



The Open
University

Equality and Diversity Annual Report 2016

Monitoring data

Student Complaints

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

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About Student Complaints

The University's complaints and appeals procedures were reviewed in 2015 to ensure alignment with the Quality Assurance Agency (QAA) Code of Practice and the Office of the Independent Adjudicator's Good Practice Framework. The revised procedures were approved by the Senate of the University in August 2015 (for complaints and administrative appeals) and October 2015 (academic appeals). This report, however, reports on the period 01 August 2014 to 31 July 2015 and therefore the old (August 2011) procedures refer.

A complaint is defined as 'an expression of dissatisfaction concerning the provision of a programme of study or related academic or administrative service, when the complainant has drawn his or her concern to the attention of the University and is not satisfied with the response'.

An appeal is defined as 'a request for a review of a decision taken by an individual or academic body charged with making decisions about students' progression, assessment, and awards'.

There are three stages to either a complaint or an appeal. If a student is dissatisfied with the response they receive following their making of a stage 1 complaint/appeal they can escalate their complaint/appeal and make a stage 2 complaint/appeal. Similarly if they are still unhappy following the response to their complaint/appeal at stage 2 they can make a stage 3 complaint/appeal. Therefore the same complaint/appeal from the same student may be counted 3 times in statistical data if their complaint has been considered at all 3 stages of the procedure.

If the student remains dissatisfied with the outcome of their complaint/appeal following the University's response at stage 3 then the student may contact the Office of the Independent Adjudicator for Higher Education (OIA) and request that they conduct a review of their complaint. This stage in the procedure is known as 'stage 3+' which also includes any applications to Court made 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 and those who have declared a disability or additional requirements to the University.

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

Notes on the data

The annual Complaints and Appeals Office report is produced from data collected from January to December to match the data reported by the OIA; however, the reporting period for equality and diversity data is 1 August 2014 to 31 July 2015 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 stages 1 – 3+ 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. They also include overseas students, Research students and, in previous years, ITE students. The University does not have robust disability statistics for overseas students, therefore this group has been left out of the calculations on students with disabilities. Nor does the University have robust ethnicity data on overseas students. Also non-UK students have their own particular data (by domicile and geographic region). Therefore both these groups are left out of the ethnicity calculations for the participation headcount for 2014/15.

The data for this report was extracted on 01 February 2016 with the participation headcount data provided by the Information Office on 1 March 2016.

Complaints and Appeals

The total number of complaints and appeals received from students in the period 1 August 2014 to 31 July 2015 is 1807 (excluding Stage 3+). This represents a decrease of 21.3%

Complaints

The total number of complaints received from students in the period 1 August 2014 to 31 July 2015 is 854 (excluding Stage 3+). This is a decrease of 21.7 % compared to the previous reporting period.

Appeals

The total number of appeals received from students in the period 1 August 2013 to 31 July 2014 is 953 (including TMA Appeals and excluding Stage 3+). This is a decrease of 21% since 2013/14.

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 2014 to 31 July 2015 is 52 which is a decrease of 20% on the previous reporting period.

Student Complaints

General

About Student Complaints

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 2014 to 31 July 2015 and whether these were upheld or not. It should be noted that a post hoc judgment has been made in each stage 3 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 2014/15

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	1	0	0	0	1	0	0
-- examinations and assessment	17	7	10	0	7	0	10
- Disabled Students' Allowance problems	2	0	2	0	0	0	2
-- other	4	0	4	0	0	0	4
Ethnicity/Race	3	0	3	0	0	0	3
Gender	0	0	0	0	0	0	0
Religion/belief	0	0	0	0	0	0	0
Sexual orientation	0	0	0	0	0	0	0

Student Complaints
 General
 About Student Complaints

Table 2: Equality related nature and outcomes of complaints and appeals received at stage 3+ in 2014/15

Nature (equality related)	No. stage 3+ cases	Outcomes				Resulting action taken		
		No. Upheld	No. Dismissed	No. outstanding outcomes	Other (settled , not proceeded with)	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	0	0	0	0	0	0	0	0
-- examinations and assessment	5	0	5	0	0	0	0	5
- Disabled Students' Allowance problems	0	0	0	0	0	0	0	0
-- other	1	1	0	0	0	1	0	0
Ethnicity/ Race	1	0	1	0	0	0	0	1
	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 2014/15 from students by age when making their complaint. This is then compared to the overall University student population.

Table 3: Complaints and appeals cases, by age, 2014-15

	25 and under	26-35	36-45	46-55	56 and over	Known total	Unknown	Grand Total
S1 complaints	62	198	178	150	82	670	0	670
S2 complaints	3	31	38	35	21	128	0	128
S3 complaints	2	10	17	15	12	56	0	56
Complaints total	67	539	233	200	115	854	0	854
S1 appeals	34	111	95	63	28	331	0	331
S2 appeals	7	45	49	41	13	155	0	155
S3 appeals	5	27	28	21	13	94	0	94
TMA Appeals	34	133	115	57	31	370	3	373
Appeals total	80	316	287	182	85	950	3	950
Total Complaints and Appeals	147	855	520	382	200	1804	3	1807
OIA Cases	3	12	15	12	10	52	0	52
Participation % all UK and all non-UK students studying UG + PG courses including overseas, Research and ITE students 2012/13	29085	49616	33987	20699	11025	144412	0%	144412
Participation % all UK and all non-UK students studying UG + PG courses including overseas, Research and ITE students 2012/13	20.14%	34.36%	23.54%	14.33%	7.63%	100.00%	0%	100.00%
Complaints and Appeals %	8.07%	30.50%	28.78%	21.19%	11.30%	99.84%	0.16%	100%
Complaints %	7.8%	28.0%	27.3%	23.4%	13.5%	100.0%	0%	100.0%
Appeals %	8.4%	33.2%	30.1%	19.1%	8.9%	99.7%	0.3%	100.0%
OIA Cases%	5.8%	23.1%	28.8%	23.1%	19.2%	100.0%	0%	100.0%

Student Complaints

Complaints and Appeals

Chart 1: Complaints and appeals cases, by age, 2009/10 – 2014/15

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 in the following age bands; 26 – 35, 36 – 45 and 46 – 55, however the number of students in the 25 and under band and the 56 and over band has decreased compared to the 2014/15 year.

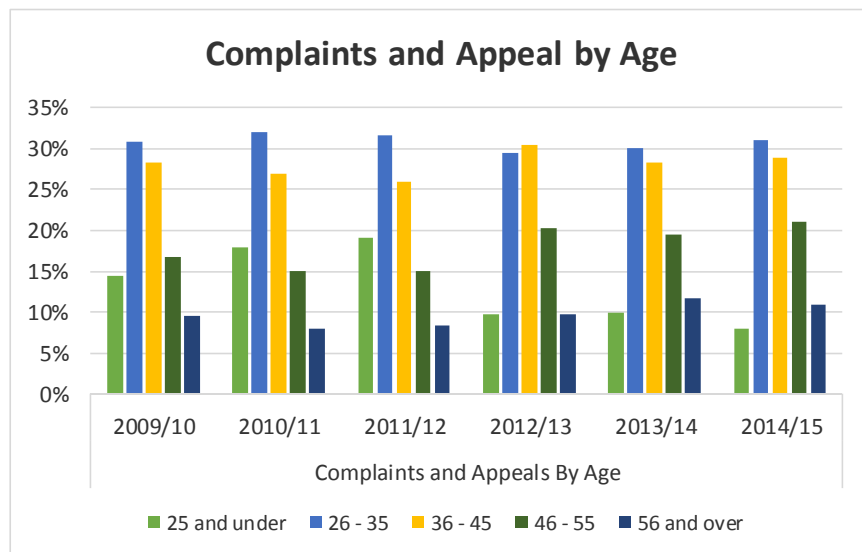
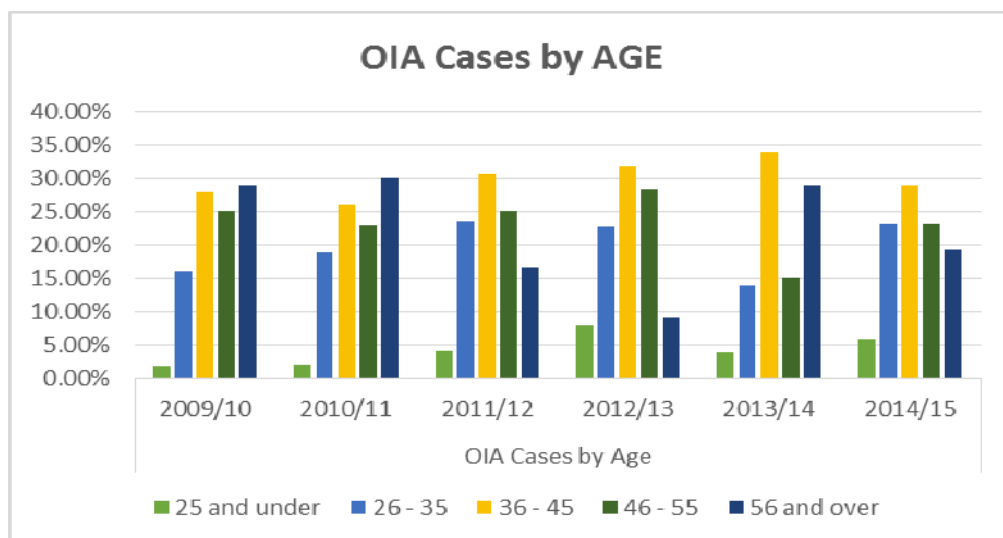


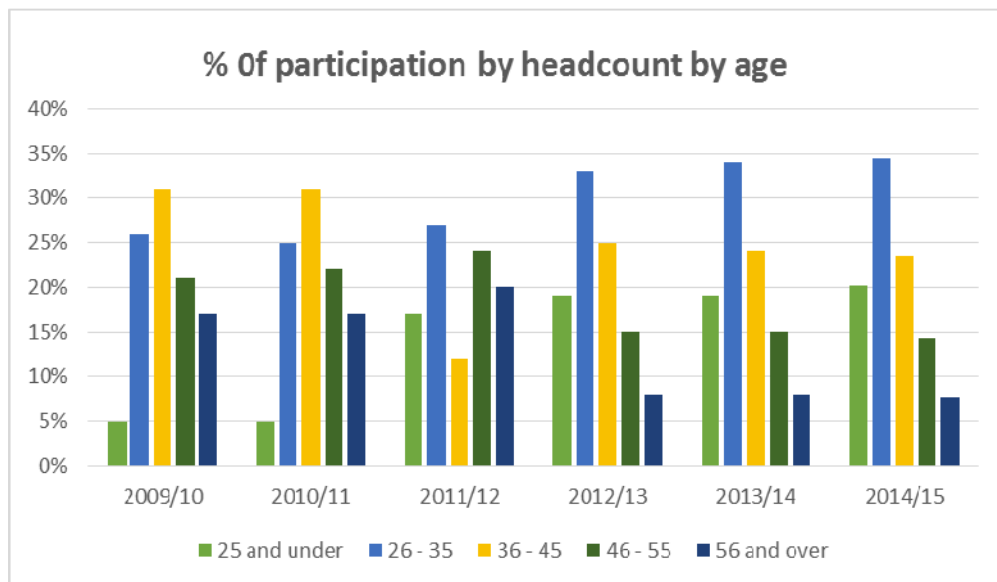
Chart 2: OIA cases, by age, 2009/10 – 2014/15

2014/15 saw a decrease in the number of complaints and appeals received from students in the 36-45 and the 56 and over categories but a significant increase in the number of cases referred to the OIA by students in the 26-35, and 46-55 categories.



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, 2009/10 – 2014/15.



Student Complaints

Complaints and Appeals

The table below provides a breakdown of the total number of Complaints and Appeals received by the Open University in 2014/15 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, 2014/15

	Declared Disability	No Declared Disability	Known Total	Unknown	Grand Total
S1 complaints	237	433	670	0	670
S2 complaints	43	85	128	0	128
S3 complaints	20	36	56	0	56
Complaints total	300	554	854	0	854
S1 appeals	112	219	331	0	331
S2 appeals	57	98	155	0	155
S3 appeals	33	61	94	0	94
TMA Appeals	103	270	373	0	373
Appeals total	305	648	953	0	953
Total Complaints and Appeals	605	1202	1807	0	1807
OIA Cases	16	36	52	0	52
Participation headcount - all UK students studying UG + PG courses including all Research students and ITE students 2014/15. This data excludes Overseas students	22879	120972	143851	0	143851
Participation all UK students and studying UG + PG courses including all Research students and ITE students 2014/15. This data excludes Overseas students	15.9%	84.1%	100%	0	100%
Complaints and Appeals %	33.48%	66.52%	100%	0	100.00%
Complaints%	16.60%	64.87%	100%	0	100.00%
Appeals%	16.88%	68.00%	100%	0	100.00%
OIA Cases %	30.77%	69.23%	100%	0	100.00%

Complaints and Appeals

Chart 4: Complaints and appeals cases, by disability, 2008/09 – 2014/15

As in previous years the number of complaints and appeals made by students with a DAR marker has continued to increase in 2014/15. Over 30% of students who complained or appealed have declared a disability.

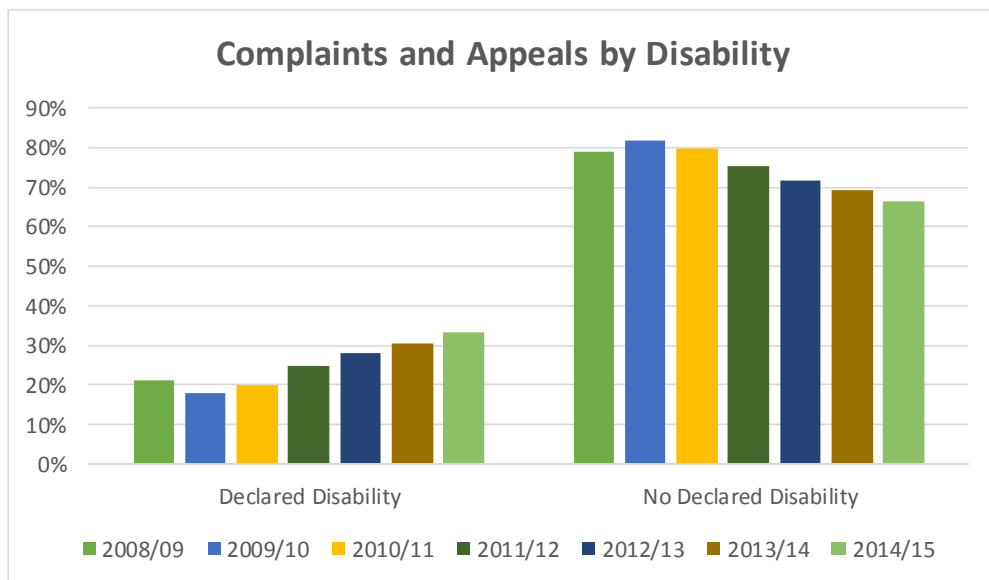
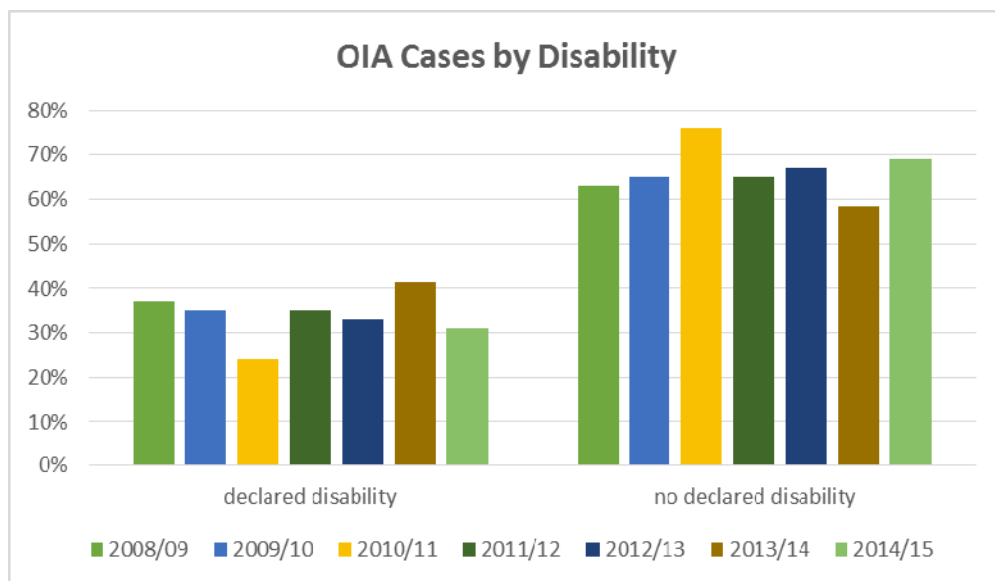


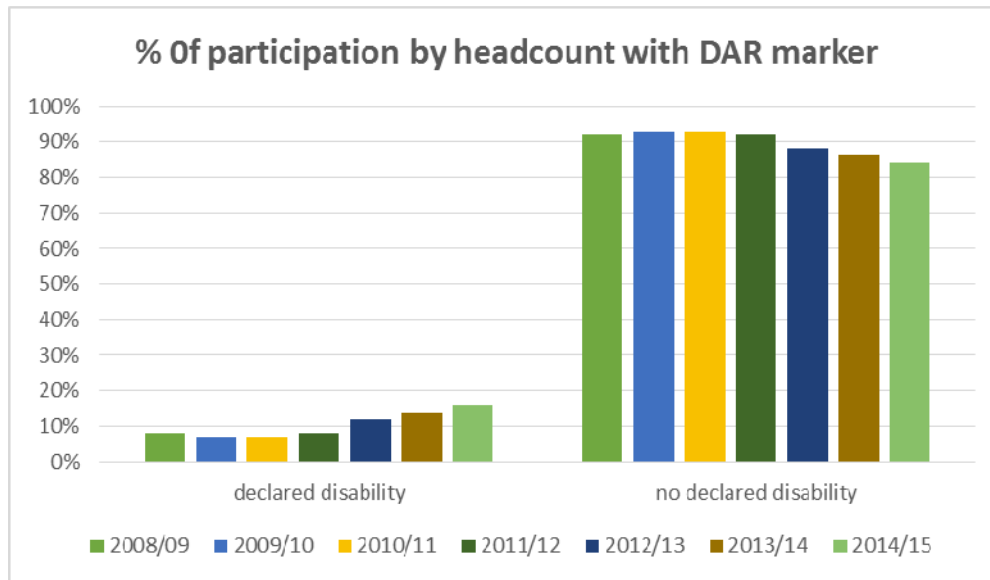
Chart 5: OIA cases, by disability, 2008/09 - 2014/15

It is however, positive to note that the number of students with a DAR marker who referred their complaint/appeal to the OIA decreased in 2014/15.



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 resident overseas, registered in 2014/15 with a declared Disability and Additional Requirements (DAR) marker compared with previous years.



As in previous years the proportion of complainants/appellants who have a declared disability is much higher than would be expected in comparison with the student population. The percentage of complainants and appellants with a declared disability has again increased overall in this reporting period compared to the previous years. However, it is also noted that the number of complainants with a declared disability who have referred their case to the OIA for investigation has decreased in 2014/15

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

Complaints and Appeals

The table below provides a breakdown of the total number of Complaints and Appeals received by the Open University in 2014/15 from students by ethnicity. This is then compared to the overall University student population.

Table 5: Complaints and appeals cases, by ethnicity, 2014/15

	Asian and black	Mixed and other	Ethnic minorities Total	White	Known Total	Unknown or refused	Grand Total
S1 Complaints	57	33	90	556	646	24	670
S2 Complaints	9	8	17	105	122	6	128
S3 Complaints	6	3	9	43	52	4	56
Complaints Total	72	44	116	704	820	34	854
S1 Appeals	49	16	65	249	314	17	331
S2 Appeals	27	5	32	116	148	7	155
S3 Appeals	14	4	18	72	90	4	94
TMA Appeals	42	10	52	309	361	12	373
Appeals Total	132	35	167	746	913	40	953
Total Complaints & Appeals	204	79	283	1450	1733	74	1807
OIA cases	7	7	14	37	51	1	52
Participation headcount all UK students studying UG + PG courses including all Research and ITE students 2014/15.	10598	4157	14755	130369	145124	2577	147701
Participation % all UK students studying UG + PG courses including all Research students and ITE students 2014/15	7.3%	2.86	10.17%	89.83%	99.09%	0.91%	100%
Complaints and Appeals %	10%	5%	15%	80%	95%	5%	100%
Complaints%	7%	5%	12%	83%	95%	5%	100%
Appeals%	13%	4%	18%	78%	96%	4%	100%
OIA Cases %	5%	8%	12%	82%	94%	6%	100%

Student Complaints

Complaints and Appeals

Chart 7: Complaints and appeals cases, by ethnicity, 2009/10 – 2014/15

The number of complaints appeals received by students of Asian and Black ethnicity has slightly increased in 2014/15 and now make up over 10% of students who complain or appeal. The number of complainants/appealants who have declared their ethnicity as mixed or other has decreased very slightly.

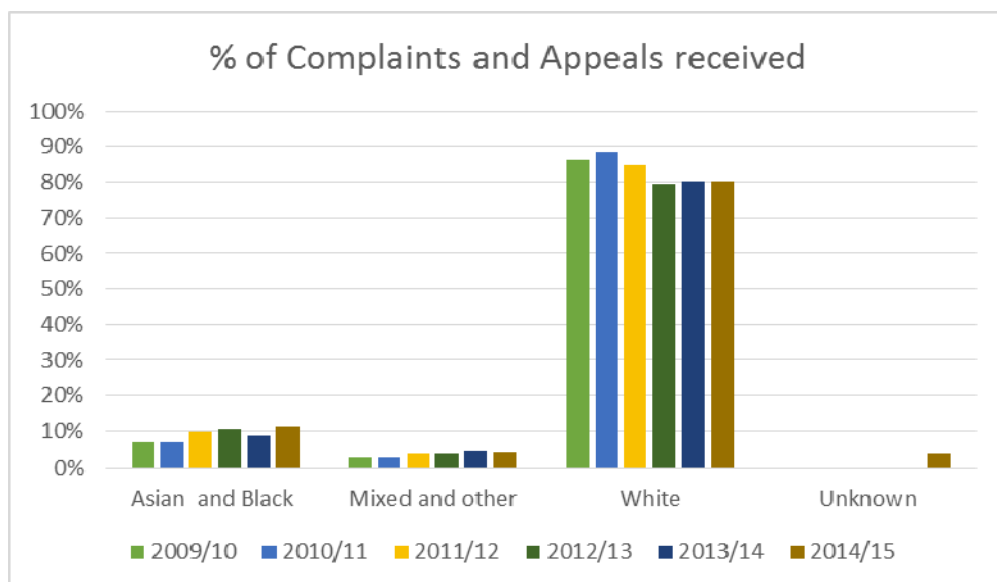
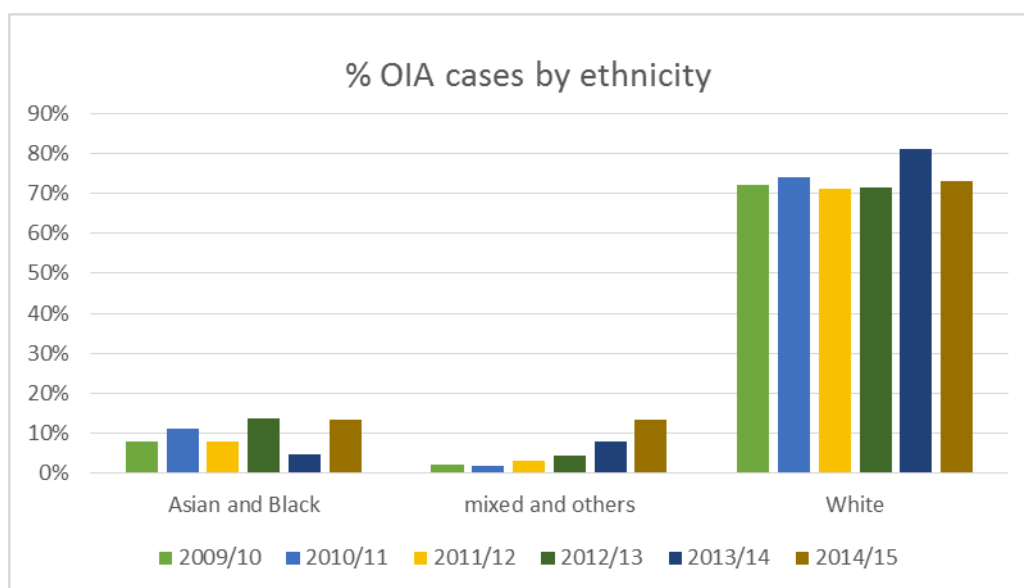


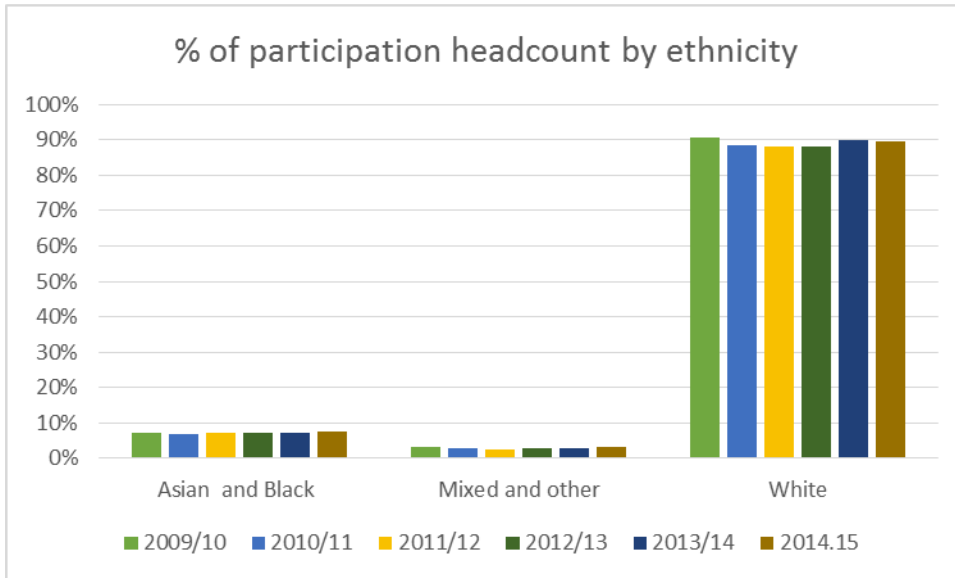
Chart 8: OIA cases, by ethnicity, 2009/10 – 2014/15

It is concerning to note that the percentage of non – white students who have complained to the OIA has increased quite significantly compared to 2013/14.



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, 2009/10-2014/15



Student Complaints

Gender

Complaints and Appeals

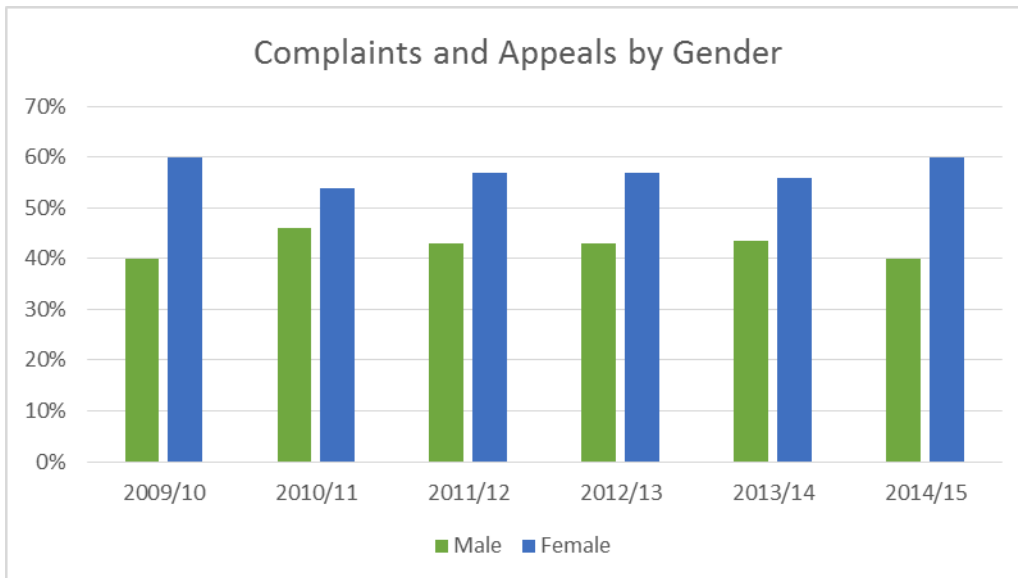
The table below provides a breakdown of the total number of Complaints and Appeals received by the Open University in 2014/15 from students by gender. This is then compared to the overall University student population.

Table 6: Complaints and appeals cases, by gender, 2014/15

	Male	Female	Known Total	Unknown	Grand Total
Stage 1 Complaints	270	400	670	0	670
Stage 2 Complaints	57	71	128	0	128
Stage 3 Complaints	27	29	56	0	56
Complaints total	354	500	854	0	854
Stage 1 Appeals	130	201	331	0	331
Stage 2 Appeals	45	110	155	0	155
Stage 3 Appeals	34	60	94	0	94
TMA Appeals	156	217	373	0	373
Appeals total	365	588	953	0	953
Total Complaints and Appeals	719	1088	1807	0	1807
OIA cases	24	28	52	0	52
Participation headcount all students (undergraduates and postgraduates, ITT, Overseas Special Scheme and Research Degree students full and part time) 2011/12	84802	59610	144412	0	144412
Participation % all students (undergraduates and postgraduates, ITT, Overseas Special Scheme and Research Degree students full and part time) 2011/12	58.72%	41.28%	100.00%	0.00%	100.00%
Complaints and Appeals %	39.79%	60.21%	100.00%	0.00%	100%
Complaints%	41.45%	58.55%	100.00%	0.00%	100%
Appeals%	38.30%	61.70%	100.00%	0.00%	100%
OIA Cases %	46.15%	53.85%	100.00%	0.00%	100%

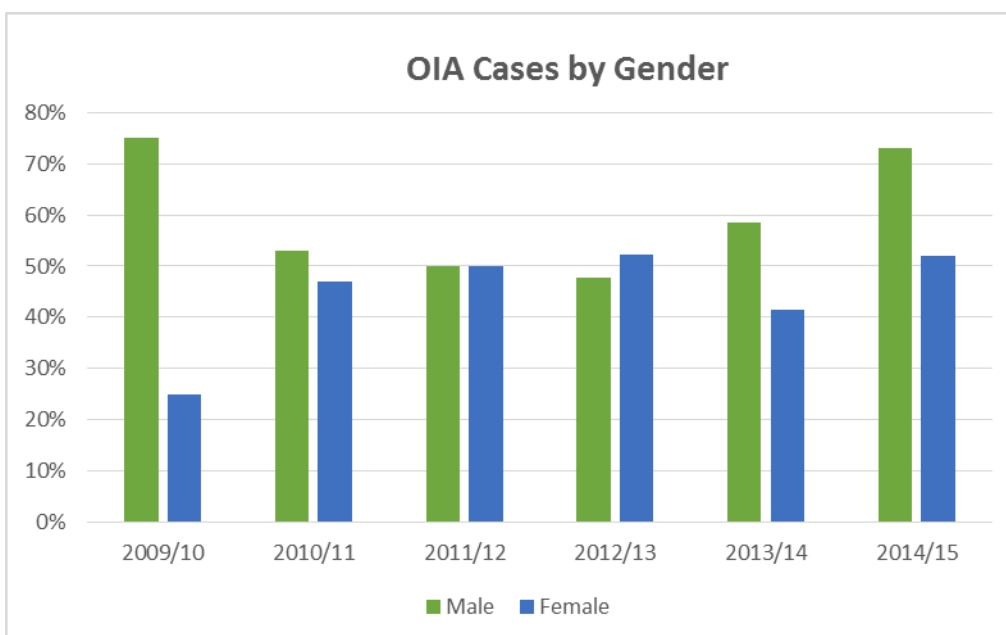
Complaints and Appeals

Chart 10: Complaints and appeals cases, by gender 2009/10 – 2014/15



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 2014/15 over 20% 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 11: OIA cases, by gender 2009/10 – 2014/15



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, 2009/10 – 2014/15

