



The Open  
University

# Equality and Diversity Annual Report 2017

Monitoring data

Student Complaints and Appeals

Published: May 2017

Comments or queries about this report are welcomed and should be sent for the attention of the Head of Equality and Diversity.

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### About Student Complaints

The University's complaints and appeals procedures were revised in 2015 to align with the Quality Assurance Agency's (QAA) Code of Practice and the Office of the Independent Adjudicator's Good Practice Framework. The revised complaints and administrative appeals procedures were approved by the Senate of the University in August 2015 and the academic appeals in October 2015.

A complaint is defined as "an oral or written expression of dissatisfaction concerning the provision of a programme of study or related academic or administrative service, which is not an appeal against a decision".

An administrative appeal is defined as "a request for a review of a decision taken by an individual or body charged with making decisions about any aspect of a student's access to learning or learning experience with the University which is not an academic decision".

An academic appeal is defined as "a request for a review of a decision of an academic body charged with making decisions on admission, assessment, student progression and awards".

There are three stages to either a complaint or an appeal, known as informal, formal and review. If a student considers that not all reasonable steps have been taken at the informal stage to resolve the matter, or that the decision they are appealing has not been reviewed in accordance with the relevant policies, procedures or regulations, they can request that their complaint or appeal be escalated to the formal stage and then to the review stage. Therefore the same complaint/appeal from the same student may be counted 3 times in statistical data if their complaint or appeal has been considered at all 3 stages of the procedure.

Having exhausted the University's internal complaints and appeals procedures the student will be issued with a Completion of Procedures letter which advises them of their right to request the Office of the Independent Adjudicator for Higher Education (OIA) to review their complaint. Within this report these OIA cases are recorded as external complaints and appeals. This category also includes any applications made to the Courts by students.

Data is collected via The Open University's customer relationship management system (VOICE), from which monthly and annual reports are produced. The reports include data on age, gender, ethnicity, as well as data on students who have declared a disability or any additional requirements to the University.

All students, once they have made a complaint or appeal to the University, are included in the reporting procedures including undergraduate, postgraduate and research students.

### Notes on the data

The reporting period for equality and diversity data is 1 August 2015 to 31 July 2016 in order to enable comparison with the data produced in respect of equality and diversity on the total student population. Trend data is provided in charts for ease of reference. The data is provided over a six year period for all complaints and appeals at the concern, formal, review and external stages for ethnicity, disability, gender and age.

The comparison data within the report varies by category because the data available from the Information Office is not complete for all areas. The figures for students by age and by gender include all UK students and non-UK students studying undergraduate and postgraduate modules. The figures also include overseas students, Research students and, in previous years, ITE students.

The University does not hold robust disability statistics for overseas students, therefore this group has been left out of the calculations for students with disabilities. The University also does not have robust ethnicity data on overseas students, and as non-UK students have their own particular data (by domicile and geographic region), both these groups are left out of the ethnicity calculations for the participation headcount for 2015/16.

The data for this report was extracted on 01 February 2017 with the participation headcount data provided by the Information Office on 22 February 2017.

## **Complaints and Appeals**

The total number of complaints and appeals received from students in the period 1 August 2015 to 31 July 2016 is 2413 (excluding external complaints and appeals). This represents an increase of 33.5% compared to the previous reporting period.

### **Complaints**

The total number of complaints received from students in the period 1 August 2015 to 31 July 2016 is 1356 (excluding external complaints). This is an increase of 58.8%. This increase can be explained by the manner in which front line staff are now recording contact from dissatisfied students, rather than students having to submit a complaint in writing to the Student Casework Office (SCO). It is therefore a matter of judgement whether the staff member believes the Student Complaints and Appeals Procedures should be implemented.

### **Appeals**

The total number of appeals received from students in the period 1 August 2015 to 31 July 2016 is 1057 (including TMA Appeals but excluding external appeals). This is an increase of 10.9% since 2014/15.

### **Office of the Independent Adjudicator for Higher Education**

The total number of cases reviewed by the Office of the Independent Adjudicator for Higher Education (OIA) in the period 1 August 2015 to 31 July 2016 is 48 which is a decrease of 7.7% on the previous reporting period.

## Equality related complaints/appeals

Table 1 below shows the number of equality related complaints and appeals received at stage 3 of the complaints and appeals procedures, and whether these were upheld following investigation by the University.

Table 2 shows the number of equality related cases investigated by the OIA in the period 1 August 2015 to 31 July 2016 and whether these were upheld or not. It should be noted that a post hoc judgment has been made in each final stage case as to whether the issue complained of is of an equality related nature. The Student Casework Office is unable to record whether a complaint/appeal is equality related or contains an element of alleged discrimination until it is proven.

**Table 1: Equality related nature and outcomes of complaints and appeals received at stage 3 in 2015/16**

Nature (equality related)	No. stage 3 cases	Outcomes			Resulting action taken		
		No. Upheld	No. Dismissed	No. settled	Change for individual (e.g. compensation/fee waiver/special arrangement)	Change for all students (i.e. policy/procedure change)	No change
Age	0	0	0	0	0	0	0
Disability:	0	0	0	0	0	0	0
-- course materials	2	1	1	0	1	0	1
-- examinations and assessment	10	1	8	1	3	0	7
- Disabled Students' Allowance problems	1	0	0	1	1	0	0
-- other	8	1	7	0	1	0	7
Ethnicity/Race	2	0	2	0	0	0	2
Gender	1	0	1	0	0	0	1
Religion/belief	0	0	0	0	0	0	0
Sexual orientation	0	0	0	0	0	0	0

**Table 2: Equality related nature and outcomes of complaints and appeals received at stage 3+ in 2015/16**

Nature (equality related)	No. stage 3+ cases	Outcomes			Other (settled , not proceeded with)	Resulting action taken		
		No. Upheld	No. Dismissed	No. outstanding outcomes		Change for individual (e.g. compensation/ fee waiver/special arrangement)	Change for all students (i.e. policy/procedure change)	No change
Age	0	0	0	0	0	0	0	0
Disability:	0	0	0	0	0	0	0	0
-- course materials	1	0	1	0	0	0	0	1
-- examinations and assessment	5	0	5	0	0	0	0	5
- Disabled Students' Allowance problems	0	0	0	0	0	0	0	0
-- other	3	1	2	0	0	1	0	2
Ethnicity/ Race	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0
Religion/ belief	0	0	0	0	0	0	0	0
Sexual orientation	0	0	0	0	0	0	0	0

# Student Complaints

Age

## Complaints and Appeals

The table below provides a breakdown of the total number of complaints and appeals received by the Open University in 2015/16 from students by age. This is then compared to the overall University student population.

**Table 3: Complaints and appeals cases, by age, 2015-16**

Age	25 and Under	26 - 35	36 - 45	46 - 55	56+	Known Total	Unknown	Grand Total
Complaints Informal	86	339	317	232	150	1124	3	1127
Complaints Formal	8	59	55	36	26	184	1	185
Complaints Review	0	17	12	9	4	42	2	44
<b>Complaints Total</b>	<b>94</b>	<b>415</b>	<b>384</b>	<b>277</b>	<b>180</b>	<b>1350</b>	<b>6</b>	<b>1356</b>
Appeal Admin Informal	28	93	77	68	31	297	0	297
Appeal Academic Informal	17	41	41	31	6	136	1	137
Appeal Admin Formal	8	14	24	17	6	69	0	69
Appeal Academic Formal	14	34	39	29	13	129	0	129
Appeal Academic Review	8	27	26	19	7	87	0	87
Appeal Admin Review	3	6	16	5	1	31	0	31
TMA Appeal	30	94	96	55	32	307	0	307
<b>Appeals Total</b>	<b>108</b>	<b>309</b>	<b>319</b>	<b>224</b>	<b>96</b>	<b>1056</b>	<b>1</b>	<b>1057</b>
<b>Total Complaints &amp; Appeals</b>	<b>202</b>	<b>724</b>	<b>703</b>	<b>501</b>	<b>276</b>	<b>2406</b>	<b>7</b>	<b>2413</b>
OIA cases	5	16	11	11	5	48	0	48
<b>Grand Total</b>	<b>207</b>	<b>740</b>	<b>714</b>	<b>512</b>	<b>281</b>	<b>2454</b>	<b>7</b>	<b>2461</b>
Participation headcount all UK students studying UG + PG courses including all Research and ITE students 2012/13.	29133	48060	31308	18896	10181	137578	0	137578
Participation % all UK students studying UG + PG courses including all Research students and ITE students 2012/13	21.18%	34.93%	22.76%	13.73%	7.40%	100.00%	0%	100.00%
Complaints and Appeals %	8.37%	30.00%	29.13%	20.76%	11.44%	99.70%	0.29%	100%
Complaints %	6.93%	30.60%	28.32%	20.43%	13.27%	99.56%	0.44%	100%
Appeals %	10.22%	29.23%	30.18%	21.19%	9.08%	99.90%	0.26%	100%
OIA Cases %	10.42%	33.33%	22.92%	22.91%	10.42%	100.00%	0.00%	100%

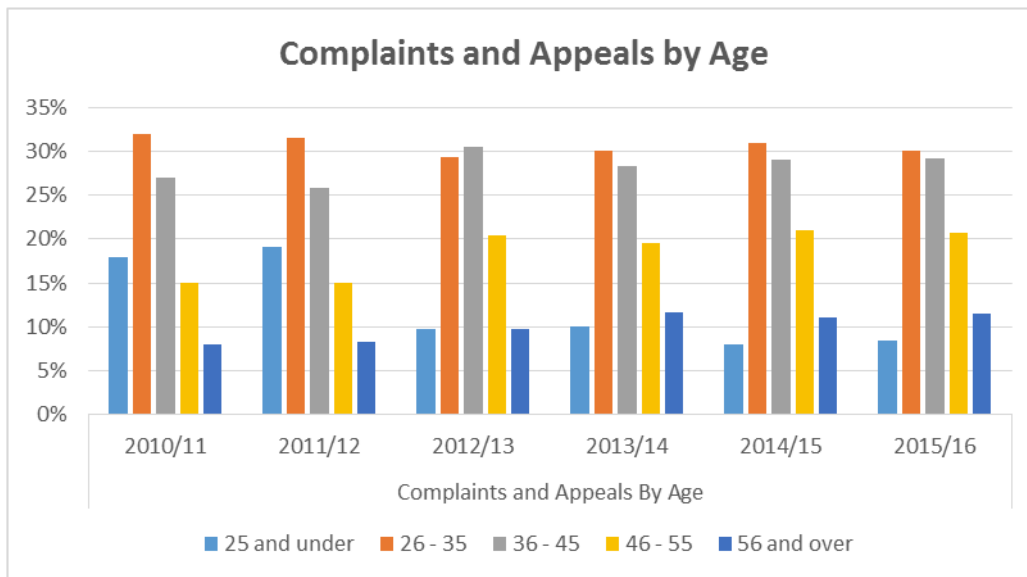
# Student Complaints

Age

## Complaints and Appeals

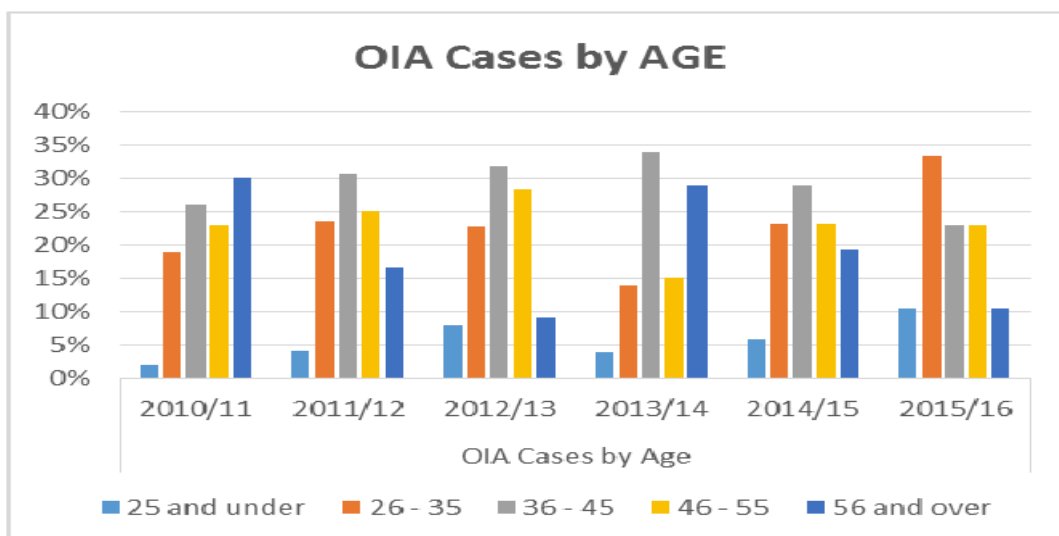
This chart demonstrates that in previous years, except in 2012/13, students in the 26 – 35 age category submitted the most complaints and appeals. The percentage of students who have complained has increased slightly in the 25 and under band and the percentage of the other age bands has remained largely unchanged.

**Chart 1: Complaints and appeals cases, by age, 2010/11 – 2015/16**



2015/16 saw an increase in the number of complaints and appeals referred to the OIA by students in the 26-35 age group. However, this was to be expected given that this was the largest group of complainants.

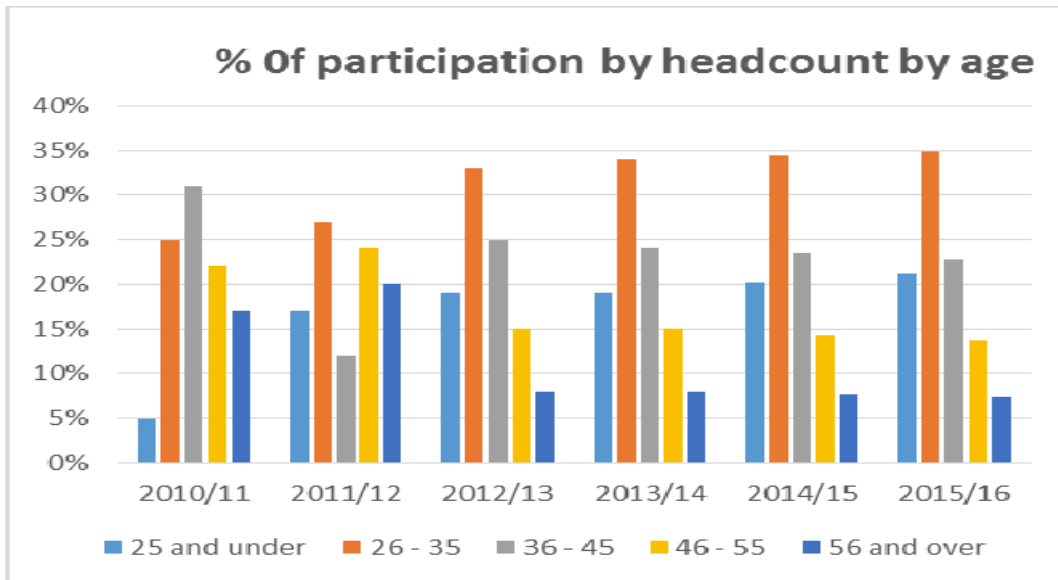
**Chart 2: OIA cases, by age, 2010/11 – 2015/16**





## Complaints and Appeals

**Chart 3: Participation of all UK and non UK students including UG and PG, ITT students, Overseas Special Scheme students and full and part time Research Degree students by age, 2010/11 – 2015/16.**



# Student Complaints

## Disability

### Complaints and Appeals

The table below provides a breakdown of the total number of complaints and appeals received by the Open University in 2015/16 from students with a declared disability and those without. This is then compared to the overall University student population (excluding overseas students).

**Table 4: Complaints and appeals cases, by disability, 2015/16**

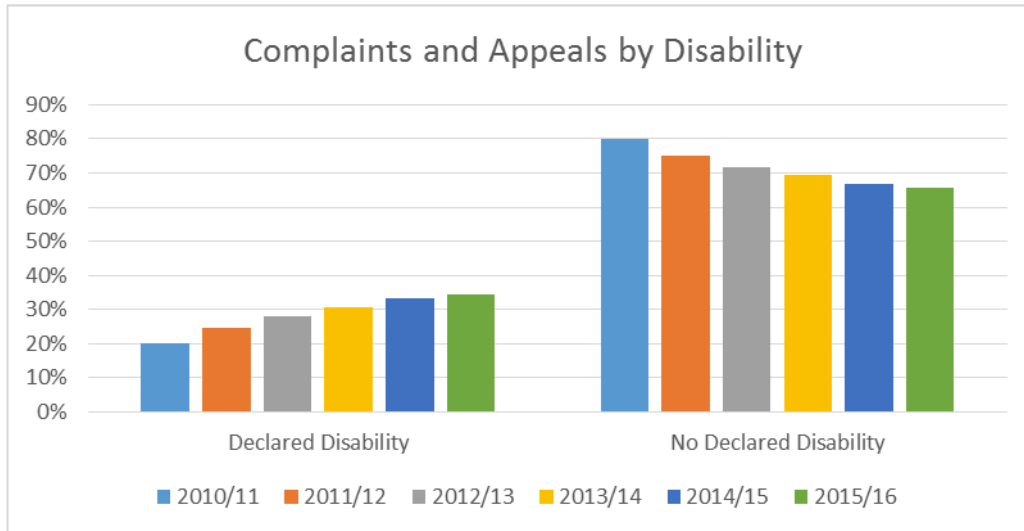
	Declared Disability	No Declared Disability	Total
Complaints Informal	380	747	1127
Complaints Formal	71	114	185
Complaints Review	14	30	44
<b>Complaints Total</b>	<b>465</b>	<b>891</b>	<b>1356</b>
Appeal Admin Informal	112	185	297
Academic Appeal Informal	37	100	137
Appeal Admin Formal	23	46	69
Appeal Academic Formal	47	82	129
Appeal Academic Review	43	44	87
Appeal Admin Review	8	23	31
TMA Appeal	96	211	307
<b>Appeals Total</b>	<b>366</b>	<b>691</b>	<b>1057</b>
<b>Total Complaints &amp; Appeals</b>	<b>831</b>	<b>1582</b>	<b>2413</b>
OIA cases	17	31	48
<b>Grand Total</b>	<b>848</b>	<b>1613</b>	<b>2461</b>
Participation headcount - all UK students studying UG + PG courses including all Research students and ITE students 2012/13. This data excludes Overseas students	24049	113290	137339
Participation all UK students and studying UG + PG courses including all Research students and ITE students 2012/13. This data excludes Overseas students	17.51%	82.49%	100.00%
Complaints and Appeals %	34.44%	65.56%	100.00%
Complaints %	34.29%	65.71%	100.00%
Appeals %	34.63%	65.37%	100.00%
OIA Cases %	35.42%	64.58%	100.00%

# Complaints and Appeals

The proportion of students who have a declared disability (35%) who submit a complaint or appeal is higher than would be expected in comparison with the student population.

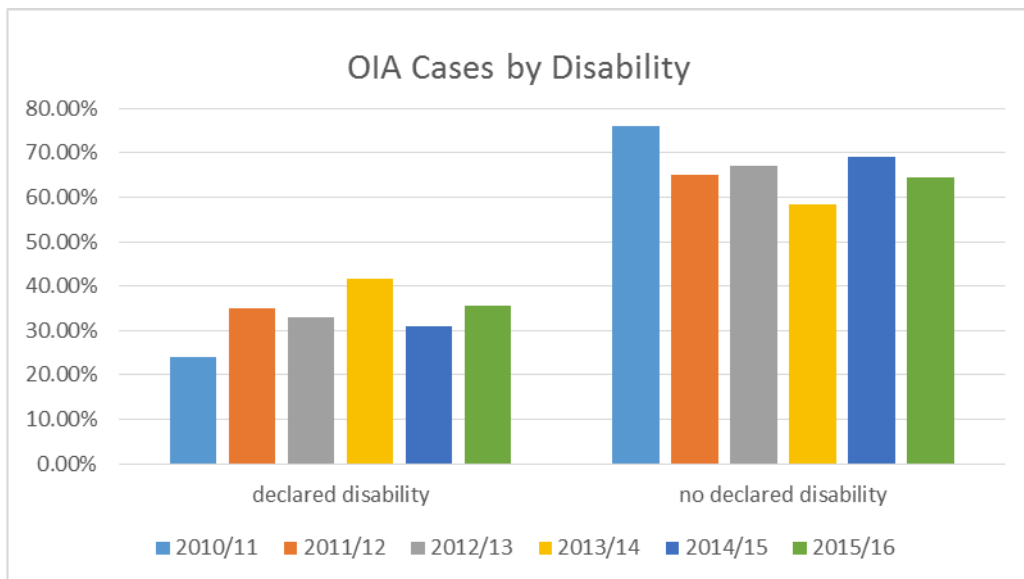
It should be noted that the complaints and appeals received from students with a disability are not all regarding disability related issues.

**Chart 4: Complaints and appeals cases, by disability, 2010/11 – 2015/16**



The number of students with a declared disability who referred their complaint to the OIA increased in 2015/16. This figure was at its highest in 2013/14, but dipped in 2014/15.

**Chart 5: OIA cases, by disability, 2010/11- 2015/16**

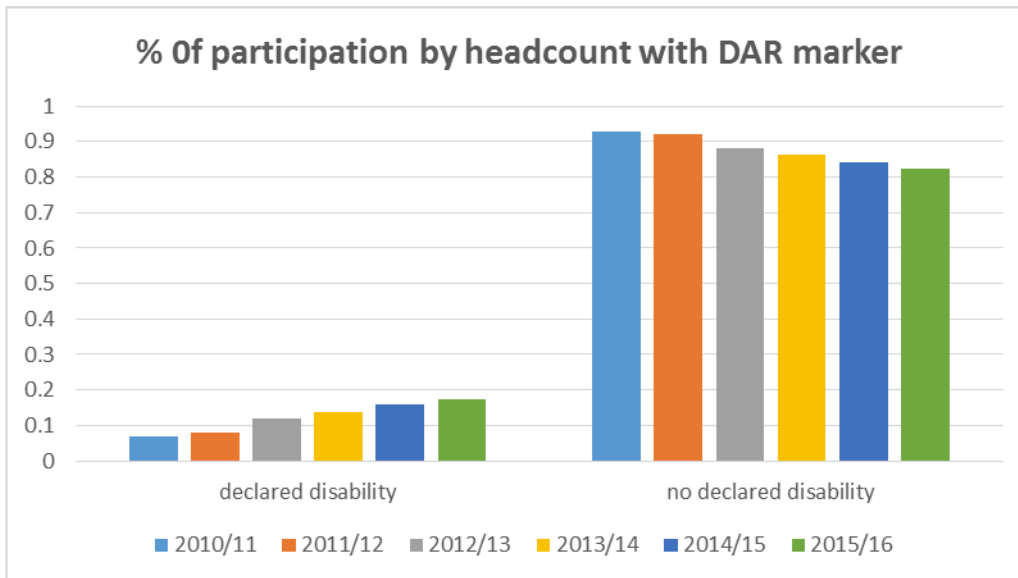


# Student Complaints

Disability

## Complaints and Appeals

**Chart 6: Participation of all UK and including UG and PG, ITT students, and full and part time Research Degree students, but excluding students who are resident overseas, registered in 2015/16 with a declared disability compared with previous years.**



# Student Complaints

## Ethnicity

### Complaints and Appeals

The table below provides a breakdown of the total number of complaints and appeals received by the Open University in 2015/16 from students by ethnicity. This is then compared to the overall University student population.

**Table 5: Complaints and appeals cases, by ethnicity, 2015/16**

	Asian and black	Mixed and other	Ethnic minorities Total	White	Known Total	Unknown or refused	Grand Total
Complaints Informal	90	52	142	938	1080	47	1127
Complaints Formal	11	12	23	145	168	17	185
Complaints Review	4	2	6	34	40	4	44
<b>Complaints Total</b>	<b>105</b>	<b>66</b>	<b>171</b>	<b>1117</b>	<b>1288</b>	<b>68</b>	<b>1356</b>
Appeal Admin Informal	42	10	52	232	284	13	297
Appeal Academic Informal	24	3	27	103	130	7	137
Appeal Admin Formal	12	0	12	55	67	2	69
Appeal Academic Formal	17	7	24	100	124	5	129
Appeal Academic Review	6	5	11	72	83	4	87
Appeal Admin Review	3	2	5	24	29	2	31
TMA Appeal	29	9	38	250	288	19	307
<b>Appeals Total</b>	<b>133</b>	<b>36</b>	<b>169</b>	<b>836</b>	<b>1005</b>	<b>52</b>	<b>1057</b>
<b>Total Complaints &amp; Appeals</b>	<b>238</b>	<b>102</b>	<b>340</b>	<b>1953</b>	<b>2293</b>	<b>120</b>	<b>2413</b>
OIA cases	3	3	6	38	44	4	48
<b>Grand Total</b>	<b>241</b>	<b>105</b>	<b>346</b>	<b>1991</b>	<b>2337</b>	<b>124</b>	<b>2461</b>
Participation headcount all UK students studying UG + PG courses including all Research and ITE students 2012/13.	9727	3997	13724	114388	128112	2152	130264
Participation % all UK students studying UG + PG courses including all Research students and ITE students 2012/13	7.47%	3.07%	10.54%	87.81%	98.35%	1.65%	100%
Complaints and Appeals %	9.86%	4.23%	14.09%	80.94%	95.03%	4.97%	100%
Complaints %	7.74%	4.87%	12.61%	82.37%	94.99%	5.01%	100%
Appeals %	12.58%	3.41%	16%	79%	95%	5%	100%
OIA Cases %	6.25%	6.25%	12.50%	79.17%	91.67%	8.33%	100%

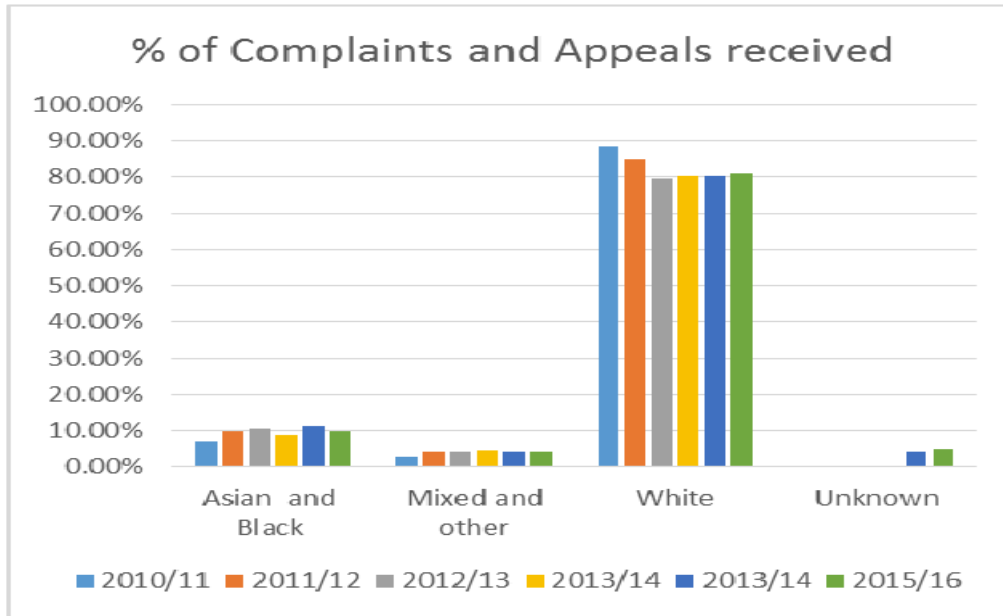
# Student Complaints

Ethnicity

## Complaints and Appeals

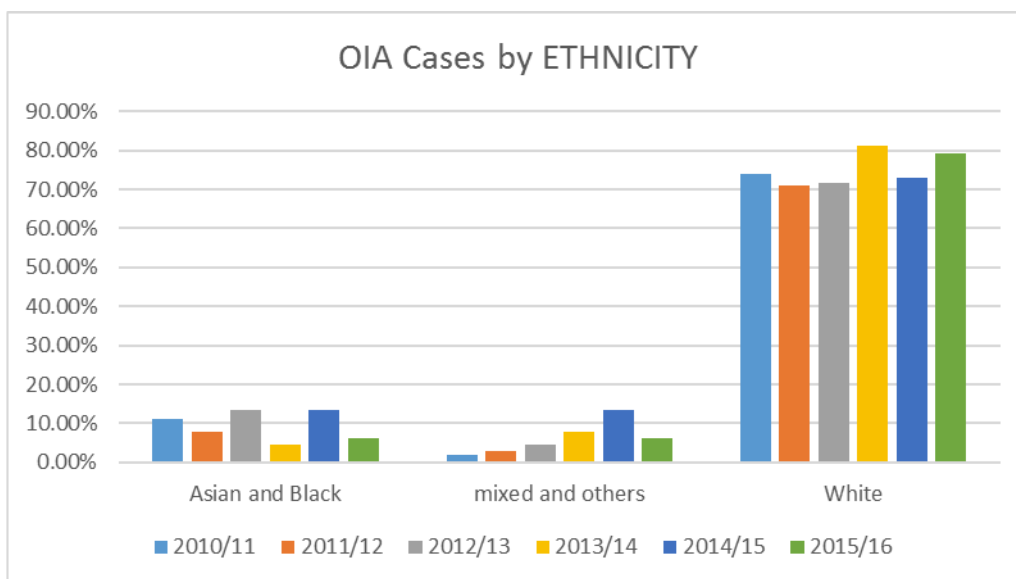
The number of complaints and appeals received from students of Asian and Black ethnicity has decreased in 2015/16, now totalling less than 10% of students who complain or appeal. The number of complainants/appellants who have declared their ethnicity as mixed or other has decreased very slightly.

**Chart 7: Complaints and appeals cases, by ethnicity, 2010/11-2015/16**



The percentage of non – white students who have complained to the OIA has decreased quite significantly compared to 2014/15.

**Chart 8: OIA cases, by ethnicity, 2010/11 – 2015/16**

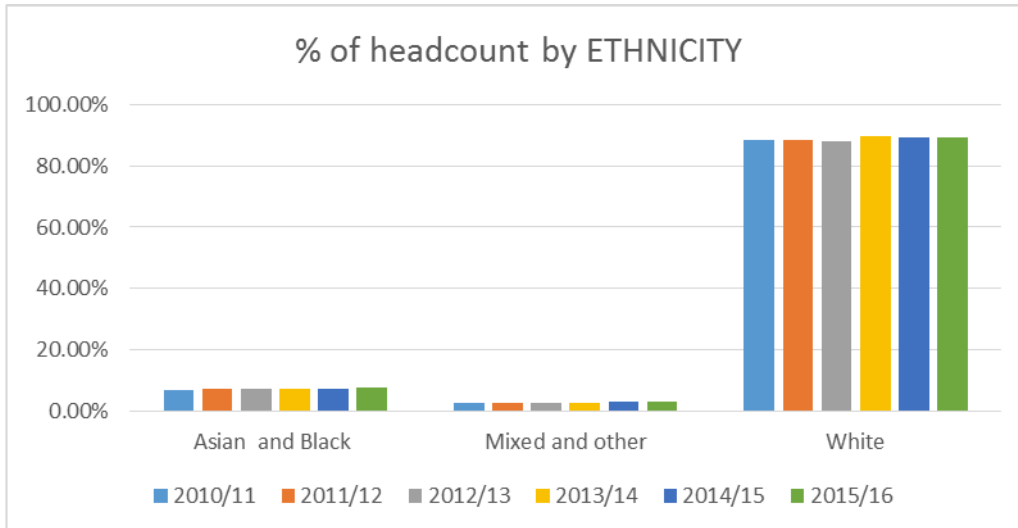


# Student Complaints

Ethnicity

## Complaints and Appeals

**Chart 9: Participation of all UK students including UG and PG, ITT students and full and part time Research Degree students but excluding all overseas and non-UK students, by ethnicity, 2010/11-2015/16**



# Student Complaints

Gender

## Complaints and Appeals

The table below provides a breakdown of the total number of Complaints and Appeals received by the Open University in 2015/16 from students by gender. This is then compared to the overall University student population.

**Table 6: Complaints and appeals cases, by gender, 2015/16**

	Male	Female	Known Total	Unknown	Grand Total
Complaints Informal	433	690	1123	4	1127
Complaints Formal	89	95	184	1	185
Complaints Review	28	16	44	0	44
<b>Complaints Total</b>	<b>550</b>	<b>801</b>	<b>1351</b>	<b>5</b>	<b>1356</b>
Appeal Admin Informal	124	203	327	1	328
Academic Appeal Informal	41	65	106		106
Appeal Admin Formal	61	85	146	0	146
Appeal Academic Formal	29	23	52	0	52
Appeal Academic Review	40	52	92	0	92
Appeal Admin Review	14	12	26		26
TMA Appeal	130	177	307	0	307
<b>Appeals Total</b>	<b>439</b>	<b>617</b>	<b>1056</b>	<b>1</b>	<b>1057</b>
<b>Total Complaints &amp; Appeals</b>	<b>989</b>	<b>1418</b>	<b>2407</b>	<b>6</b>	<b>2413</b>
OIA cases	26	20	46	2	48
<b>Grand Total</b>	<b>1015</b>	<b>1438</b>	<b>2453</b>	<b>8</b>	<b>2461</b>
Participation headcount all UK students studying UG + PG courses including all Research and ITE students 2012/13.	56275	81303	137578	0	137578
Participation % all UK students studying UG + PG courses including all Research students and ITE students 2012/13	40.90%	59.10%	100.00%	0	100.00%
Complaints and Appeals %	40.99%	58.77%	99.76%	0.24%	100%
Complaints%	40.56%	59.07%	99.63%	0.21%	100%
Appeals%	41.53%	58.37%	99.90%	0.1%	100%
OIA Cases %	54.17%	41.67%	95.84%	4.16%	100%



# Student Complaints

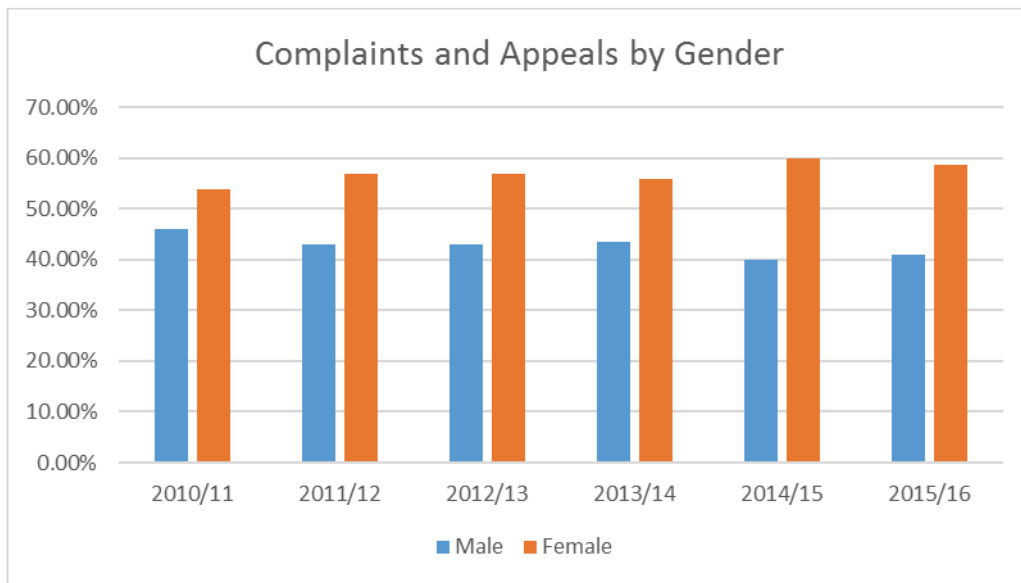
Gender

## Complaints and Appeals

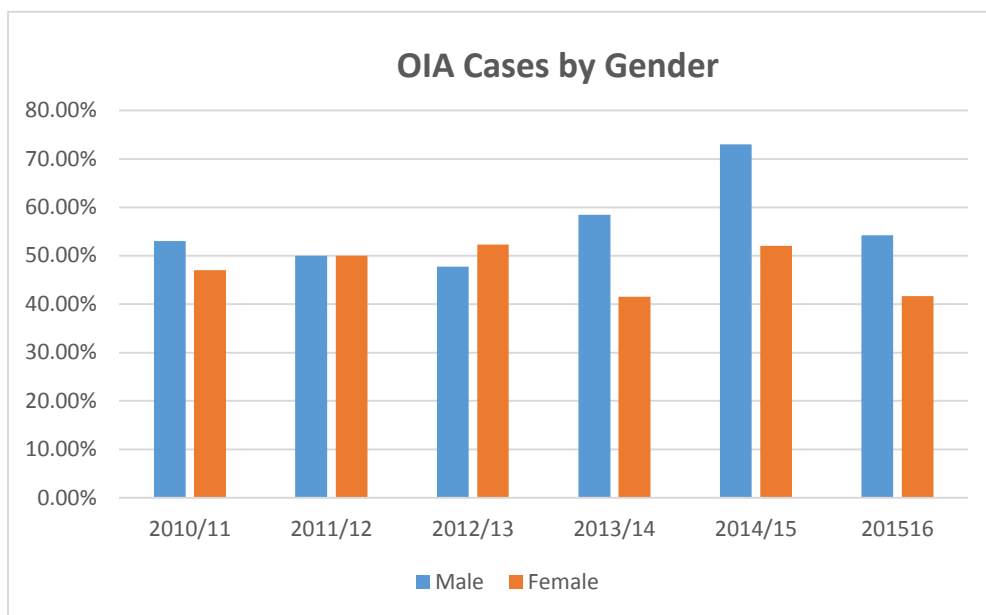
As the University population consists of more female than male students it is expected that a higher number of female students would submit a complaint/appeal.

In 2015/16 30% more male students referred their complaint/appeal to the OIA than female students. This has been the case in each of the previous reporting periods except 2012/13

**Chart 10: Complaints and appeals cases, by gender 2010/11– 2015/16**



**Chart 11: OIA cases, by gender 2009/10 – 2015/16**



# Student Complaints

Gender

## Complaints and Appeals

**Chart 12: Participation of all UK and non UK students including UG and PG, ITT students, Overseas Special Scheme students and full and part time Research Degree students by gender, 2010/11 – 2015/16**

