

Schedule 5

OIA Annual Activity Report for Period 1 October 2022 to 30 September 2023

(a) the number of domestic disputes the ADR entity has received;

No. enquiries received (total)	No. disputes received (domestic)	No. disputes received (cross-border)	No. disputes received (total)	No. disputes accepted (continued to case) (domestic)	No. disputes accepted (continued to case) (cross-border)	No. disputes accepted (total)
3702	2163	897	3060	1736	751	2487

The reporting category of 'enquiries' includes those that have no relation to cases, and those related to a case before it is submitted. Those enquiries received related to a case (dispute) once it has been submitted are not included as they are part of our casework. We are not able to break the enquiries category down into domestic and cross-border sub-categories as, by their nature, we do not collect sufficient data during such interactions to be able to do so. We have not included cases which record a cancelled status (representing cases raised in error).

(b) the types of complaints to which the domestic disputes and cross-border disputes relate;

Types of disputes:

	Domestic	Cross-border	Grand Total
Service Issues	803	173	976
Academic Appeal	831	524	1355
Financial	133	41	174
Equality law / Human rights	64	5	69
Welfare / Non-course service issues	95	16	111
Disciplinary matters (academic)	53	73	126
Disciplinary matters (non-academic)	69	27	96
Fitness to practise	35	3	38
Other	75	31	106

On our Complaint Form we ask students to answer the following question: "when you applied for your course, were you: Resident in the UK; or Resident outside the UK. If you are unsure, please explain your circumstances." If students do not complete this question, we write to them asking them to do so. However, students who have withdrawn their complaint

or whose complaint we have ruled not eligible, may not respond. For the purposes of this report we have included the "not specified" in the "domestic" column. These figures do not include a small number of cases that are still early in the process and so do not have case categories recorded.

- (c) a description of any systematic or significant problems that occur frequently and lead to disputes between consumers and traders of which the ADR entity has become aware due to its operations as an ADR entity;

Detailed information on the trends and common themes that we see in the complaints we review is provided in our Annual Report (<https://www.oiahe.org.uk/media/2832/oia-annual-report-2022.pdf>). This includes a specific section on trends in complaints and themes in our casework.

In 2022/23, we have seen a reduction in the proportion of our complaints that relate to service issues, in part because fewer new complaints relate to the impact of the Covid-19 pandemic. However we have not identified any "systemic or significant problems" that occur frequently sector wide. Where we have identified information about potential systemic issues within individual providers, we have shared this with the relevant sector regulators, the Office for Students and Higher Education Funding Council for Wales.

We continue to develop new and update existing elements of the Good Practice Framework (<https://www.oiahe.org.uk/resources-and-publications/good-practice-framework/>). For example, following consultation with the sector, we issued a revised version of the 'Handling complaints and academic appeals' section of the framework in December 2022. In 2023/24, we are consulting on the 'Delivering learning opportunities with others' section of the framework.

Our programme of outreach work continues to expand, and we continue to make in person/virtual visits to providers and student representative bodies. In February 2023 and September 2023, we published casework notes and case summaries on complaints relating to a specific case area (academic misconduct and non-academic misconduct respectively). All with the focus on our vision of fairness for students across the higher education sector.

- (d) any recommendations the ADR entity may have as to how the problems referred to in paragraph (c) could be avoided or resolved in future, in order to raise traders' standards and to facilitate the exchange of information and best practices;

We have made Recommendations in individual complaints as well as incorporating our insights into guidance we have published (see details in section (c) above). Providers have responded positively to our guidance and case summaries, for example through: engaging with students, finding ways to deliver learning opportunities that have been missed, and adjusting formal processes, as well as attempting to resolve complaints internally, and being open to settlement opportunities that we identify.

- (e) the number of disputes which the ADR entity has refused to deal with, and the percentage share of the grounds set in paragraph 13 of Schedule 3 on which the ADR entity has declined to consider such disputes;

Total no. of disputes rejected	558
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Reason	No. rejected	Percentage* of rejected
a) the consumer has not attempted to contact the trader first	438	78%
b) the dispute was frivolous or vexatious	10	2%
c) the dispute had been previously considered by another ADR body or the court	4	1%
d) the value fell below the monetary value	0	0%
e) the consumer did not submit the disputes within the time period specified	23	4%
f) dealing with the dispute would have impaired the operation of the ADR body	8	1%
g) other (enquired too early, not yet complained to trader, trader not member, advice call etc)	75	13%

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

We are pleased to note a slight decrease (from 20% to 18%) in the number of complaints that we received but were not eligible. We continue to promote materials on our website (e.g. case summaries, briefing notes and guidance, FAQs for students) and through our contact with student representative bodies to help make it clear to students that they need to complain to their higher education provider in the first instance.

- (f) the percentage of alternative dispute resolution procedures which were discontinued for operational reasons and, if known, the reasons for discontinuation;

	No. discontinued	Percentage of discontinued
Discontinued for operational reasons	0	0%

Reasons for discontinuation: N/A

- (g) the average time taken to resolve domestic disputes and cross-border disputes;

	Domestic	Cross-border	Total
Average time taken to resolve disputes (from receipt of complaint)	133	113	123

Average time taken to resolve disputes (from 'complete complaint file')	16	14	15
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We continue to work towards reducing the overall time taken to resolve disputes across our scheme. The average time taken to resolve cases from the time of receipt has remained relatively stable in comparison to 2022. Our commitment to reducing the timescale to resolve disputes is an ongoing organisational priority.

(h) the rate of compliance, if known, with the outcomes the alternative dispute resolution procedures (amongst your members, or those you provide ADR for)

Percentage of provider compliance: 100%

(i) This point has been removed in amendments on 1 January 2021

Please add any additional information or data you think might be useful or interesting at the bottom of this report.

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

In January 2023, we changed to a new case handling system (Dynamics). This has been a significant change for the organisation. The change has improved the security of how we share information about complaints with the parties, and brings increased flexibility to how we can manage and report on casework data.