



## Student Commitment

### Introduction

Concerns have been articulated about the content and tone of the communication to students used by HEPs in relation to policies and procedures that describe rules, expectations, and consequences potentially contributing to the mental distress of students. This can cover both academic regulations and broader behaviour. Distress can be exacerbated if internal procedures (for example, academic misconduct, fitness to study, and disciplinary processes, or communication of assignment results) do not consider the potential vulnerabilities of students.

### Taskforce objective

- Develop good practice that enables HEPs to review their internal student-facing policies, procedures, and communications to ensure they are delivered compassionately and do not exacerbate unnecessarily any vulnerabilities students may be experiencing.
- Develop the Student Commitment ('the Commitment') which the OIA can take into account in its review of individual complaints.

### What we are trying to achieve

- To establish a sector-wide understanding of the importance of and the innovation around student sensitive procedures and communications which underpins rapid adoption and continuing development of good practice.
- To give more authority to the Commitment by setting clearer standards for the sector that the OIA may consider when considering complaints from students.

### Context: OIA

The OIA is the designated operator of the student complaints scheme and its remit and membership is set out in the Higher Education Act 2004. It has a wide role to consider 'any act or omission' of a member provider and has over 800 members across England and Wales. As well as reviewing individual complaints the OIA shares good practice in complaints handling through a number of ways including the Good Practice Framework. The Framework supports HEIs to develop, evaluate, and follow fair processes. It consists of 10 principles of good processes. Process should be:

- accessible and clear; fair, independent, and confidential; Inclusive; flexible, proportionate, and timely; and they should improve the student experience.

There are currently six sections to the Good Practice Framework - handling complaints and academic appeals; delivering learning opportunities with others; supporting disabled students; requests for additional consideration; disciplinary procedures; and fitness to practise.

The Framework draws on OIA's experience handling complaints and has been developed with a Steering Group consisting of HE providers, student organisations, sector bodies and external representatives and public consultation. The Framework is not compulsory for providers to follow.

Students can complain to the OIA once they have exhausted the provider's internal procedures. When considering a complaint, the OIA reviews the final decision of the provider and considers whether the provider has properly applied its own regulations and followed its procedures, and whether the procedures themselves and the final decisions were fair and reasonable. This may include considering how the provider has taken into account the Framework. The review is transparent with both parties seeing all the documentation provided. The OIA makes recommendations to providers where a complaint is found Justified or Partly Justified. It also publishes [Annual Statements](#) outlining the number of complaints received and the outcome of those complaints each year for each of its members.

The Framework is available on the OIA website for anyone to use. The sections on supporting disabled students and requests for additional consideration are most relevant to this taskforce.

Two key principles of the Framework are that processes should be 'accessible and clear', using language that is easy to understand, and 'inclusive' where everyone is expected to act reasonably and kindly towards each other.

The OIA is an independent ombuds scheme and not a regulator, but it is part of the regulatory framework in England and Wales. It is free for students to use and provides students with an opportunity to resolve their concerns at no cost and without the need for legal representation. More information on [how a student can make a complaint](#) is available.

## **Context: Who can complain to the OIA?**

The OIA's remit is set out in statute and the Higher Education Act 2004 (section 12) says that a complaint must be "*made by a person...as a student or former student*". The OIA can continue with a review of a student's complaint after they have died, but only if they have received the student's Complaint Form during their lifetime.

## **Proposed Work Programme**

- Establish the Student Commitment which when published the OIA will be able to take into account in reviewing complaints.

- Identify emerging good practice in relation to compassionate communications and procedures being developed by HEIs and explore ways of reconciling compassion with requisite clarity about the requirements and consequences. A workshop to examine progress within HEIs is being organised by the HESSC in collaboration with Advance HE and the UUK Student Policy Network for the week of October 2nd as part of his wider project on the redesign of student support(July to December).
- Promote the importance of adoption of good practice within HEIs (January onwards).
- Explore the issues surrounding the origination of complaints where non-adoption of the Student Commitment may have contributed to a student suicide (July to December).

© Crown copyright 2023