



office of the
independent
adjudicator

Operating Plan for 2021

Our charitable purpose is to advance education for public benefit through the independent review of student complaints in England and Wales and by using learning from complaints to help improve policies and practices.

[Our strategy](#) identifies four key priorities through which we fulfil our purpose and work towards our vision that students are always treated fairly.

The coronavirus pandemic has had a very profound impact on the higher education sector and those who work and study within it. Like all organisations, we have had to respond and adapt quickly to changing circumstances and this will continue into 2021. Our Operating Plan for the year reflects this and the growth that we anticipate across all aspects of our work. We continue to respond to the sustained year on year increases in our case receipts and prepare for possible further growth. We are continuing to try to make our service available to all who could benefit from it, in ways that are accessible to them. The growing influence of our good practice work and our role as an integral but independent part of the regulatory framework helps us to promote greater fairness for students. All of this means that we need to grow as an organisation - in capacity, through a high-performing culture, and with a flexible and innovative approach to our work.

Our Operating Plan for 2021 sets out what we plan to do this year to advance each of our strategic priorities and what we intend to have achieved by the end of the year. It includes both ongoing areas of work and new initiatives.

To review student complaints independently, fairly and effectively.

We have seen significant increases in the number of complaints we have received in each of the past three years, representing a very substantial cumulative increase in our caseload - nearly 60% since 2017. Managing this increased caseload effectively remains a top priority and a vital part of our commitment to providing a trusted, accessible and responsive service for reviewing student complaints.

We will continue to look for ways to improve our case-handling. We will use learning from our quality assurance processes and insights from feedback and our good practice work to continually improve what we do.

We will continue to consolidate work to cultivate kindness in all that we do, especially in how we communicate with students and support them in using our service. We will continue to listen to students who use our service and be responsive to what they tell us.

What we plan to do	What this will look like
<p>We will provide a timely service, responding promptly to enquiries, letting students know as soon as possible whether we can look at their complaint, and resolving complaints as quickly as we can.</p>	<ul style="list-style-type: none"> • We meet our key performance indicators (KPIs) for the timeliness of our case-handling process: • Responding to 95% of enquiries within two working days • Making 90% of eligibility decisions (or requesting further information) within 10 working days • Closing 75% of cases within six months of receipt.
<p>We will use risk-based and proportionate quality assurance mechanisms to evaluate the quality of our processes and the decisions we reach, using what we learn to improve what we do.</p>	<p>We monitor the quality of our processes and decisions. We feed learning back into continuous development of our case-handling practice.</p>
<p>We will continue to encourage case-handlers to try to settle cases whenever it is appropriate.</p>	<p>We try to settle cases where this would be a reasonable and realistic potential outcome, working towards our KPI of settling 10% of our cases.</p>

What we plan to do	What this will look like
We will take a more adaptable approach to our reviews and empower case-handlers to use our processes flexibly.	We handle cases in a way that is more responsive to both the needs of the individual student and the nature of the case. We trial an approach to cases that prioritises early resolution and is more proportionate to the circumstances of the case.
We will listen to students to understand their concerns.	We continue to offer students the opportunity to discuss their complaint with us so we understand their concerns before we reach our decision. We give students who contact us with enquiries the option of discussing their case with us before deciding whether to make a complaint to us. We continue to collect and consider feedback from students on their experience of our service.
We will continue to develop how we communicate with students and support them through our review of their complaint.	We communicate with students throughout our review process so they are supported and understand what is happening with their complaint. We trial the use of video calls and where appropriate giving our decisions by telephone. We continue to develop our online portal MyOIA.
We will work with higher education providers to maintain a high level of compliance with our Recommendations.	We maintain our strong track record of compliance, and meet our KPI of compliance with 85% of student-centred Recommendations by the target date.
We will develop a Large Group Complaints process for handling complaints from large groups of students where there is a high degree of commonality between the complaints.	The new process enables us to consider large group complaints collectively and efficiently whilst maintaining fairness.
As the designated alternative dispute resolution (ADR) body for higher education complaints, we will continue to comply with the requirements of the ADR Regulations.	We continue to meet the standards and reporting requirements expected of us as the ADR body.

To share learning from complaints with higher education providers, student representative bodies and others, to help improve policies and practices.

We will continue to develop our successful outreach programme and our good practice work. We will monitor the effectiveness of what we do and assess its impact so that we can focus our resources on what works well. We want our good practice work to reach everyone who can benefit from it, in ways that are helpful to them.

We will engage with live issues affecting providers and students, listening to their experiences and developing and updating our good practice guidance based on learning from the complaints we see.

What we plan to do	What this will look like
We will continue to share learning from our work through publishing information and guidance.	We publish information about our approach and learning from the complaints we see, for example in briefing notes and in case summaries.
We will continue to deliver our outreach programme in ways that make effective use of our resource.	We increase the availability of “on demand” content for providers and student representative bodies on our website. We promote these resources to providers that have not engaged with our “live” resources. We further develop our virtual outreach programme.
We will continue to reach out to student representative bodies and offer tailored outreach and resources.	We continue to deliver outreach events and provide good practice resources focusing on the role of student representative bodies in complaints and appeals. We explore ways to engage with student representatives in providers where there is no formal student representative body.
We will improve our understanding of what students know about how they can raise concerns and their awareness of our service and their right to complain to us.	We look at examples of providers’ published procedures to see whether students are clearly signposted to us. We analyse our own complaints data to understand more about who does and does not complain to us. We hold discussions groups with students to better understand their awareness of routes for complaining and their wider concerns. We use what we find out to inform our work in supporting good practice.

What we plan to do	What this will look like
We will continue to promote effective support for disabled students.	We continue to share learning on supporting disabled students, including working with the Disabled Students Commission to promote good practice in handling complaints brought by disabled students.
We will work with the Good Practice Framework Steering Group to review and update the Good Practice Framework: Handling complaints and academic appeals, consult on it and publish it.	We publish the updated Good Practice Framework: Handling complaints and academic appeals after consultation by the end of the year.

To work effectively with others and influence policy and practice in the wider regulatory framework for higher education and in the ombuds sector.

We are recognised for our unique role, and for our independence and expertise. We will continue to work with governments and key organisations in the sector and beyond as we further develop our role in the regulatory framework, balancing our independence and our interdependence with other organisations.

We will use our influence to help to increase focus on the student voice and experience, and to bring our expertise to the debate about live and emerging policy issues in the sector. We will work to extend access to our service to as many as possible of those who could benefit from it.

We will continue to be active members of the Ombudsman Association (OA) and of the European Network for Ombuds in Higher Education (ENOHE), sharing our learning and learning from other schemes.

What we plan to do	What this will look like
We will continue to work with the Welsh government and key stakeholders to progress legislation consulted upon in 2020 to make our service available to students across the post-compulsory education and training sector in Wales.	We work closely with the Welsh government, following the timetable and approach arising from Senedd elections, towards legislation that enables us to take on this expanded role effectively.
We will respond to key proposals, reviews and developments from the UK government and others in the HE sector.	We bring our distinct perspective, shaped by what we learn from reviewing complaints and working with providers and student representative bodies towards continuous improvement, to a wide range of policy areas as the government and the higher education sector continue to respond to the pandemic and wider challenges. We expect this to include responding to a White Paper or strategy document for higher education and the government's response to the Augar review.

What we plan to do	What this will look like
<p>We will continue to work as an integral but independent part of the regulatory framework, working constructively with the Office for Students (OfS) and the Higher Education Funding Council for Wales (HEFCW).</p>	<p>We work with the OfS and HEFCW so information is shared as appropriate and we are involved in relevant discussions around their workstreams.</p>
<p>We will continue to work with a range of organisations and groups across the sector and beyond.</p>	<p>We attend relevant meetings and participate in discussions relevant to our work, including with the Department for Education (DfE), National Union of Students, the UK Standing Committee for Quality Assessment, the Quality Assurance Agency, the Education and Skills Funding Agency and the Competition and Markets Authority and Consumer Benefit Forum.</p>
<p>We will contribute to policy consideration around the issue of students being left without meaningful remedy in some market exit or insolvency situations.</p>	<p>We continue to promote the importance of making remedies available for individual students in these circumstances and engage with government and organisations in the sector around possible solutions.</p>
<p>We will continue to work with student organisations and sector bodies to help mitigate the impact of market exit or insolvency situations and achieve appropriate redress for students where possible.</p>	<p>We play a role in any relevant taskforces and where possible contribute to planning to help improve outcomes for students and reduce the likelihood of complaints arising. We participate in any lessons learned exercises.</p>
<p>Following government confirmation in 2020 that providers of higher technical qualifications should join the OIA Scheme, we will encourage all awarding bodies to join to make access to independent redress as wide as possible.</p>	<p>We work closely with DfE, OfS, Ofqual and others to ensure understanding of any gaps in coverage and work to reduce them.</p>

What we plan to do	What this will look like
<p>We will resume the review of our governance structure (paused due to coronavirus) and identify future arrangements that will enable effective governance, reflect our expanded membership and have the confidence of stakeholders.</p>	<p>We identify and start to implement new governance arrangements.</p>
<p>We will learn from, contribute to, and reflect good practice in the ombuds sector.</p>	<p>As active members of the OA, we compare our practice with other organisations in the ombuds sector, identifying any improvements we can make to our own approach. We contribute our learning about complaints handling to the wider ombuds sector through OA and ENOHE events.</p>

To continually develop our organisation so that we can do our work well.

We reflect our values in our work and encourage an engaging, supportive and high-performing organisational culture that is inclusive, diverse and promotes wellbeing. We support colleagues' understanding of our organisational context and direction and the part they play in it.

We will keep capacity requirements across the organisation under review so that we are in a position to fulfil the different aspects of our remit effectively. We will continue to develop our organisational infrastructure so that it supports our core functions effectively.

What we plan to do	What this will look like
We will continue to promote a positive, high-performing organisational culture.	We support people to achieve their potential and have high expectations of performance. We increase flexible working to help people to work at their best. We proactively support wellbeing. We use learning from our very positive recent employee engagement survey to inform developments in how we work.
We will maintain our focus on diversity and inclusion.	We value diversity in our organisation and work to promote an inclusive culture. We develop how we reach out to underrepresented groups in our recruitment, drawing on specialist expertise and taking a skills-based approach. We analyse our casework data to better understand patterns in complaints to us and use this to inform our good practice work and our own practice.
We will continue to support professional development and provide tailored learning opportunities.	We value learning and support professional development. We run a programme of internally led knowledge-sharing sessions, tailored workshops, external training and study opportunities.
We will cultivate kindness in all aspects of our work.	We recognise the value of kindness. Our kinder approach helps students to feel that we have listened to and understood their concerns and supports the effectiveness of our casework.

What we plan to do	What this will look like
We will continue to develop our information management practices.	Our practices support consistency and enable colleagues to find the information they need quickly through well-structured and comprehensive case-related resources. Where possible, we automate processes such as record retention schedules.
We will continue to provide a cost-effective and efficient alternative to the courts, benefiting both providers and students who use our Scheme.	We manage our finances to enable us to advance and balance our organisational priorities and keep the unit cost of our cases stable.
We will continue to refine and improve our subscriptions system.	We continue to keep the structure and level of our subscriptions under review taking account of both our rising caseload and financial pressures in the sector. We monitor developments in higher education sector data that are relevant to our subscriptions.
We will continue to develop our IT systems so that they are stable, secure and function well.	We maintain a good level of stability and security through the year. We make further improvements to our IT to work towards more integrated systems and greater efficiency.