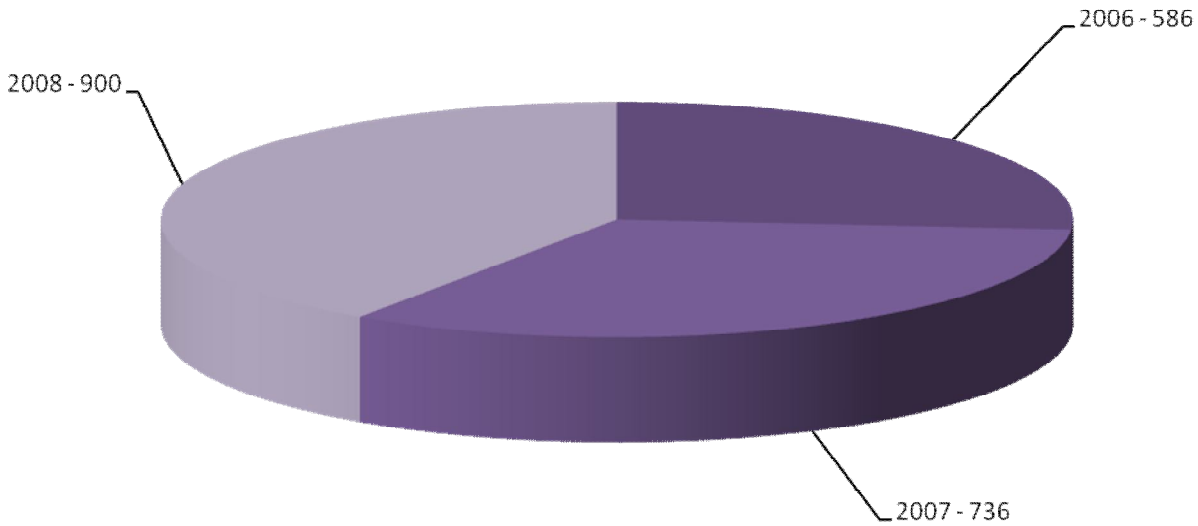
MANDATES, ACCOUNTABILITIES AND GOVERNANCE

- Designated under Higher Education Act 2004 as Independent Scheme without charge to complainants
- Qualifying Institutions include HEIs in England and Wales
- Governing Bodies have a statutory obligation to comply with the Scheme Rules [Section 15(1)]
- Qualifying complaints include “an act or omission” by an HEI, brought by student or former student [Section 12], once internal procedures exhausted [Sch 2,3b].
- Tests are whether HEI has abided by own procedures or acted reasonably “in all the circumstances” [Rules 7.4.4]
- Must not relate to “matters of academic judgment” [Section 12.2]
- Scheme funded by Member subscriptions based on student numbers.
- Designated Operator, to publish Scheme and Annual Report, and supply information to Minister, set out in Act.
- Subject to Judicial Review following Siburorema hearing in Court of Appeal in 2007.
- The Board plays no part in Adjudication, and has an obligation to preserve the independence of the Scheme and the Independent Adjudicator.

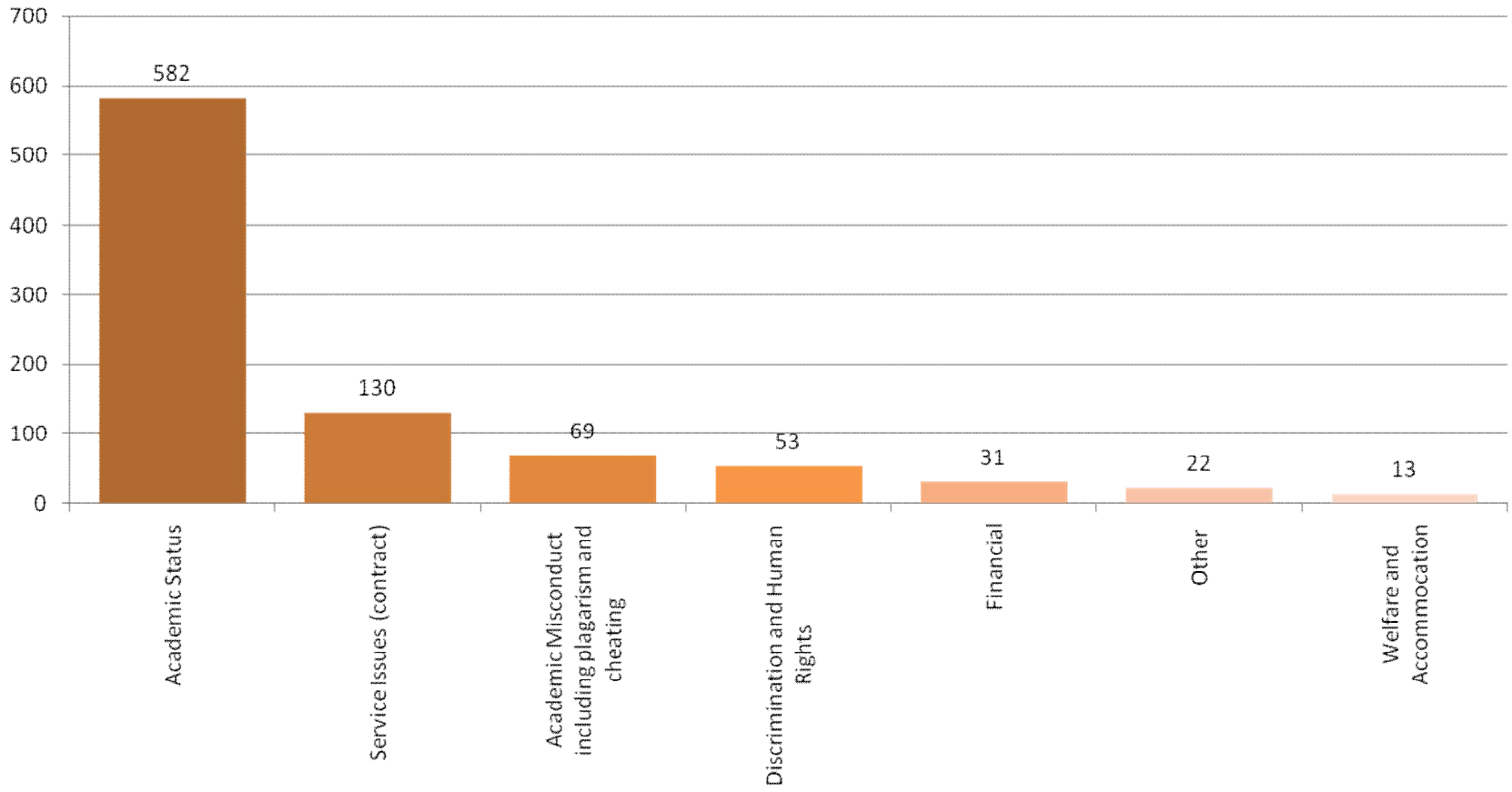
OPERATIONAL ENGAGEMENT

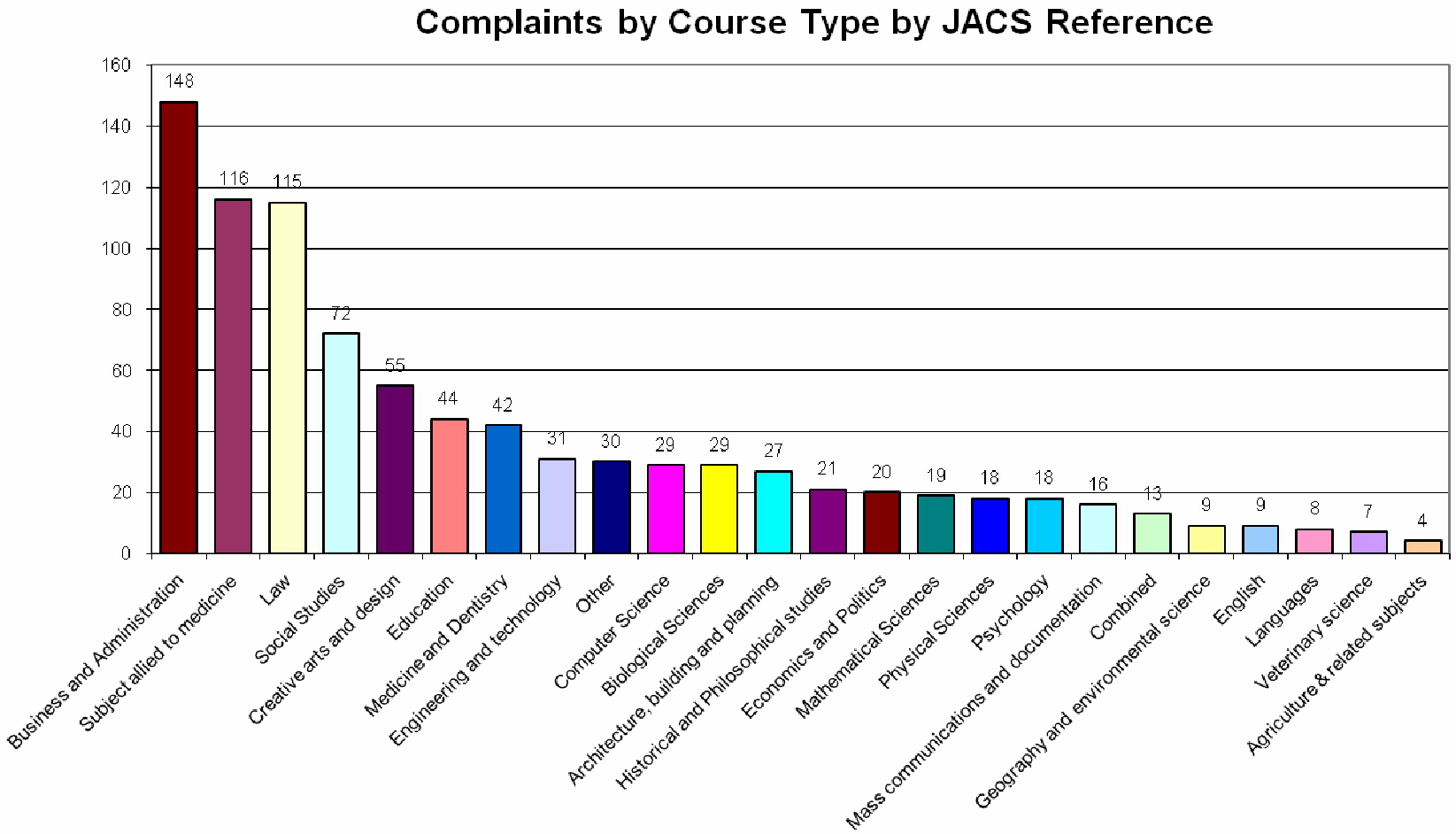
- Complaints rising year-on-year (537 in 2005, 900 in 2008).
- Two-thirds of complaints relate to academic *related* issues (eg handling of mitigating circumstances, hearings and appeals)
- Business, Medicine-related and Law courses generate most complaints
- International students outside EU constitute 22 per cent of cases
- Handling times reduced by 17 per cent in 2008
- Unit cost of handling a complaint is 2k
- 15 Judicial Review Applications. 2 full hearings. None successful.

Number of Complaints Per Year

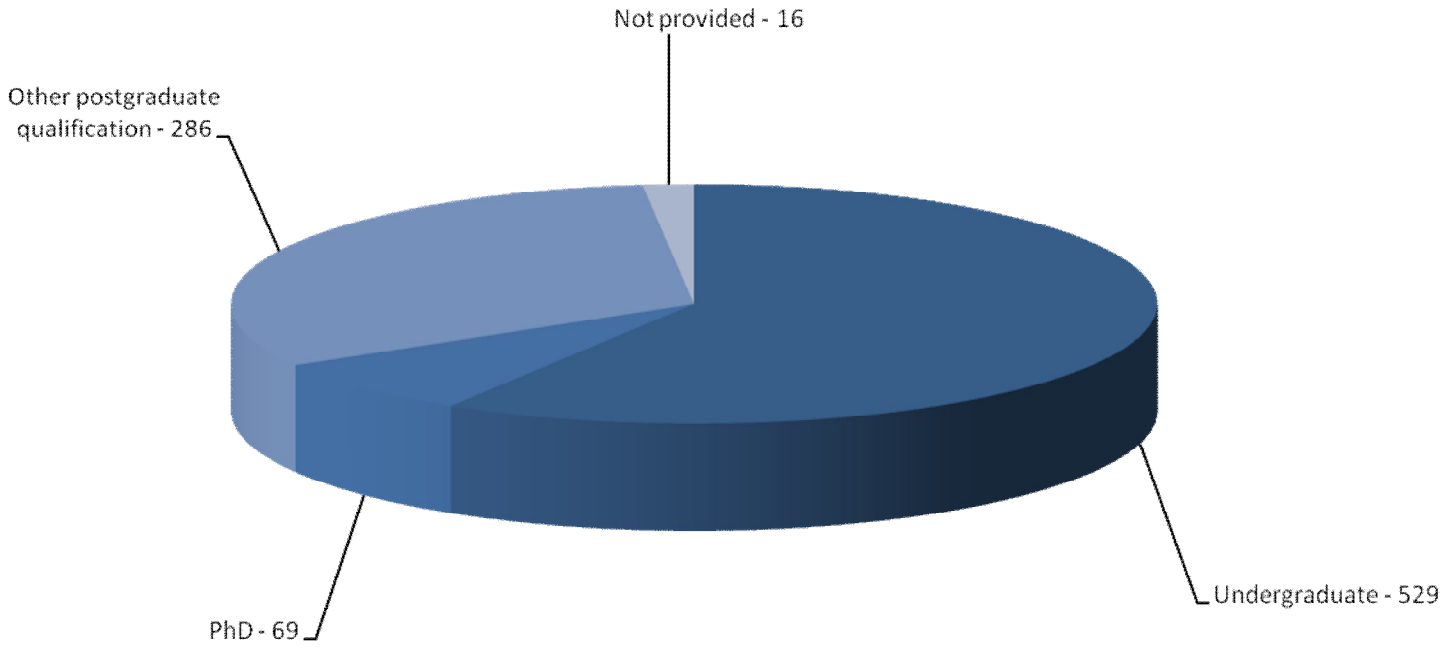


Complaints Received by Category

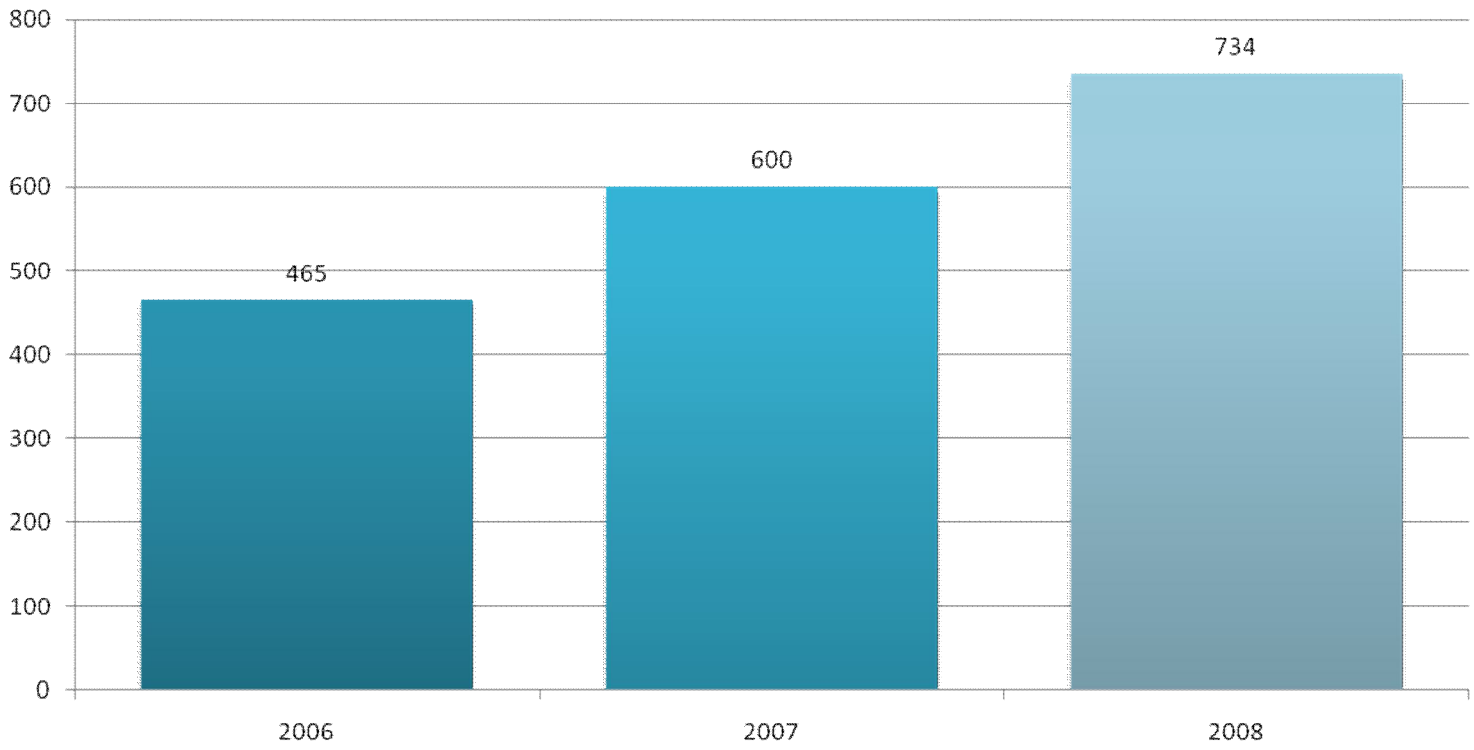



Complaints by Course Type by JACS Reference
160
140
120
100
80
60
40
20
0
148
116
115
72
55
44
42
31
30
29
29
27
21
20
19
18
18
16
13
9
9
8
7
4
Business and Administration
Subject allied to medicine
Law
Social Studies
Creative arts and design
Education
Medicine and Dentistry
Engineering and technology
Other
Computer Science
Biological Sciences
Architecture, building and planning
Historical and Philosophical studies
Economics and Politics
Mathematical Sciences
Physical Sciences
Psychology
Mass communications and documentation
Combined
Geography and environmental science
English
Languages
Veterinary science
Agriculture & related subjects

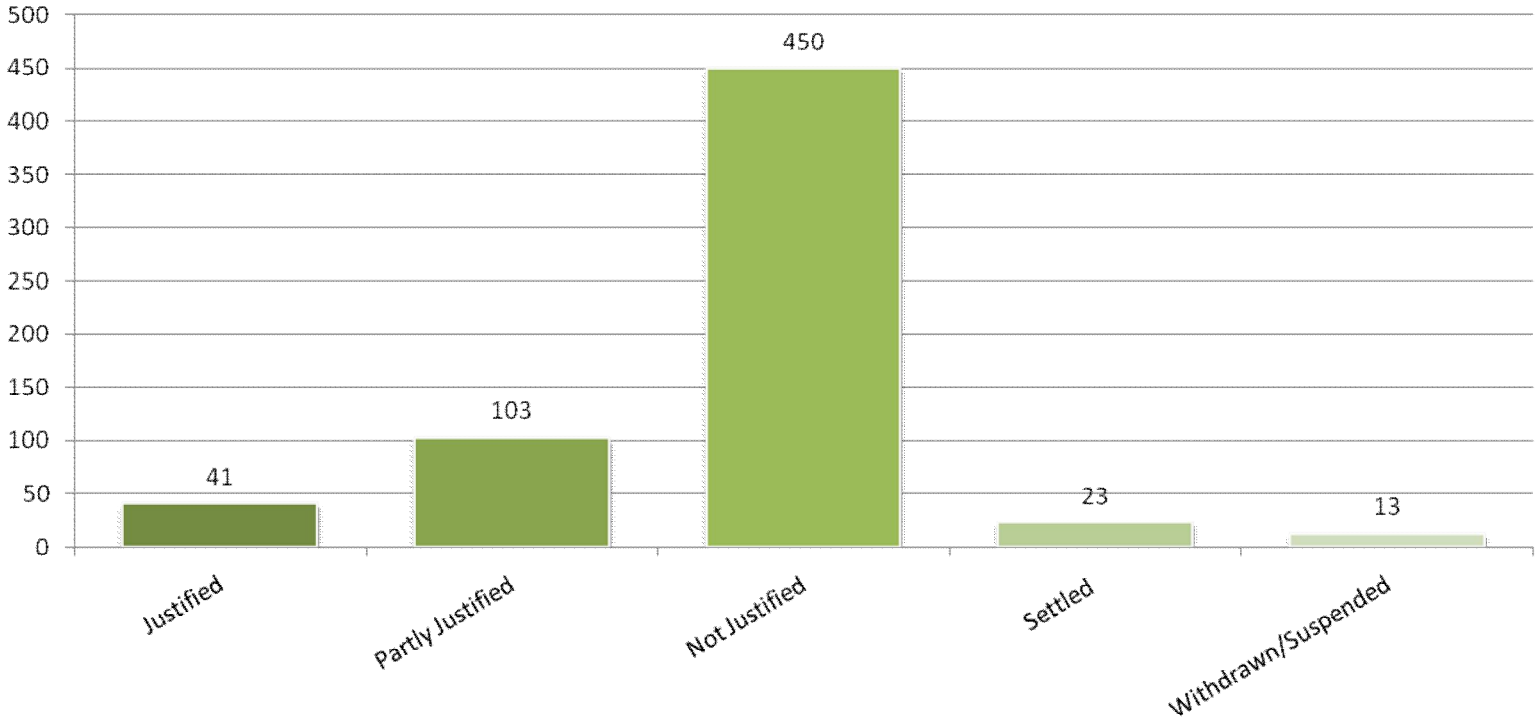
Complaints by Student Status



Number of Eligible Complaints per Year



Outcome of Eligible Complaints Closed in 2008



THE PATHWAY PROJECT – CONTEXT (1)

- Consultation exercise on the next phase of OIA development, after 4 years of operation.
- Endorsed by UK and Welsh Ministers and welcomed throughout HE sector
- Issues and Questions Paper (October 2008- January 2009) attracted 136 institutional responses, including 27 from student unions.
- Independent quantitative study of student complainants (conducted by Kings College, London) April May and June 2009.
- Elements of Need assessed in Consultation include **Normative** (what 'experts' say), **Expressed** (what users and others tell us), **Felt** (what people think but may be reluctant to declare) and **Comparative** (how others do it).
- Report to be published in Autumn 2009.

THE PATHWAY PROJECT – CONTEXT (2)

- 85 per cent of students rate quality of teaching and learning as good or excellent. Only 25 per cent of students received individual verbal feedback. [NUS Student Experience Report 2008]

- Although overall satisfaction was at 82 per cent, assessment and feedback was at 64 per cent only [National Student Survey 2008].

- 14 per cent of respondents considered their institutional complaints procedure 'transparent, fair and just', 41 per cent in the majority of cases [Review of Institutional Complaints and Appeals Procedures in England and Wales, NUS,2009]

- In 2008, of 734 eligible cases, the OIA found 7 per cent Justified, 16 per cent Partly Justified,71 per cent Not Justified. [OIA Annual Report 2008]

THE PATHWAY PROJECT – BENCHMARKS - GENERIC

- Clarity of Purpose
- Independent
- The User Perspective
- Proportionality
- Accessibility
- Flexibility
- Transparent
- Efficient and Effective
- Quality Outcomes

[Developed from ***Guide to principlesof good complaint handling***, British and Irish Ombudsman Association 2007 and ***Review of Complaints and Disciplinary Processes***, Bar Standards Board 2007]

THE PATHWAY PROJECT – BENCHMARKS SECTOR SPECIFIC

- Institutions have fair effective and timely complaints handling procedures [1 and 5]
- Overseen at the highest level [2]
- Those studying can raise concerns without disadvantage [3]
- Institutions make publicly available easily comprehensible information on complaints and appeals [4]
- Ensure appropriate action taken following complaint [6]
- Guidance and support available for complainants who can be accompanied at all stages [7 and 8]
- Effective monitoring, evaluation and improvement of procedures [9]
- Briefing and support available for all handling or supporting complaints [10]

[QAA Code of Practice 2007]

THE PATHWAY PROJECT – EMERGING FINDINGS

- Broad consensus that 2004 Scheme an improvement on previous arrangements and has promoted better practice by HEIs
- Strong endorsement of independence of Office and authority of Adjudications.
- HEIs critical of the time and effort required to conclude decisions.
- No consensus on alternative funding arrangements
- Complainants critical of exclusion of “Academic Judgment” from remit of Office
- And compensation levels offered by OIA
- Courtesy and helpfulness of OIA staff widely acknowledged

PATHWAY – THE "TRICKY" ISSUES

- ***Clarity of Purpose*. <u>Alternative Dispute Resolution.</u>** How are complaints resolved ?

- ***Efficient and Effective.* <u>Time</u>** ('Comrades ! The first principle of the Revolution is effective time-keeping').

- ***Efficient and Effective + Independent + Accessible.* <u>Money</u> –** where should it come from and what contribution, if any, should students make ?

- ***Transparency*. <u>Publication of individual decisions</u>.** The Promotion of Good Practice – the Scottish Experience

- ***Quality Outcomes*. <u>How to contribute to Assurance</u>** without becoming a Regulator.

- ***The User Perspective* – <u>Confronting the divide between HEI and student opinion</u>**

- ***All generic principles*. <u>Public Trust</u>** and its ingredients