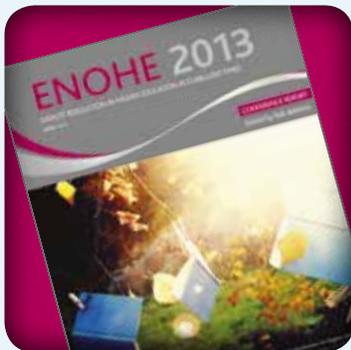


Annual Report 2013



Contents

Introduction by the Chair	1
The Independent Adjudicator's Review of the Year	2
OIA Board of Trustees/Directors	29
Higher Education Advisory Panel	31
Strategic Plan	33
Report and Plan 2014	34
OIA Subscriptions for 2013 and 2014	37
Statement of Financial Activities	38

Introduction by the Chair



Ram Gidoomal

In 2013 the Office of the Independent Adjudicator (OIA) closed more student complaints than in any previous year. The number of new complaints brought to the OIA fell slightly from the record high of 2012 but was still the second highest in the organisation's history. The importance of the OIA as an organisation that provides independent redress, at no cost to the student, is underlined by the fact that in one in four of the cases that we closed the university agreed to settle the case or the OIA found it Justified or Partly Justified. In other words something changed positively for those students because they sought review by the OIA.

It is important to acknowledge the work that universities, and in particular complaints handling staff and students' unions, do to resolve complaints and to guide and support students through the process. The stark figures on OIA adjudications should not overshadow the progress that is being made in promoting early and effective resolution, including the Early Resolution Pilots described in this report. I particularly commend the work of the steering group that has created a draft Good Practice Framework for handling complaints and academic appeals.

I was privileged to participate in the April 2013 conference of the European Network of Ombudsmen in Higher Education, hosted by the OIA, and subsequently to take on the role of non-Executive Chair of the network. The insights from university ombudsmen from around the world play a valuable part in informing developments in England and Wales.

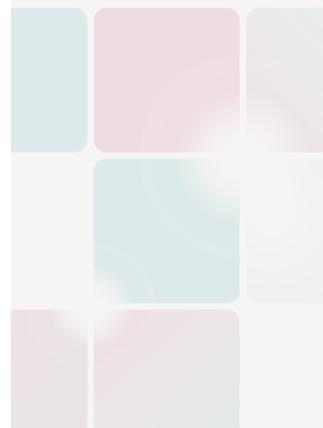
The OIA has made its own changes this year, implementing a new funding model whereby the university subscription can include a case-related element for cases over a certain threshold. This follows consultation as part of the Pathway 3 exercise.

A great strength of the OIA lies in the varying backgrounds and expertise of its Board, with its in-built majority of independent members. I am grateful to my colleagues on the Board for being so generous with their time, input and constructive comments.

I also extend my thanks on behalf of the whole Board to Rob Behrens, who as Independent Adjudicator continues to inspire his staff and the sector alike in their ambitions to avert, mitigate and resolve student complaints.

Ram Gidoomal CBE

Chair of the Board of Trustees/Directors



The Independent Adjudicator's Review of the Year

Introduction

The Office of the Independent Adjudicator for Higher Education serves two important purposes. First and foremost the OIA gives higher education students at English and Welsh institutions access to a free, impartial, independent ombudsman service that will look into cases that the university has not been able to resolve to the student's satisfaction.



Rob Behrens

Second, through applying its experience and sharing good practice with students' unions, universities, higher education agencies and ombudsmen and regulators in other sectors, the OIA is the key organisation promoting improvements in handling student complaints and academic appeals. This work can prevent some complaints arising in the first place, help resolve others more quickly and make a significant difference to the way students approach, feel about and benefit from their time at university.

For the first time since I joined the OIA six years ago the headline story has not been a rise in the number of student complaints. 2013 saw:

- A marked change in the outcomes of complaints, in particular a 50 per cent increase in the percentage of cases that were settled. There were also increases in the proportion of cases that were found Justified and Partly Justified.
- A record number of case closures by the OIA, up by 25 per cent.
- A very slight fall in the number of new complaints brought to the OIA.
- An excellent record of compliance with OIA recommendations. This year there are no instances of non-compliance to report.

One year's figures of course tell us very little and there are too many unknowns to allow for conclusive analysis of the data. A number of factors are clear:

- Many universities are putting more thought and resource into early resolution. Later in this report I highlight some outcomes from the Early Resolution Pilots initiative that the OIA coordinated with several universities in England and Wales.
- Both universities and students are seeing the benefit of settling cases as a constructive and faster way of getting resolution that works for both parties.

- The introduction by the OIA of case fees, charged when the number of complaints from students at a university goes over a certain threshold, has added a financial incentive to improve complaints handling processes.
- There is a strong appetite for sharing good practice, both nationally and internationally.

THE DRAFT GOOD PRACTICE FRAMEWORK FOR HANDLING COMPLAINTS AND ACADEMIC APPEALS

The Pathway 3 consultation, published in 2012, found overwhelming support for the construction of a Good Practice Framework for handling complaints and academic appeals.

During 2013 a steering group, led by the OIA and comprising the National Union of Students (NUS), the Academic Registrars' Council (ARC), the Quality Assurance Agency (QAA) and the Association of Heads of University Administration (AHUA), prepared a draft framework for consultation.

The key characteristics of the draft framework include:

- The framework complements the principles-based UK Quality Code, providing operational guidance for universities to consider in drawing up their complaints and academic appeals processes.
- It defines a three stage process covering informal resolution, a formal investigation stage where informal resolution is unsuccessful, and a review stage. This approach is already taken by many universities.
- It proposes clear timescales for each stage, recommending two weeks for informal resolution, one month for formal resolution and three weeks for the review stage.
- It outlines the responsibilities of different staff roles in the university in dealing with or keeping oversight of complaints and appeals.

A national consultation on the draft framework will run until July 2014.

<http://www.oiahe.org.uk/guidance-good-practice-and-events/good-practice-framework.aspx>



The higher education environment

Regulation and policy

Higher education regulation has avoided many of the pitfalls and loss of public trust that have afflicted other sectors, notably health, financial services and the press. Nevertheless, as many have noted, the continued lack of new legislation has forced creative approaches that can go only some way to providing the full regulatory reform needed to safeguard the interests of students in higher education.

In the absence of legislation the Regulatory Partnership Group (RPG), of which the OIA is a founding member, has created an Operating Framework for the higher education sector. This has been helpful in outlining the complementary responsibilities of the different agencies and in positioning effective complaints handling as central to protecting students' interests.

Also of note is the UK Quality Code, produced by the QAA, which sets out the principles and ground rules for quality assurance in universities. Chapter B9 deals with student complaints and has been an important factor in developing policy and practice. The close cooperation between the OIA and the QAA, underpinned by a Memorandum of Understanding, is valuable in making sure that any underlying quality concerns suggested by student complaints can be properly investigated.

Higher education regulation has kept commentators busy. Reports from the Higher Education Policy Institute (HEPI), the Institute for Public Policy Research (IPPR) and the Higher Education Commission (HEC) all made constructive suggestions. Two reports from the former Office of Fair Trading (OFT) laid the ground for possible further review of regulatory arrangements. It will be critical that any further review is based on clear evidence and careful analysis to avoid the mistakes that were made by the Browne review or have been made in other sectors.

The adoption by the European Union of a directive on alternative dispute resolution has focused attention on the role of ombudsmen. The exact implications for complaints handling in higher education in England and Wales remain unclear as the government explores legal advice and consults on how the directive can be implemented.

Among the key figures who have played their full part in shaping higher education policy, and supporting and explaining the importance of effective complaints handling, I pay particular tribute to Sir Alan Langlands, who guided the Higher Education Funding Council for England (HEFCE) with consummate skill and a real appreciation of student concerns; to Bahram Bekhradnia, who as Director of HEPI was never afraid to pose and investigate difficult questions, and to Rachel Wenstone, who in addition to serving as an outstanding Vice President (Higher Education) of the NUS has been an invaluable member of the OIA Board.

“Thank you for your letter of 29 January, and the time spent by you and members of the OIA. I know that you and members of the OIA expended a good deal of energy to review the material involved in this complaint and concomitant documents. Again, I appreciate your efforts.”

LESSONS FROM THE LEVESON REPORT ON THE 'CULTURE, PRACTICES AND ETHICS OF THE PRESS'

I was asked by the Higher Education Policy Institute to comment on the relevance to higher education of the failures in press regulation highlighted by the phone hacking scandal.

Lord Leveson's far reaching inquiry found that the Press Complaints Commission (PCC) had not monitored compliance with the Press Code nor given guidance in its adjudications about public interest. Crucially the PCC lacked independence – in the appointment of its Chair, in the Committee overseeing the Press Code and in the body which controlled its finances.

The PCC had aligned itself with the press, 'effectively championing its interests', according to Leveson. When it did investigate major issues it sought to head off or minimise criticism of the press. Its attempts to investigate phone hacking allegations lacked any credibility. The need for independent self-regulation of the press had been a consistent theme of previous enquiries. Lord Leveson's conclusion that it was 'essential that there should be legislation to underpin an independent self-regulatory system' was entirely unsurprising.

In higher education after initial scepticism the sector sees value in an independent complaints handler as part of the regulatory framework and the utility of the OIA in giving complainants for whom internal processes have been exhausted recourse to external review.

Independence is the golden thread underpinning the OIA's authority. This reflects general public insistence that in making a complaint against a professional 'a fair system led by independent people' is the most important ingredient. The OIA has not had a problem in 'speaking truth unto power' in final decisions in favour of students and making rare (but important) findings of non-compliance by universities.

The OIA fulfils the classic ombudsman function. The focus on tests of procedure and reasonableness, and the inviolability of academic judgments, ensure that respect for institutional autonomy is preserved. The NUS, a long-time proponent and supporter of the Scheme, has seen the OIA not only as a device to deliver individual redress but also as a bulwark against government marketisation reforms.

Three cheers for Lord Leveson: Independent self-regulation – newspapers and higher education compared. Rob Behrens. Published by the Higher Education Policy Institute, June 2013

Developments in complaints handling

Internal

The OIA has undergone extensive internal change in 2013 to increase case-handling capacity and adapt our processes. We recruited a number of experienced case-handling staff and ran a successful training and mentoring programme. At the same time we have improved management information to give a clearer picture of timescales and issues at each stage of the process. The results can be seen in the increase in case closures over the course of the year and the related reductions in the number of cases over nine months old, and the number awaiting allocation to a case-handler for review.

External – sharing good practice

The Early Resolution Pilots initiative

The OIA Early Resolution Pilots initiative, run throughout 2013, coordinated existing work within universities with new initiatives to encourage sharing of experience. A number of universities have explored approaches to early resolution of student complaints and appeals.

A selection of universities reported on their pilot programme as below:

Kingston University linked with a number of institutions to promote early resolution and provide early resolution training with the help of a barrister from outside the university with expertise in mediation. Two conferences to share good practice were held and workshops were offered to both academic and non-academic staff. The institutions that were represented at the conferences and/or involved in the workshops were: Kingston University, University of the West of England, The Open University, St Mary's Twickenham, University of West London, University of Huddersfield, and Canterbury Christ Church University.

Outcomes:

- buy-in from Registry, Student Support, academics and other institutions
- recognition of the need for change at senior and frontline level
- free conference and training
- seeing 'trainees' register the difference using conflict-reducing methods could make
- continuing demand for training.

Aston University continued to build links between the Hub in the university and the Advice and Representation Centre (ARC) in the Aston Students' Union, giving students the confidence that the advice they are receiving is impartial, with a focus on student support and guidance. There are regular meetings between the Hub and the ARC and the students' union is consulted on changes to university procedures.

Outcomes:

- there is good communication between the Registry, the ARC and the Hub, helping to manage and resolve concerns and disputes at an informal level as far as possible
- there is a good working relationship between individuals in each team and strong support from senior management
- there is a Student Support Office in each academic school, allowing for dispute resolution at local level

“Wow. I really wasn't expecting this. Thank you so much for all your help. I actually feel very overwhelmed because I felt maybe I was fighting a losing battle. I really appreciate all the help you've given me.”

- students' union representatives are invited to attend university committees and boards and are involved in procedural change from the outset.

The **University of Sheffield** has been running an early resolution scheme since February 2013. During each year of operation, six student peer conciliators have been recruited from pools of "engaged" students. To get the scheme off the ground, a working group was formed with sabbatical officers, HR and colleagues from Student Services. A training package was developed and this has now been made available to other relevant groups at the university. Each conciliator is assigned a mentor from the working group.

The record of each meeting is kept simple – a form is completed with the name of the student, a brief summary of the issue and the outcome. It is for internal use only and no details of the actual conversation are released as these are confidential to the student and the student conciliator. There is a careful use of language, for example 'issues' or 'concerns', not 'complaints'.

Conciliators are given a brief summary of the type of issue in advance of the meeting and they are asked to contact their mentor both before and afterwards. Conciliators work from a pre-prepared script, including a statement about confidentiality which is signed by both parties.

The pilot is perceived as a positive experience. Student peer conciliators are thought to be more independent and the scheme is less formal than other types of early resolution.

Outcomes:

- cases that have been conciliated have not gone on to the formal stage
- students feel they have been listened to
- the pilot has helped the personal development of the conciliators
- there has been a sense of achievement
- the profile of the university has been raised
- a stand-alone training package has been developed
- it is a joint scheme between the university, the Students' Union sabbatical officers and the Students' Union Student Advice Centre
- the students have an enhanced student experience
- the script developed involving a confidentiality statement which needs to be signed can be an effective icebreaker.

The **University of Huddersfield** pilot also involved student conciliators but drawn from the academic staff. There are also three conciliators and a mediator in Registry, who usually do not get involved until the formal stage.

Prior to the pilot there was already a student conciliator scheme in place but it had been running for less than a year. The pilot gave the university the impetus to embed it into university complaints and appeals procedures. Trainers already used for mediation training gave the conciliation training and the package was adapted for the conciliators so it can now be offered in-house. The role specification was developed and a document agreed with the legal department and students' union. This covered how to get the conversation going, the

confidential nature of the process and the importance of taking the issue forward to disability services if the student was at risk of self-harm (the student has to agree to the latter).

There is one (sometimes two) student conciliator in each school. They can call Registry and each other for advice and can refer the student to a conciliator in another school to avoid being too close to the issue.

At the start of the pilot, the Head of Registry secured senior management support. She led the development of an app which quizzes users about the complaints and appeals process. The app gathers data on the type of questions looked at by staff and students.

Outcomes:

- an overall reduction of complaints by two thirds
- recognition and buy-in by senior management
- a Times Higher award for outstanding Registry
- scheme transparent and sustainable.



SPOTLIGHT ON ENOHE 13

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www.enohe.net

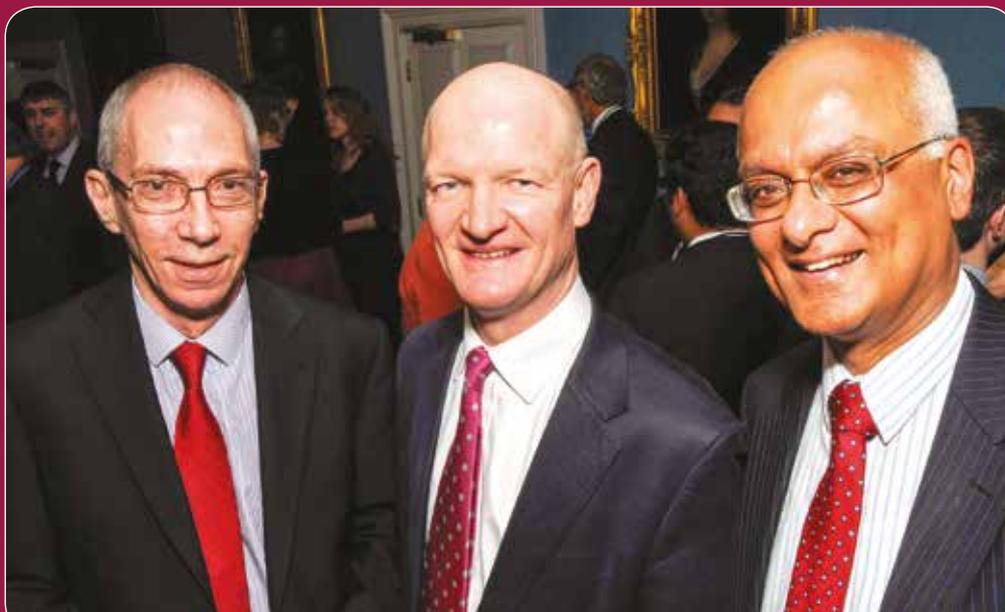
The OIA hosted the tenth annual conference of ENOHE, the European Network of Ombudsmen in Higher Education, at the University of Oxford in April 2013. This brought together people from eleven countries who work to resolve student complaints. A full report of the conference is available at www.enohe.net.

The conference focused on dispute resolution in higher education in turbulent times. It identified a number of common themes and concerns, most notably:

- the implications of the notion of the 'student as customer' for student complaints and for those who work to resolve them
- the diversity of mandates and operating models
- the ability of ombudsmen to operate effectively without having executive or regulatory powers
- key skills required and the importance of training and development for ombudsmen
- the importance of informal processes, early resolution and mediation

The value of ENOHE as the principal international forum to share experiences and good practice in complaints handling in higher education has been widely acknowledged. The OIA continues to support the development of the network and is providing the international secretariat for a two year period, 2013 – 2015.

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All photographs by Huw Meredith Photography. See page 40 for details

The role of students' unions

The students' union is a vital partner in the development and implementation of strong complaints and appeals processes in universities. Universities should encourage, support and where possible fund students' unions to provide free, confidential, impartial and professional advice for students. The OIA also encourages universities to share anonymised OIA decisions with the students' union.

The OIA has provided guidance to students' unions and works closely with both elected officers and employed staff of the NUS.

Visits and network forums

In 2013 the OIA undertook visits to 19 universities and students' unions. We also ran three network forum events, each attended by 20-25 universities and students' unions.

Complaints reviewed and closed

Complaint headlines – OIA performance against the 2013 operating plan

The OIA changed some of its performance measures in 2013. The table below includes comparisons with 2012 where a direct comparison can be made.

Table 1
OIA performance
in 2013

	2012	2013	Key Performance Indicator
Complaints received	2,012	1,972	
Complaints closed	1,795	2,251	
Unit cost £	1,616	1,661	
Cases closed within six months of receipt		35%	85%
Complaints open nine months from receipt	21%	19%	
Enquiries responded to within two working days		97%	85%
Eligibility decision (or further information requested) within 10 working days		74%	95%
Total number of complaints awaiting allocation	759	319	
Complaints settled	6%	9%	10%
Student-centred recommendations implemented on time		90%	95%

Complaint numbers

In 2013 the OIA received 1,972 complaints. This is the first year-on-year fall, and against expectations that the rise in tuition fees would lead to an increase in complaints. It is far too early to assume that this is the start of a trend.

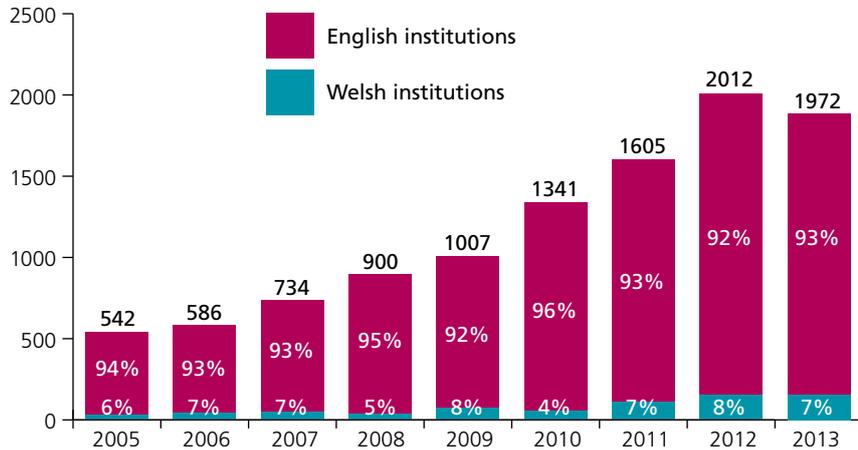


Chart 1
Number of complaints received per year

The number of complaints closed by the OIA in 2013 increased by 25 per cent and for the first time exceeded the number of complaints received. This has led to a substantial reduction in the number of cases awaiting allocation to a case-handler, which in turn will lead to improvements in case handling time.

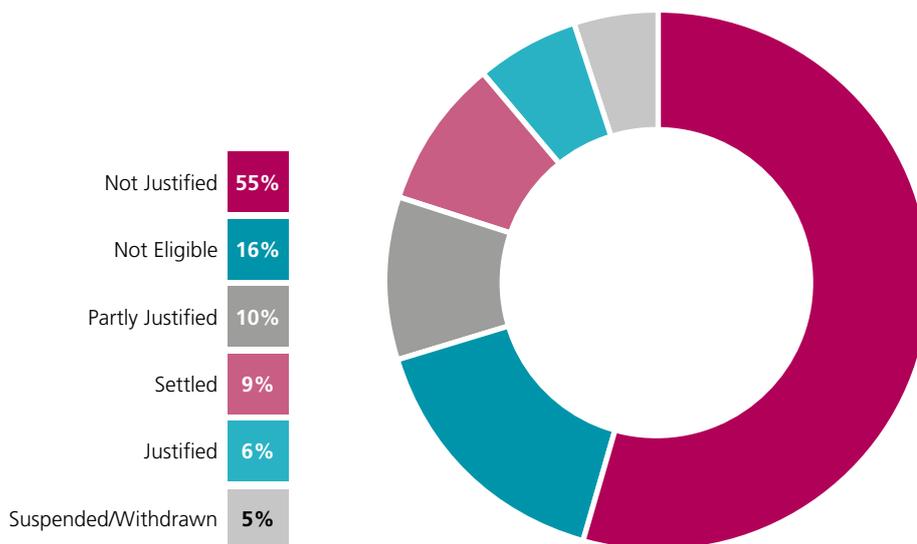


Chart 2
The outcome of complaints

There was a small reduction of one per cent in the proportion of complaints brought that were ineligible. The majority of ineligible complaints were either out of time, from students who had not completed internal procedures at the university, or were related to issues outside the remit of the OIA.

“I am very pleased with the outcome of my complaint and would like to thank you and all others involved for the way it was handled.”

The overall proportion of cases in which the OIA upheld all or part of the complaint, or identified grounds on which to request the university to reconsider, increased from 18 per cent in 2012 to 25 per cent in 2013. This may suggest that the cases that are reaching the OIA are becoming more complex. There is also evidence from universities that they are putting greater focus on resolving complaints and appeals internally. This is backed up by the marked increase in settlements.

Settlement

In the course of its review the OIA will look for settlement opportunities and discuss these with the university and the student. Settlement is most commonly suggested where the OIA identifies a possible solution that has not previously been considered. Settlement is voluntary and must be agreed to by both the university and the student.

In 2013 settlements which the OIA brokered included payments of £59,359.

CASE STUDY: DISABILITY (SETTLED)

A university was unable to demonstrate that it had properly considered late diagnoses of disability for eight students who had appealed unsuccessfully against the termination of their registration on an undergraduate course.

After some negotiation the university agreed that all eight cases would be referred back to the Examinations Board.

The Examinations Board reconsidered the cases and decided to re-admit all eight of the students to the course.

Recommendations on Justified and Partly Justified cases

When the OIA finds in favour of a student it often makes recommendations. In 2013 recommendations were made and implemented in 350 cases. While these can seem quite dry or procedural the implications for students can be profound, as the examples opposite illustrate.

Complaint	Recommendation	Effect on student
A student was awarded a third class degree. The OIA upheld his complaint that full account had not been taken of his disability.	The university should offer the student the opportunity to have his appeal against the Board of Examiners' decision reheard by a freshly-constituted Appeals Committee, and the sum of £2,000 in respect of the distress and inconvenience caused by his appeal not being properly considered.	Degree upgraded to a 2:2 following the new appeal. Compensation paid.
The OIA upheld a student's complaint that lack of mentoring and support on her teacher training placements led to her failing the placements and being withdrawn from the programme.	The university should reconsider the student's appeal as soon as practicable with particular emphasis on whether it complied with the procedure for students who were making unsatisfactory progress in their placements.	The student's appeal was successful. She wrote to us to confirm that she has now qualified as a teacher and is working as a Newly Qualified Teacher while studying for an MA in Education.
The OIA upheld a complaint from a student that the university had not given sufficient weight to evidence from the university's Student Psychological Services in assessing the impact of his depression on his studies.	The university should (a) reconsider the student's appeal; (b) pay him £500 in compensation for delays; and (c) issue guidance to staff about the weight which should be given to evidence from Student Psychological Services in the consideration of extenuating circumstances cases.	The student's degree was upgraded to a 2:1 following the reconvened appeal. Compensation was paid and the university is reviewing its guidelines.
The OIA upheld a student's complaint about the university's handling of allegations she brought about bullying and harassment, which had led her to transfer to another university.	The university should refund fees incurred by the student to enable her to resume her studies at a different university, pay financial compensation and revise its complaints procedures.	The student is undertaking her course at a different university.

Where a complaint is Justified the OIA will often recommend that the university change its practice or procedures. This is a means of preventing similar complaints arising in the future. For example in 2013 the OIA recommended that:

- a university change its guidelines on supervision to clarify its approach to allowing students to choose or change supervisor
- a university change the process on closing a student's complaint so that it advises the student what actions it has taken
- a university incorporate time frames into disciplinary processes
- a university keep records of preliminary review panels to note what evidence has been considered.

CASE STUDY: RECOMMENDATIONS TO A UNIVERSITY (JUSTIFIED)

A student wished to request an extension to the submission deadline for his dissertation, on grounds of extenuating circumstances. Under the university's policies the panel that considered extenuating circumstances did not meet until after the deadline for submitting work had passed. It would not consider any extenuating circumstances claims if the work had already been submitted.

The OIA found that this had put the student in an unfair position because he had to make a decision about whether to submit his work and waive his right to claim extenuating circumstances without knowing whether such a claim would have been successful.

The student did not submit his work, and two months later his extenuating circumstances claim was turned down. By then it was too late in the academic year for the student to submit his work, except under the resit policy under which his mark would be automatically capped at 40 per cent.

The OIA recommended that the university give the student a further opportunity to submit his dissertation, without the mark being capped. It also recommended that the university review its procedures for requesting an extension to coursework deadlines.

Financial compensation

As far as possible the OIA seeks to place students back in the position they were in before the circumstances leading to a complaint arose. Compensation is generally only recommended where the student has suffered financial loss, where there has been significant distress experienced, or where no practical remedy is available to return the student to his or her studies or remove an academic or other penalty.

In 2013 £313,750 was awarded in compensation, an increase of almost two thirds from 2012. Larger payments (£5,000 – £20,000) universities were asked to make included:

- compensation to a research postgraduate student to refund fees, following problems with supervision and research facilities
- compensation to a PhD student in the light of procedural errors in the appointment of a supervisory panel, the appointment of examiners and review of his thesis
- compensation for errors in considering a complaint regarding the outcome of a Fitness to Practise process, leading to delays in a student gaining a professional qualification
- compensation for course cancellation not notified to a student until after she had attended an induction course at the start of term, incurring expenses.

Compliance with recommendations is excellent, with 90 per cent of student-centred recommendations complied with within the recommended timescale and the rest complied with after prompting from the OIA. There are no cases of non-compliance to report.

REFLECTIONS FROM LONDON SOUTH BANK UNIVERSITY

Following our inclusion within the OIA Annual Report for 2012, London South Bank University reflected on our handling of complaints and appeals (and particularly on issues of communication, which had most impacted upon the case in question). The University engaged internal auditors in a full review of compliance with current procedures, whilst conducting a desk-based review of processes operating across the sector, seeking to engage with, and develop, best practice, as we found it.

This has resulted in a review of process and regulation, focusing on the handling of extenuating circumstances, appeals, complaints and student disciplinary issues. Alongside this development we have procured, and are currently implementing, an electronic casework handling system to both speed up communication with appellants and to provide more reliable (and more standardised) information to panels. Implementation of this system will also improve our record keeping and compilation of an evidence base for the OIA, which we trust will further enable us to work within both the spirit, and the letter, of the Office's requirements.

The university has also sought to improve communication with the OIA at a senior level, and is confident that we can ensure that we work constructively together to deal with student issues in the future.

Professor Phil Cardew BA, PhD, FRSA
Pro Vice Chancellor (Academic)
London South Bank University

Timescales and costs in handling complaints

Despite closing a record number of cases the OIA's reviews are still taking too long. The average across the year as a whole was behind performance targets, with the majority of students still waiting over six months for their cases to be resolved. We continually look at our case-handling processes to identify efficiencies and have set a target of closing 75 per cent of cases within six months by the end of 2014.

The unit cost of closing complaints was similar in 2013 to 2012, increasing by £45 to £1,661.

The number of service complaints increased from 31 in 2012 to 41 in 2013. As in previous years the majority turned out to be requests for reconsideration of the decision, with delays the main service issue raised. A small number have highlighted areas where the OIA is looking at its approach to see what scope there is for further improvement, in particular around the clarity, tone and timeliness of communications.

Funding

The introduction of a case fee element to subscriptions for universities whose students submit a higher than average number of cases will affect 40 universities in the first year of operation, with case fees ranging from £200 to over £40,000.

Staffing

Over the year the OIA changed its staff profile, taking on more experienced front-line case handlers, while increasing overall headcount to 58 FTE.

The majority of case-handling staff bring experience from working in universities, students' unions, other ombudsman organisations, and the legal profession.

I put on record my thanks and appreciation to my colleagues who undertake what is often a difficult job with great professionalism and commitment.

“Thank you so much for the thoroughness and sensitivity with which you handled my case.”



Judicial review

During 2013 we received nine new Judicial Reviews, the same number as in 2012, bringing the total from the start of the OIA to 45. At the end of the year there were six 'live' cases, four awaiting permission hearings, one awaiting paper decision and one awaiting a substantive hearing.

Of the cases concluded or progressed in 2013 none was upheld by the courts.

The most significant cases were:

Mustafa (Queen Mary University of London)

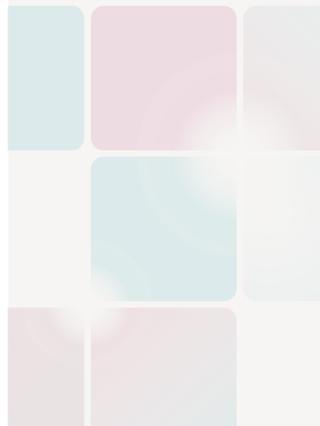
The High Court dismissed the claim for judicial review of the OIA's decision in a case brought by Mr Hazim Mustafa, a former student at Queen Mary University of London.

The decision gave clarity on the extent to which the OIA can consider complaints from students in cases which include an allegation of plagiarism. The case confirmed that decisions relating to plagiarism will usually involve academic judgment. The OIA's role is to review the process and fairness of plagiarism investigations, not to interfere with that central judgment.

Burger (London School of Economics)

The Court of Appeal dismissed Mr Eric Burger's appeal against the decision of Mr Justice Mostyn QC, dismissing his judicial review claim.

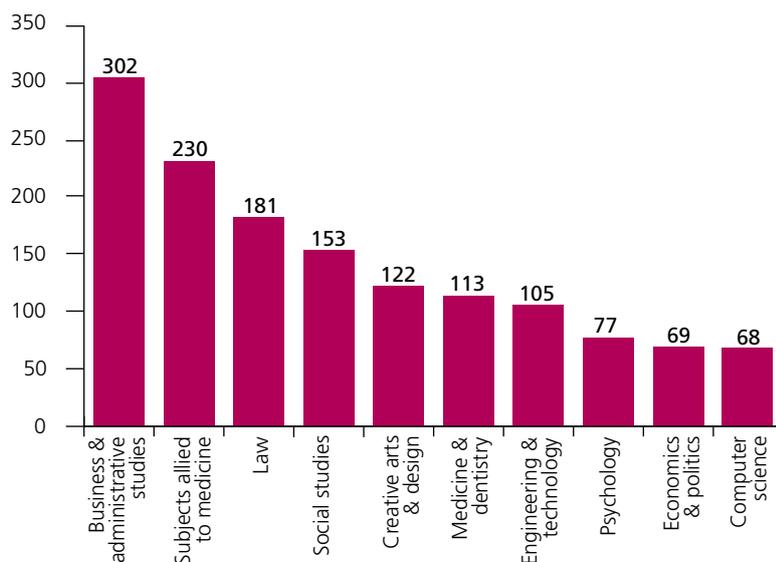
Mr Justice Mostyn had concluded that an error in the OIA's decision made no difference to the outcome. Giving judgment on behalf of the Court, Lady Justice Hallett said: 'The OIA was set up to provide speedy, effective and cost effective resolution of students' complaints. It was not set up as a court or tribunal or other judicial body. Any court asked to review its decisions must, therefore, act with caution. One must look to the nature of the complaint before the OIA and how the OIA responded in far more general terms than might be the case when reviewing a decision of a judge.'



Trends in complaints - who complains?

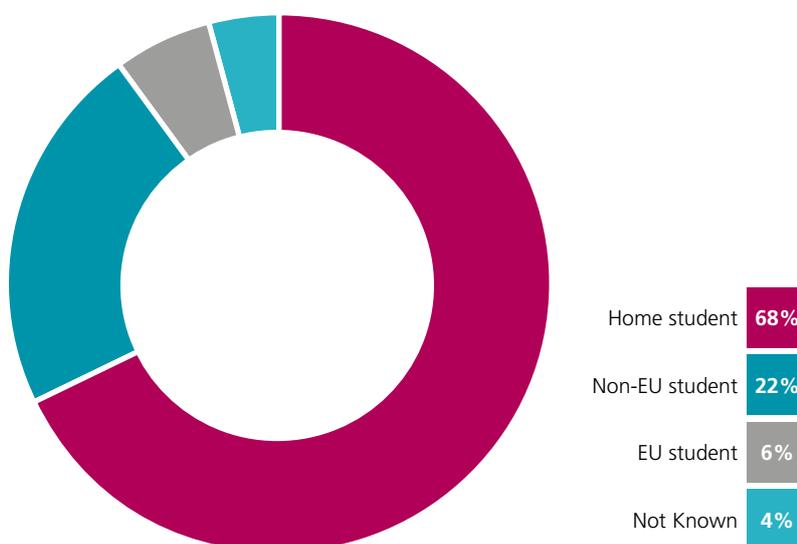
Among the top ten course types the only increase in complainant numbers has been students on social studies courses. Although direct comparison with HESA data is not possible it is evident from figures for student enrolment that students in Law, Medicine and Dentistry, Subjects Allied to Medicine and Business and Administration are proportionately the most likely to complain. This is consistent with previous years.

Chart 3
Complaints received by course type – top ten



International students from outside the European Union are proportionately more likely to complain than EU and home students. These students make up 13 per cent of students in England and 15 per cent in Wales, but account for 22 per cent of complaints to the OIA.

Chart 4
Complaints received by student domicile



International students are also more likely to complain about certain issues. There is a particularly marked difference in the proportion of complaints from students from outside the European Union compared to other students that relate to academic misconduct, plagiarism and cheating. This suggests that further work may be needed to ensure that international students are supported in understanding regulations relating to academic misconduct.

	Home	EU	Non-EU
Academic Misconduct, Plagiarism & Cheating	4%	8%	12%
Academic Status	65%	59%	64%
Disciplinary Matters (non-academic)	2%	6%	1%
Discrimination/Human Rights	5%	2%	2%
Financial	5%	5%	4%
Service Issue (Contract)	10%	10%	5%
Welfare & Accommodation	1%	0%	1%

Table 2
Proportion of complaints by student domicile – main categories

Postgraduates are more likely than undergraduates to complain. 23 per cent of students in England and Wales study at postgraduate level, but postgraduate students account for 38 per cent of complaints to the OIA.

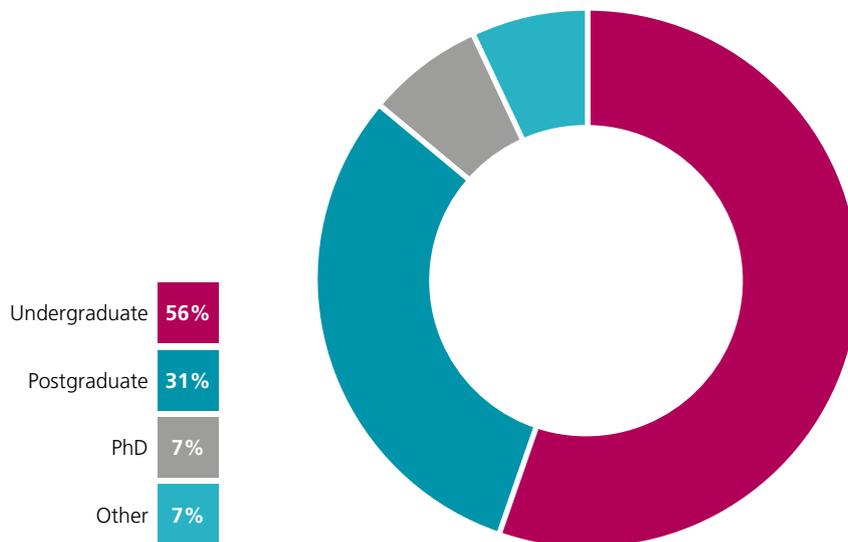
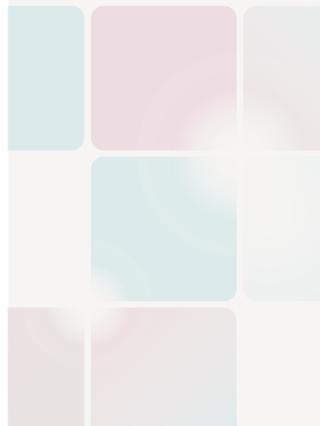


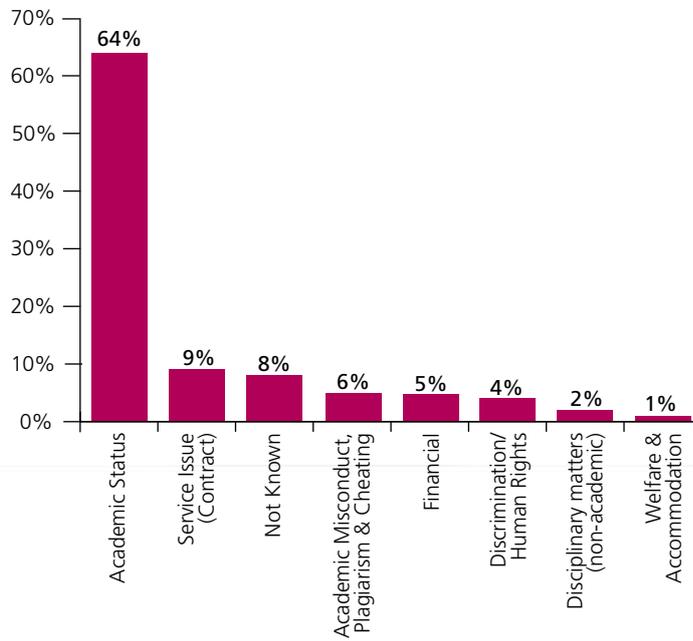
Chart 5
Complaints received by level of study



Persistent themes

Overall the most common areas of complaint are shown in chart 6 below.

Chart 6
Complaints
closed by
principal
category
– all students



Academic status

The majority of complaints from all student backgrounds relate to academic status, typically progression between years and final degree or postgraduate outcomes. The OIA cannot interfere with academic judgment but it can look at procedural errors, unfair processes and delays, and recommend to the university that it re-marks an assessment or reconsiders an appeal. It can also recommend financial compensation even if the academic outcome does not change.

CASE STUDY: ACADEMIC APPEAL (PARTLY JUSTIFIED)

The OIA considered a complaint from a student relating to the handling of her academic appeal.

The appeal process, from the student first lodging a complaint, to the university issuing a Completion of Procedures letter, took 11 months. While delays were in part due to the non-availability of the student for a one month period we found that the university was slow to respond to her and took no steps to keep her informed of the progress of her appeal.

The university's procedures for dealing with appeals did not give deadlines and did not include any mechanism for ensuring that the student was regularly updated as to the progress of their appeal.

We found that the student had been caused distress and inconvenience by both the time taken to address her appeal and the lack of updates received. She was applying for jobs during the period of her appeal and therefore her final degree classification was particularly important to her.

We recommended that the university offer the sum of £300 for distress and inconvenience caused by its delay in handling her appeal. We also suggested that as good practice the university should review its procedures to include timescales and information on how students will be kept informed of progress.

“Although I am slightly disappointed with aspects of the outcome, I fully appreciate the reasons you met with your conclusion.... I still stand by my concerns and feel that my complaint may hopefully make the university evaluate certain processes. Indeed I have already contacted one of my links to the university who I shall be meeting with next week where she says she will: ‘tell you what I’m doing in terms of working to try and make sure situations like this cannot happen again.’”

Academic misconduct

While the total number of plagiarism cases is quite small, they suggest some concerning shortcomings in students’ understanding of what is and is not acceptable.

Cases that we have found had no merit included:

- a student who claimed that his work showed a 92 per cent match on anti-plagiarism software because he was ‘too busy’ to complete the assessment
- a complaint from a student who was withdrawn from her degree for submitting work that was not entirely hers (she admitted that a family member had helped). She complained that if she had been supported properly her tutors would have helped her write her coursework and she would not have had to get her relative to help. We said that we do not consider that a university can reasonably be expected to permit tutors (or others) to contribute towards a student’s coursework.

There are also many cases where the OIA finds the student’s complaint Justified or Partly Justified.

- In one case an overseas student waited for over a year for the university to consider three serious allegations of academic misconduct for which the penalty was expulsion. The student admitted the offences and accepted the penalty, but complained about the length of time taken. He remained registered at the university for a full year longer than he should have.
- In another case the Chair of the Academic Appeal Panel imposed a harsher penalty than the one recommended by the Assistant Registrar, without giving any clear reasons for doing so. We also criticised the university for taking nine months to conclude the student’s appeal.

Disability and mitigating circumstances

The university’s consideration of disability and its obligations to make reasonable adjustments underpin a large proportion of complaints relating to academic status.

Universities’ duties under the Equality Act apply to disabled people in general and are anticipatory. They include the requirement to make reasonable adjustments to prevent substantial disadvantage to a disabled student compared to non-disabled students. The duty to make reasonable adjustments applies in relation to a provision, criterion or practice other than a competence standard.

Universities are expected to make some general adjustments without waiting for a request e.g. physical access to buildings/rooms where examinations are to be held. In considering its general duties and specific cases, once a university is aware of a student’s disability, it is under an obligation to consider:

- what provisions are we now applying to this student?
- do those provisions place the student at a substantial disadvantage?
- what could be done to prevent that disadvantage?
- would it be reasonable for us to take those steps?

CASE STUDY: DISABILITY (JUSTIFIED)

We found a student's complaint Justified where the university failed to implement the recommendations in a student's assessment, including recommendations that he be given use of a computer, on the basis that in the university's view other dyslexic students did not benefit from computers because of the nature of the course. We criticised the university for applying blanket provisions to disabled students without consideration of their individual needs.

There are also responsibilities on the student. Unless a student's disability or other compelling reason meant they were unable to do so, for example there is evidence that their mental health affected their ability to make decisions, we consider that it is reasonable for universities to expect students to alert the university if support or adjustments provided are not meeting their needs. This might require further medical or professional evidence about the student's needs.

CASE STUDIES: DISABILITY (NOT JUSTIFIED)

The OIA concluded that it was reasonable for the university to provide some general support for a student acting on the advice of the Disability Service that she was 'probably' dyslexic. However, it was not possible for adjustments to be made which were tailored to her specific requirements as she had declined to undertake the necessary assessment.

We found another case Not Justified where a student had accepted the needs assessment and subsequently requested further changes for which he was unable to provide supporting evidence.

Highly sensitive complaints

Bald statistics can disguise the fact that some complaints are extremely distressing or sensitive. Some students are dealing with severe mental health difficulties that can affect their behaviour towards others or give rise to concerns about the student's safety. On occasion students appear to be suicidal or contemplating self-harm. We have provided training for staff in handling complaints from students whose mental health issues are documented or suspected.

Other cases arise from actual or perceived physical threat, including physical violence and assault, and from bullying and harassment.

"This is to confirm that I received your decision and I am happy with the reasoning/recommendation given. Although this has been a very long stressful experience, I am very appreciative of the final outcome."

We have dealt with a number of complaints about the way universities have dealt with issues raised by students who have been accused or convicted, or been the victim, of criminal activity. These have included cases of sexual assault. In one such case we criticised the university for not providing clear information or demonstrating sufficient care for the welfare of a student who brought an allegation of sexual assault against another student. In another case a university failed to warn a student that its disciplinary procedures might lead to withholding his degree should he be convicted of a crime. He continued with his studies and incurred further fees. The student was sent to prison after admitting sexual assault. We expressed concerns at the proportionality of the university's decision to withhold his degree as a result, noting that he had already been punished by the criminal courts.

CASE STUDY: DISCIPLINARY (NOT JUSTIFIED)

A student was suspended after the university learned he was under police investigation for an alleged assault on another student and had also been arrested in relation to a second incident on university property, involving a female student at her student flat.

In the second incident the student had been at a party with some friends, one of whom it was alleged spoke about 'wanting to group rape' a female student. The student and his friends then followed the female student and her two male housemates back to their flat where they pushed their way in and refused to leave. They were in the flat for 20 minutes to an hour where their conversation 'was over intentions to have sex.'

Following a disciplinary investigation the student was found guilty of breaches of the disciplinary code and, given the serious nature of the offences, he was expelled from the university. He appealed on the grounds that the penalty was too severe and disproportionate. His appeal was rejected.

The OIA concluded that his subsequent complaint was Not Justified. We considered that the university had acted in accordance with its regulations. We noted that the student had admitted the first offence of assault and received a police caution. While he denied any sexual intent behind the second incident he did admit entering the other students' flat uninvited.

Service issues/student expectations

I cautioned in my report last year that misleading information about course provision was generating complaints. This continues to be a live issue.

CASE STUDY: COURSE CONTENT (JUSTIFIED)

A group of 23 students among 27 on the course raised a complaint about a number of matters, including the course publicity material, the course content and its academic quality, the quality of teaching staff and the lack of industry standard course materials. Following exhaustion of the complaints procedures at the college where the students were based they brought their complaints to the university.

Under its complaints procedure general complaints from students at a partner college could not be considered by the university. However complaints of an academic nature did fall within the authority of the university as the awarding body. The partnership agreement with the college included among the university's responsibilities 'the standards of quality assurance of its awards and the quality assurance of schemes or courses leading to those awards'. The QAA also sets clear expectations in this area.

The university argued that the students' concerns did not constitute an academic complaint. The OIA concluded that the issues raised by the students were at least arguably related to the standards and quality assurance of the university's award, particularly in view of the proportion of the cohort which complained, and that the university should have investigated.

The OIA recommended that the university offer to consider the complaint and offer each student financial compensation. It also made suggestions relating to the university's complaints procedure and the need to ensure that this is consistent with the UK Quality Code.

Emerging issues

Fees and financial issues

The full impact of the rise in undergraduate tuition fees to up to £9,000 will not be seen until 2015, after the first cohort of students on three year programmes have completed their studies.

Cases brought to the OIA relating to fees are currently largely (not exclusively) from postgraduate or overseas students. Notable cases closed in 2013 included:

- a settled case in which the university had failed to take adequate measures to notify a group of part time postgraduate students of an increase in their fees
- a Justified case where a university failed to make the necessary adjustments to a student's fees to take account of an interruption in her studies
- a Partly Justified case in which the university doubled the fees for continuing part time students from one academic year to the next. The OIA concluded that 'the university did not give reasonable consideration to what a fair level of increase should be for continuing students' and that it was unable to demonstrate that it had taken sufficient account of the Unfair Terms in Consumer Contracts Regulations 1999.

The third of these cases touches on issues that were considered by the Office of Fair Trading in its review of contracts in higher education. The OIA was consulted by the OFT, including on the specific issue of universities not allowing students to graduate until debts are cleared, a practice which the OIA has criticised.

CASE STUDY: FINANCIAL (PARTLY JUSTIFIED)

The OIA considered a complaint from a student who had been refused access to his final transcript and whose graduation had been disrupted due to an unpaid accommodation charge of less than £400. The student had paid tuition fees and all other debts. The OIA considered that it was not proportionate to suspend access to academic services in this way. It recommended financial compensation to the student, and that the university amend its processes to remove the link between non-payment of accommodation debts and the withholding of academic services. The university has complied with all recommendations.

Student visas

UK Visas and Immigration, and formerly the UK Border Agency (UKBA), put responsibility on both students and universities to comply with visa regulations. The OIA has been critical of universities that have not followed up visa issues with students.

CASE STUDY: VISA (PARTLY JUSTIFIED)

The OIA considered a complaint from a postgraduate student. Under the visa regulations in force at the time the student's visa did not entitle him to enrol at the university for the entire duration of his course. The university only advised him of this when he approached Student Services three months after enrolling because his existing visa was due to expire.

The student returned to his country in order that he should not be considered an 'overstayer' by the UKBA and made a successful application for a new visa, a process that took four months.

On his return to the UK the student complained to the university about its failure to advise him that he needed to apply for a new student visa at enrolment. The university rejected his complaint, stating that obtaining the correct visa was the responsibility of the student.

The OIA observed that UKBA placed responsibilities on both universities and students to comply with visa regulations. We considered that both the university and the student were equally responsible for following UKBA Guidelines and that both had failed to do so. We considered that it was reasonable for the student to have expected the university to have realised on looking at his documentation that there was a problem with his visa and to have let him know and that, by not doing so, they may have led him to mistakenly believe that his documentation was correct.



Professional placement

The OIA sees many complaints from students, for example in nursing, social work, teaching and subjects allied to health, who have experienced difficulties on placements or where placements have broken down. The OIA is in regular dialogue with professional bodies about placements and fitness to practise.

CASE STUDY: PLACEMENT (JUSTIFIED)

The OIA considered a case brought by a student teacher about the university rejecting her complaints that she had been bullied by a school mentor on her placement. We found that the university's internal processes had not considered all the relevant available information and that it had been reluctant to speak directly to the student. In finding that the university's decision was not reasonable we noted that the Course Director reached the conclusion that the school had handled the matter adequately before speaking to the student to obtain her perspective, and that at no time did any member of the university's staff offer to attend the school with the student to attempt to address her concerns.

The role of legal representatives

The OIA provides a faster, cheaper and more specialist alternative to the courts in dealing with student complaints. While students should of course be free to make their own choices it is important to be clear that the OIA's processes do not require legal representation.

There is emerging and worrying evidence of lawyers seeking actively to encourage students to take legal advice to pursue their complaint at the university, or during or after OIA review. The internal processes of a university should be clear and accessible to students, without the need to hire professional legal advisers.

Rob Behrens

Independent Adjudicator and Chief Executive

OIA Board of Trustees/Directors

The OIA Board of Directors has 15 members.

Nine, including the Chair, are **Independent Directors** appointed by fair and open competition on the basis of their skills and experience.

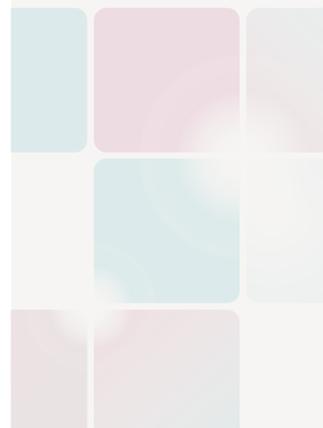
Six are **Nominated Directors**, appointed by the major representative bodies in Higher Education in England and Wales. The representative bodies may also nominate **Alternate Directors** to attend Board meetings if their Nominated Director is not available.

Directors are normally appointed for a three-year term of office, which can be renewed once.

The Board's responsibilities include:

- oversight of the performance and effectiveness of the Independent Adjudicator and the Scheme
- setting the budget for the OIA
- determining the level of subscriptions payable by universities each year
- approving the Rules and procedures for the operation of the Scheme
- preserving the independence of the Scheme.

Board members are not involved in the review of individual complaints.



OIA Board members (as of 1 April 2014)

Chair

Ram Gidoomal CBE

Deputy Chair

Terry Price

Independent Directors

Peter Forbes

Carey Haslam

Erica Lewis

Dr Andrew Purkis OBE

Dr Martyn Thomas CBE

Claire Weir

Colin Wilby

Nominated Directors

Nominated by the Association of Heads of University Administration

Steve Denton (alternate Mark Humphriss)

Nominated by the Committee of University Chairs

Peter Hermitage QPM

Nominated by GuildHE

Haf Merrifield (alternate Professor Geoffrey Elliott)

Nominated by Higher Education Wales

Dr Chris Turner

Nominated by the National Union of Students

Rachel Wenstone (alternate Dr Debbie McVitty)

Nominated by Universities UK

Professor Mike Thorne (alternate Professor John Raftery)

Higher Education Advisory Panel

The role of the Panel is to provide advice and expertise on good practice. The Panel members are drawn from universities across England and Wales.

The Panel has been chaired by Dr Wayne Campbell, Director of Student Services at the University of Kent since April 2013 and the current members (as of 1 April 2014) are: Andrea Bolshaw, Academic Registrar at Coventry University; Jane Chapman, Vice President (Academic Governance, Quality and Standards) and Chair of the Academic Board at The University of Law; Sarah Clark, Dean of Quality and Enhancement, University of Wales: Trinity Saint David; Heidi Cooper-Hind, Head of Student Services at the Arts University Bournemouth; Sam Dale, Deputy Academic Registrar at Durham University; John Peck, Head of Registry at the School of Oriental and African Studies; Jo Spiro, Student Support Services Manager at the Union of UEA Students; and Professor Tim Woods, Director of the Institute of Education, Graduate and Professional Development and Professor of English and American Studies at Aberystwyth University.

We are grateful to all the members who retired in 2013 for their valuable contributions and their support for the Panel, many since its inception: Professor Avrom Sherr, Woolf Professor of Legal Education and Director of the Institute of Advanced Legal Studies; Pam Ackroyd, Pro-Vice-Chancellor (Operations) at Cardiff Metropolitan University; Tessa Byars, Senior Adviser at Anglia Ruskin Students' Union; Mike Ratcliffe, Director of Academic and Student Affairs at Oxford Brookes University; and Dr Andrew West, Director of Student Services at the University of Sheffield.

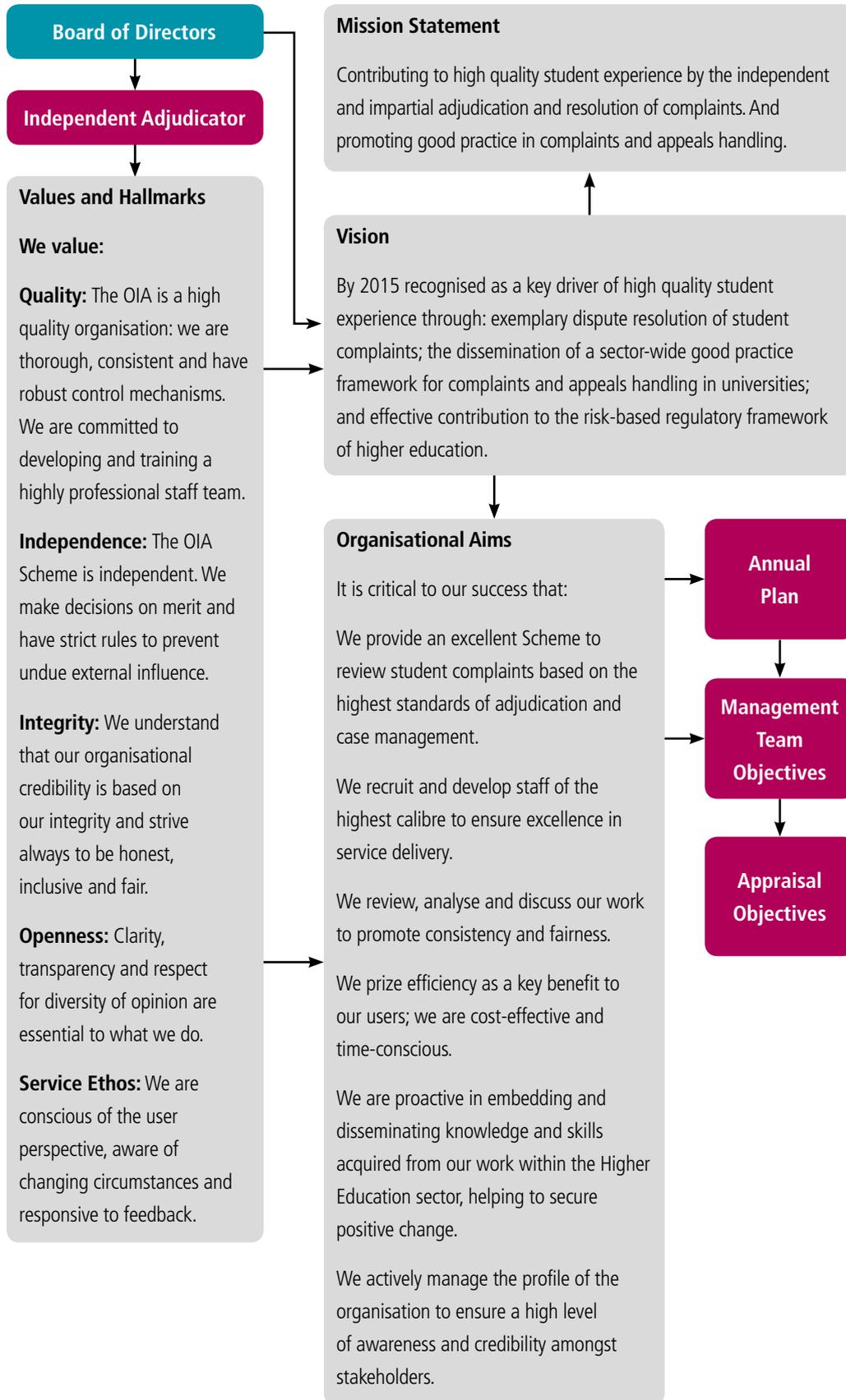
Questions to the HEAP panel continue to cover a wide range of topics. As our database of cases grows, the referrals to the Panel are becoming more complex. Issues raised in 2013 included:

- are non-resit candidates submitting during the resit period disadvantaged by a marking and moderation process which is different to that for the first sit process?
- is there any requirement for a university or Fitness to Practise Panel to declare to potential employers that a nursing student has been subject to fitness to practise proceedings if they subsequently fulfilled the requirements of an action plan and achieved their qualification?
- would it be considered to be unfair for some Masters students to have the same two examiners assessing both parts of their degree (oral presentation and written dissertation) whilst others have three, with the marker of the dissertation not aware of the feedback given to students at the presentation?

- is it normal practice for a university to withhold or revoke a student's award when they have completed their studies because they have been convicted of a criminal offence? Under what circumstances and for what offences might such a practice be (or have been) invoked?
- should a university's academic misconduct procedures always carry a right for the student concerned to appeal the finding/penalty?
- is it usual practice not to have any written guidelines/policy on how supervisors are allocated to MSc students and are records/minutes kept of supervisory allocation meetings? Is it standard practice to have a formal process for a student to request a change of supervisor after allocation?
- how do universities balance the competing demands of ensuring the independence of students' unions, whilst meeting the requirements of the 1994 Education Act requiring universities to have a complaints procedure available to all students who are dissatisfied with their dealings with the students' union?



Strategic Plan



Report and Plan 2014

This report and plan is set out in accordance with the OIA organisational aims in our strategic plan.

We provide an excellent Scheme to review student complaints based on the highest standards of adjudication and case management

Closure levels

In 2013 we closed a record 2,251 cases at a unit cost of £1,661. In 2014 we expect to close 2,600 cases at a unit cost at £1,600. Over the year the number of cases awaiting allocation to case-handlers more than halved to 313 at the end of December.

Settlements

The increased emphasis on early resolution in 2013 contributed to almost nine per cent of complaints being settled without the need for full review, slightly short of the key performance indicator of ten per cent. Given continuing refinement of our processes and the positive response to this approach from complainants and universities, we believe a ten per cent target is constructive and achievable this year.

Compliance

The OIA has a responsibility to monitor compliance to encourage timely and careful implementation of its recommendations, both to provide individual redress and ensure expected changes to university procedures are made, and promptly to report cases of non-compliance.

In 2013, 90 per cent of student-centred recommendations were implemented by the specified date. In 2014, we aim to ensure this level of compliance continues and refine the way we track university procedure recommendations.

We recruit and develop staff of the highest calibre to ensure excellence in service delivery

Employee Engagement Survey

We are committed to the principles of employee engagement, encouraging two way communication and employee participation in continuous improvement initiatives. In 2014 we will conduct our second staff engagement survey, building on outcomes from the first survey in 2012.

Training

We are committed to training at all levels in the organisation and will once again carry out an extensive in-house training programme. In addition a number of our staff will undertake or complete Ombudsman Association/ Queen Margaret University qualifications in complaints handling.

Mentoring

We will continue to develop our well-established mentoring programme for new staff, and build on this to examine the use of coaching and mentoring techniques across the organisation.

Targets

We will expand our individual performance targets to include consideration of the length of time taken on cases as well as overall output in terms of case closures. This is part of a strategy to reduce the number of cases that take much longer than average to close.

We prize efficiency as a key benefit to our users: we are cost effective and time conscious

Timescales

The organisation aims to ensure that the average 'turn-around' time for complaints is reduced as much as possible and recognise that even the most complex cases must be concluded in a reasonable timeframe.

In 2013, we closed 35 per cent of cases within six months of receipt of the complaint form against a target of 85 per cent. In 2014, we aim to be closing 75 per cent of cases within six months by the end of the year.

Eligibility

It is important for complainants and universities to know as soon as possible whether the issues they are raising are able to be reviewed by the OIA. We made significant progress in this area in 2013. By December 2013 74 per cent of cases had eligibility decisions made (or a request for further information was sent) within ten working days of the OIA receiving the complaint. By the end of 2014 we expect to increase this to 90 per cent.

Enquiries

In 2013 we dealt with a record 2,212 enquiries by telephone and email, providing information to students, universities and others about how to use the OIA Scheme or signposting them to other services where appropriate. We exceeded the objective of responding to 85 per cent of enquiries within two working days by the end of 2013 and in 2014 plan to increase this to 90 per cent.

Membership

The OIA is committed to working towards a position where all higher education students can access the OIA if their complaint is not resolved internally. In 2013, four institutions became members as a result of a change in status, whilst three others chose to join under the Non Qualifying Institution provision. In 2014 we will explore ways of increasing the coverage of the OIA Scheme, and will continue to make contact on an individual basis with 'alternative' providers and Further Education colleges. The OIA has amended its subscription model so that all member institutions pay a core fee based on student numbers and a case related additional fee once a certain number of cases is reached.

We review, analyse and discuss our work to promote consistency and fairness

Annual Letters

The OIA Annual Letters to universities are now established and recognised as providing important information for students, universities and the wider public on the complaints handling record of individual universities. In 2014 we will review the data and information requirements for the letters with a view to providing richer feedback.

Knowledge Management

A new system of knowledge management and knowledge sharing will be introduced in the Office early in 2014 based on improved technology and the designation of knowledge co-ordinators to monitor and capture developments relating to key issues affecting student complaints and OIA decisions.

We are proactive in embedding and disseminating knowledge and skills acquired from our work within the higher education sector, helping to secure positive change.

Good Practice Framework / Early Resolution Pilots

In 2013 the OIA set up and led a steering group including the National Union of Students, the Academic Registrars' Council, the Association of Heads of University Administration and the Quality Assurance Agency to construct a model framework for complaints and appeals handling in higher education. This is a significant development in terms of OIA's mission to promote good practice in complaints and appeal handling and will be the subject of consultation with stakeholders in spring and summer 2014.

The framework will complement the UK Quality Code for Higher Education. It will be a non-statutory and consultative framework to inform institutional approaches and will be kept under review. The framework will be informed by the outcomes of Early Resolution pilots coordinated by the OIA in a number of universities and students' unions in 2013, continuing into 2014.

Regulatory Partnership Group (RPG)

We will continue to play an active role in ensuring a joined up approach between the organisations that are part of the HE regulatory framework in England. Subject to RPG funding this will include leading a project to map the complaints landscape, building on the higher education operating framework produced in 2013.

We actively manage the profile of the organisation to ensure a high level of awareness and credibility among stakeholders.

Communications

Following review of the OIA Scheme processes we will update online and other communications to ensure our Scheme can be more easily understood by students.

User Feedback

In 2014 we will review how we seek and follow up user feedback from both students and universities.

Outreach

The OIA has undertaken visits to 19 universities and students' unions during 2013. We will maintain this vital engagement to exchange ideas and information relating to complaint handling. We will continue to visit universities and students' unions as part of a wider outreach programme during 2014.

The OIA is promoting international collaboration in the sharing of good practice by providing the Secretariat for the European Network of Ombudsmen in Higher Education.

OIA Subscriptions for 2013 and 2014

Core subscriptions are based on full time and part time higher education and further education students at Higher Education Institutions, according to the most recent available HESA statistics.

	Band	2013 Subscription Fees	2014 Subscription Fees
Fewer than 500 students	A	£793	£813
501 to 1,500 students	B	£1,601	£1,641
1,501 to 6,000 students	C	£8,611	£8,826
6,001 to 12,000 students	D	£17,085	£17,512
12,001 to 20,000 students	E	£28,400	£29,110
20,001 to 30,000 students	F	£42,928	£44,001
30,001 to 50,000 students	G	£51,015	£52,290
50,001 to 100,000 students	H	£62,778	£64,347
More than 100,000 students	I	£96,453	£98,864

From 2014 subscriptions may also include a case-related element where the number of complaints received by the OIA from students at the university in the previous year exceeded the band threshold.

Statement of Financial Activities

For the year ended 31 December 2013

	Unrestricted Funds £	Total 2013 £	Total 2012 £
Income Resources			
<i>Income from charitable activities</i>			
Subscriptions	3,851,033	3,851,033	3,041,690
Workshop income	–	–	3,520
<i>Income from generated funds</i>			
Other income	2,843	2,843	1,106
Investment income	14,112	14,112	13,655
Total incoming resources	3,867,988	3,867,988	3,059,971
Resources Expended			
Charitable activities	3,694,009	3,694,009	2,904,808
Governance costs	44,076	44,076	46,185
Total resources expended	3,738,085	3,738,085	2,950,993
Net incoming resources	129,903	129,903	108,978
Net movement in funds for the year	129,903	129,903	108,978
Total funds at 1 January 2013	623,614	623,614	514,636
Total funds at 31 December 2013	753,517	753,517	623,614

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 2013

	2013	2012
£	£	£
FIXED ASSETS		
Tangible assets	78,868	282,936
CURRENT ASSETS		
Debtors	87,931	69,344
Cash at bank and in hand	3,709,241	3,437,025
	3,797,172	3,506,369
CREDITORS		
Amounts falling due within one year	(3,122,523)	(3,165,691)
NET CURRENT ASSETS	674,649	340,678
TOTAL ASSETS LESS CURRENT LIABILITIES	753,517	623,614
FUNDS		
Unrestricted Funds		
General fund	753,517	623,614
	753,517	623,614

These summarised financial statements may not contain sufficient information to gain a complete understanding of the financial affairs of the Office of the Independent Adjudicator for Higher Education. The full auditors' report and financial statements can be found on our website at www.oiahe.org.uk
Independent Auditors' Statement: We have examined the summarised financial statements set out on pages 38 and 39.

Respective responsibilities of Trustees and Auditors You are responsible as Trustees for the preparation of the summary financial statements. We have agreed to report to you our opinion on the summarised statements' consistency with the full financial statements, on which we reported to you on 16 April 2014.

Basis of opinion We have carried out the procedures necessary to ascertain whether the summarised financial statements are consistent with the full financial statements from which they have been prepared.

Opinion In our opinion the summarised financial statements are consistent with the full financial statements for the year ended 31 December 2013.

**Crowe Clark Whitehill LLP, Chartered Accountants and Registered Auditors, Reading RG1 1PL.
8 May 2014.**

Spotlight on ENOHE 13

Photographs

Photo 1

Benita Von Gerlach-Bolten (international higher education consultant); Dr Josef Leidenfrost, President and Convenor of ENOHE and Austrian Student Ombudsman; Wolf Hertlein, Complaint Manager, Technische Universität Darmstadt, Germany; Dr Doris Kiendl-Wendner, Vice Rector, FH Joanneum University of Applied Sciences, Austria

Photo 2

Rob Behrens, Independent Adjudicator and Chief Executive, OIA; Rt Hon David Willetts MP, Minister of State for Universities and Science, UK; Ram Gidoomal, Chair, OIA

Photo 3

Dr Sally Varnham, Chair of the Academic Board and Associate Professor, University of Technology Sydney, Australia; Professor Anita Stuhmcke, Academic, University of Technology Sydney; Patty Kamvounias, Senior Lecturer in Business Law, University of Sydney, Australia; Maxine Evers, Senior Lecturer, University of Technology Sydney, Australia.
In front: Bronwyn Olliffe, Associate Dean (Teaching and Learning), University of Technology Sydney, Australia

Photo 4

Dr Marta Alonso, Ombudswoman, University of León, Spain

Photo 5

Sir Alan Langlands, former Chief Executive, HEFCE; Vice Chancellor, University of Leeds

Huw Meredith Photography
huwmeredithphotography.co.uk



office of the
independent
adjudicator

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Registered Charity number: 1141289

