

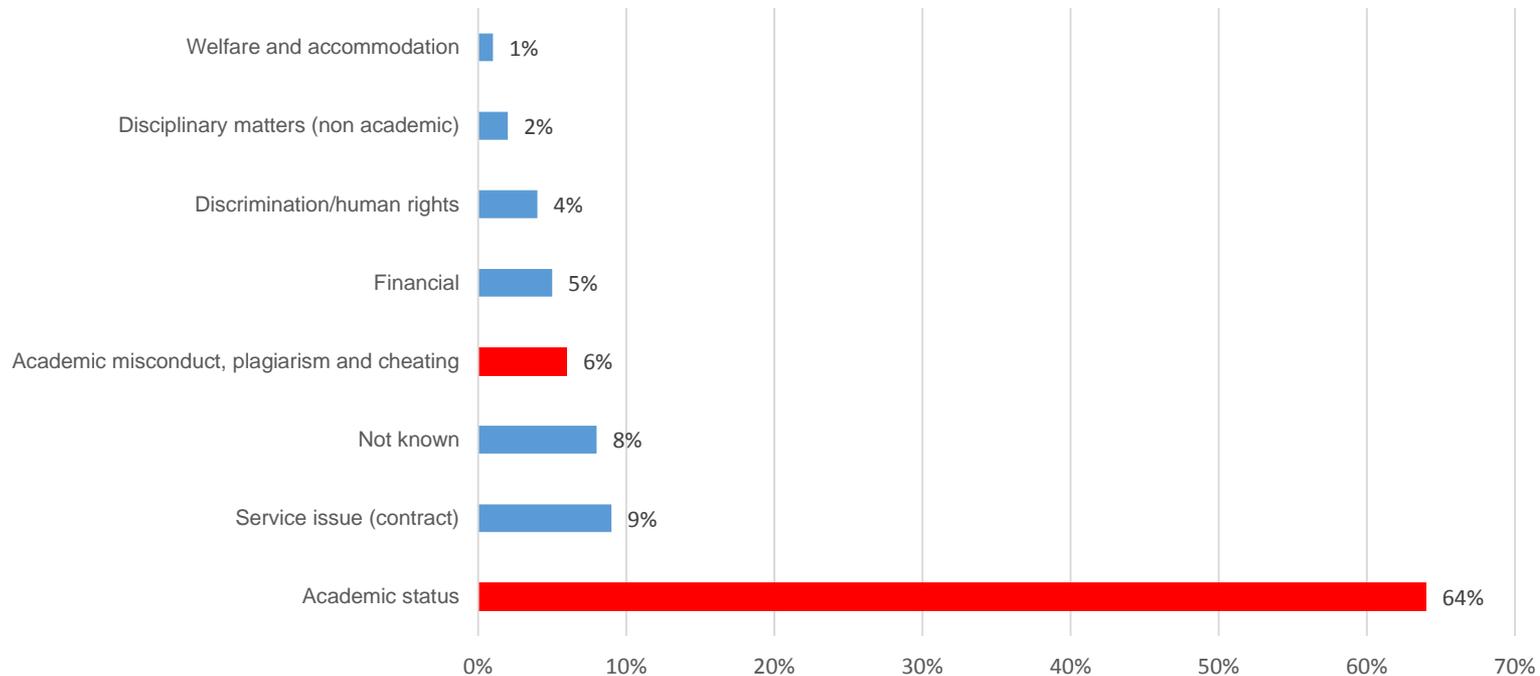
# Academic complaints handling

Is there a financial case for using conciliators, conflict coaches and mediators when many – if not most – complaints are academic, ie, from students who have failed, plagiarised, underperformed etc?

**Alison Wells**, Director of Academic Services

# Persistent themes: the main focus of complaints

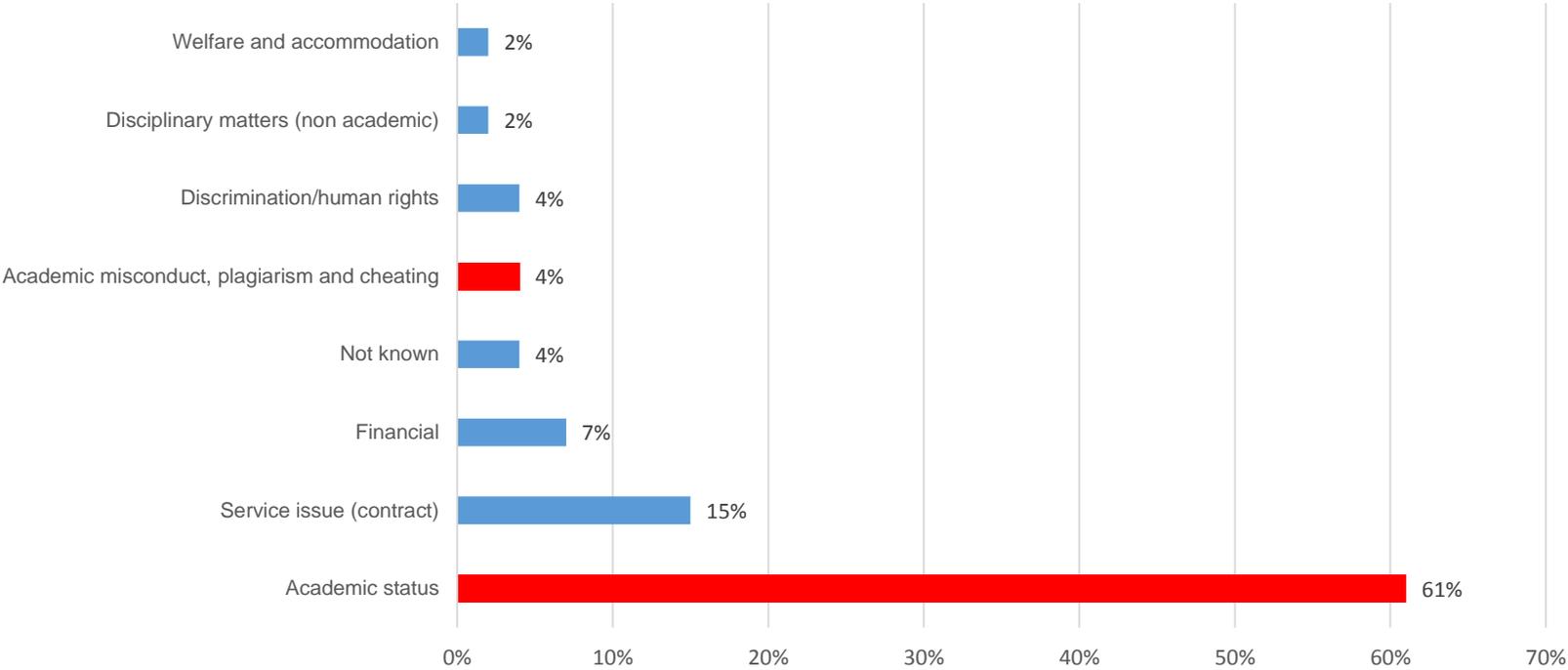
Complaints closed by principal category: 2013



Source: Office of the Independent Adjudicator for Higher Education

# Persistent themes: the main focus of complaints

Complaints closed by principal category: 2014



Source: Office of the Independent Adjudicator for Higher Education

# Changing nature of student expectations – **financial**

- Annual tuition fee first introduced and set at £1,000 in 1998
- Fee increased to £3,000 in 2006
- Fee trebled to a maximum of £9,000 in 2012
- Average undergraduate combined debt on graduation exceeds £44,000 <sup>1</sup>

<sup>1</sup> *Payback time? Student debt and loan repayments: what will the 2012 reforms mean for graduates?*

Institute for Fiscal Studies and the Sutton Trust April 2014

# Changing nature of student expectations

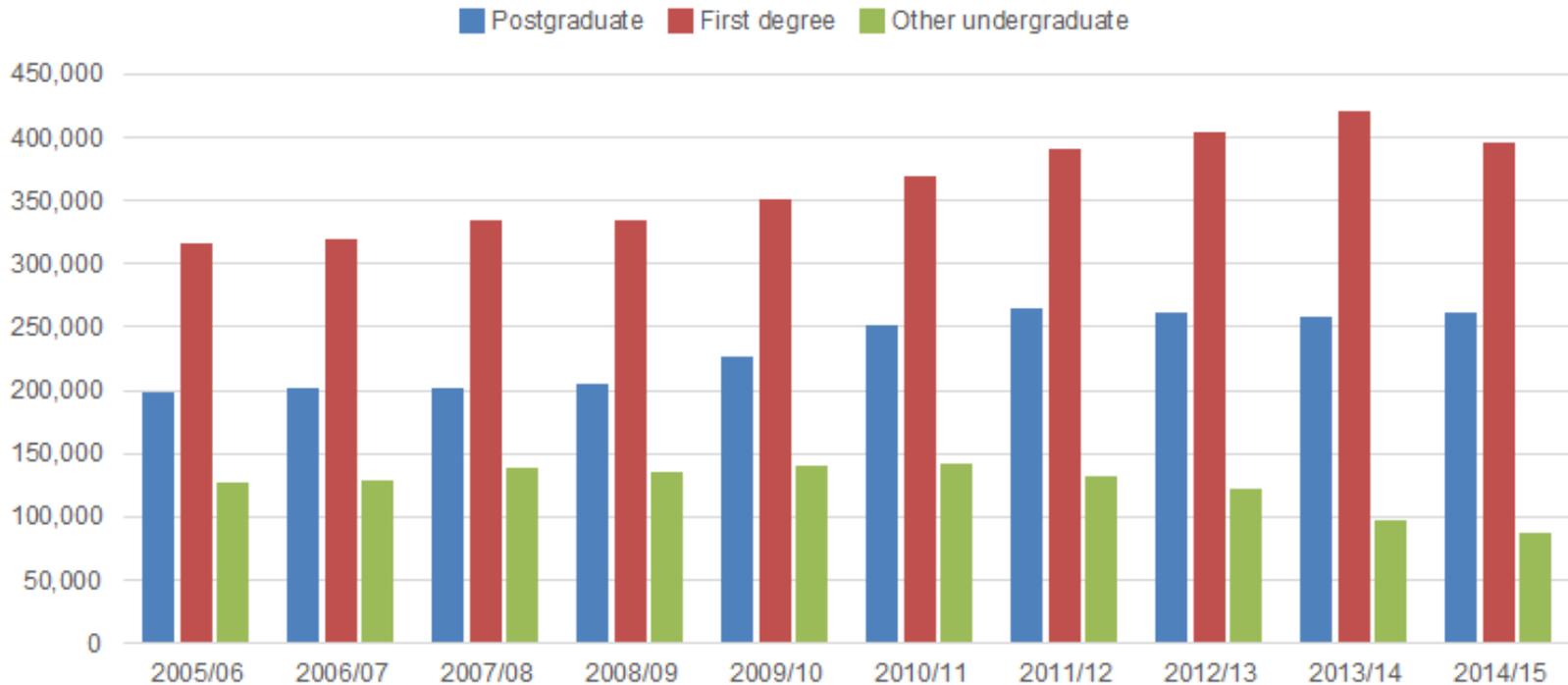
## – **external agencies**

- Office of the Independent Adjudicator (OIA) was chosen to operate a student complaints scheme in England and Wales in 2005
- Consumer Protection Legislation – CMA guidance and ‘Which?’
- Consumer Rights Act
- Legal recourse – JR, County Court action, ET, no win no fee lawyers

# Changing nature of student expectations – **societal**

Proportion of students with a degree over the last 10 years

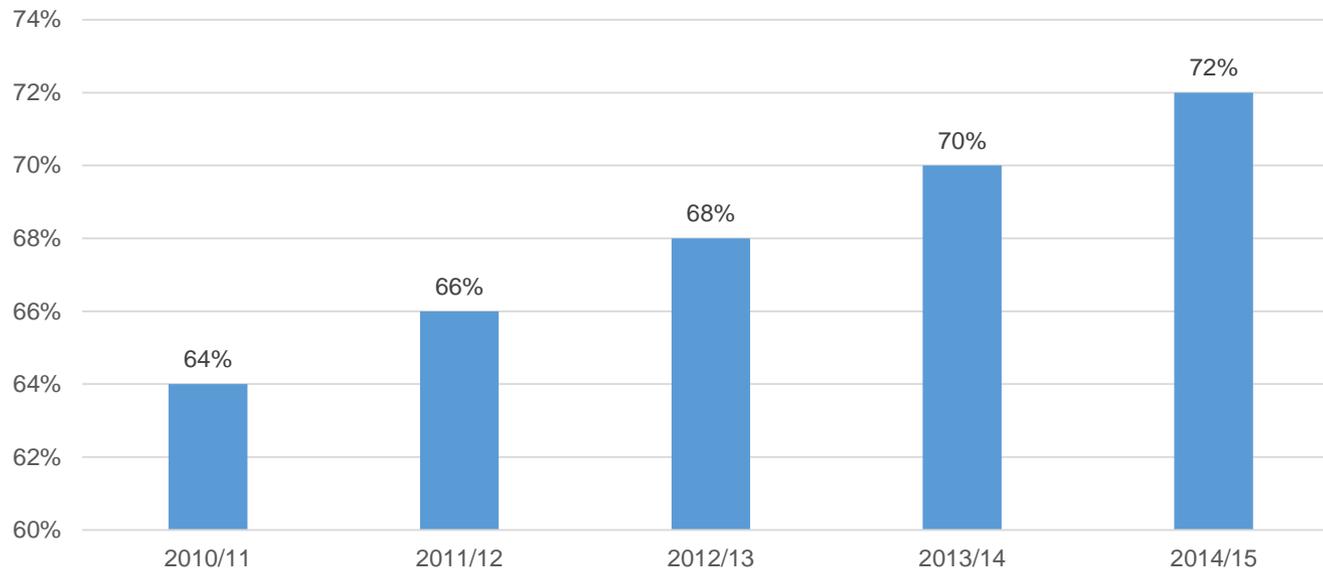
HE qualifications awarded at UK HE providers by level 2005/06 to 2014/15



Source: HESA Student record

# Changing nature of student expectations – **societal**

Percentage of first degree students achieving 2:1 and higher



Source: Higher Education Statistics Agency Limited 2016

# Changing nature of student expectations – **other potential factors**

- The background of the individual student
- The character/market position of the institution
- The level of the programme of study
- The nature of the programme of study

# How have HEIs responded?

- Increased focus on student complaints and appeals
  - Engagement with the OIA
  - Reporting stats through to Academic Board and governing bodies (HEFCE revised operating model on quality assessment... TEF?)
  - Academic Registrars' Council – Complaints and Appeals Practitioner Group
  - Conferences and seminars
- Reviews of policies and procedures – self initiated and promoted by CMA

# Where does this leave us?

- More graduates with high levels of debt
- Competing for employment in a changing economic climate
- With an increased and increasing understanding of their consumer rights

# Mediation, conflict coaches, conciliation

- Used for many years and with some success in employment and family law, and contractual disputes
- Less about establishing facts, more about the relationship between the parties (hearing and being heard)
- Factors influencing success:
  - Genuine desire of both parties to resolve the matter through talking
  - Equity in the power balance between the parties
  - Maturity of the participants
  - Nature of the desired outcome

Does mediation, conflict resolution, conciliation give us anything that the OIA or court action does not/cannot?

# Is there a financial case?

There can be, but it is a finely judged decision:

- Are the participants genuinely committed to mediation for its own sake?
- Is the remedy sought one which can genuinely be altered by the mediation process?

And a hard headed reason...?

- Is this case likely to be long and costly and problematic (such that having tried mediation might be seen to demonstrate a commitment to resolution in any subsequent proceedings)