

## **Putting students at the heart of complaints and appeals**

Rachel Wenstone, ENOHE 12 April 2013

Good morning and thank you for the opportunity to speak to you today. Twitter informs me that you have been having a really excellent conference so far, and I hope the final two days are as stimulating and engaging as the first has evidently been.

In the UK we are often accused of being too insular, too invested in our own experience and ways of doing things to be able to learn from our colleagues and peers in Europe and indeed, in the rest of the world.

I'm incredibly proud of what we have accomplished in the UK in what is justifiably referred to as a world-leading system of higher education. We have a fantastic story to tell about what we do, but as I've experienced from our work in the student movement with organisations like the European Students' Union, we can always learn from other cultures, other practices and other ideas. So I hope we'll have a really interesting discussion in this session – I'll make sure I leave plenty of time for questions!

Today I just want to tell you a bit about what we have done and what we're doing in the UK to ensure that students really are at the heart of our complaints and appeals system. I'd like in particular to pay tribute to Rob and the team at the OIA for the efforts they have made not just on behalf of students, but in partnership with students.

I should be clear that for ease of reference I'll talk about the UK, but obviously we have our devolved nations and my relationships are primarily with the OIA in England and Wales, so that's the context from which I'll be speaking.

As a student officer for the National Union of Students in the UK and the national representative for students in higher education I wouldn't be doing my job properly if I wasn't challenging our sector to do more for students, so I will also be taking some of my allotted time to reflect on how we could improve on the work we are doing.

In the UK, we have a strong tradition of students' unionism and the vast majority of our publicly funded institutions of higher education have a students' union. These are independent bodies, regulated in education and in charity law.

The traditional value of having a students' union in an institution is that it is a vehicle to represent the views of students, and act in the student interest in institutional decision-making processes.

But students' unions are so much more than this. Increasingly nowadays students' unions are hubs of educational activism, organising students across their institution to get involved in shaping their education, as well as running clubs and societies that help create a vibrant academic and social community on our campuses and support effective integration of students into their institutions.

Students' unions also serve an incredibly important role in advising and advocating for individual students who are experiencing academic problems. Many students' unions run student advice services that provide information and support that is independent from the institution and designed to serve students' needs and interests above those of the institution.

For students, understanding institutional processes and structures and going through a complaint or academic appeal is an incredibly stressful time. Student advisors will help students get to grip with the policies, and will often act as advocates on behalf of students in formal appeals hearings. The availability of an independent student advice service goes some way towards redressing the unequal balance of power between a student and his or her institution.

At the national level we have a quality assurance system and a code of practice that asks all institutions to meet a set of expectations in their policy of complaints and appeals, mainly concerning the fairness and accessibility of the complaints and appeals procedures.

In many, but sadly not all, cases, institutions and students' unions will work together in partnership to ensure that systems are fit for purpose, that the advice students receive is up to date, and in some ways the most importantly, to try to put provisions in place to stop students being in the position of feeling the need to make a formal complaint or appeal.

But sometimes this partnership does not exist, or breaks down, or a student is determined to escalate their complaint, or an institution drops the ball, and that's where we are lucky to have an independent adjudicator who can unpick the mess and make a ruling about the case.

The relationship between NUS and the OIA is extremely strong. Not only are we part of the Director team at OIA, but we have been consistently engaged in the development of the policies and practices at OIA.

And perhaps most importantly I know that when Rob makes an institutional visit he doesn't just sit with the Vice Chancellor and the academic registrar but always makes a visit to the students' union to get the insight from the officers there about how the system is working for them and what problems they are facing.

I'm really excited about the work we are doing in partnership with OIA this year in developing a national good practice framework for complaints and appeals. While institutions in the UK rightly develop their own unique systems and processes this framework will give us a shared language to help us develop our understanding of what great practice looks like and enable both institutions and students' unions to reflect and make intervention to improve how we support students through the system.

NUS places a great deal of confidence in OIA. I know that Rob has the best interests of students at heart which is why I know he won't mind me saying that I wish that fewer students felt that they have to take advantage of his services!

This conference is in part about the increasing numbers of student complaints and how these can be managed.

I think it's incredibly important that we start from a position that we do not want students habitually to complain – not because they are disempowered, but because in the vast majority of cases their expectations are aligned with what is delivered, their individual circumstances and challenges are being taken account of, and they are being enabled to develop the kinds of positive relationships that lead to issues being properly articulated, feedback sought and early resolution of problems.

I have heard examples of practitioners in this field suggesting that student complaints are a positive thing because they are a form of student feedback and an example of students making their voice heard. I think that's a rather complacent attitude to what is inevitably a very stressful and unpleasant experience for most students.

My take is that if a student feels the need to make a complaint to make their voice heard then either the institution or the students' union has seriously dropped the ball, or the relationship between those two bodies is so bad as to be dysfunctional.

Some people have said that the increase in complaints is linked to higher fees and a growing sense of entitlement on the part of students, who more and more view themselves as consumers complaining about poor service delivery.

If this is true then I am sorry for it, as I believe that students who perceive their relationship with their institution to be that of a consumer are cutting themselves off from the very best that education has to offer, as well as setting themselves up for deep disappointment when their institution inevitably makes mistakes, as every institution that is run by human beings will do.

I'm on record all over the place as challenging institutions and students' unions to consider how they can develop a partnership approach that asks students to take more responsibility for shaping their education, in return for studying at an institution that takes the challenge of student voice seriously and sees students as co-creators of that institution.

But higher fees may be but one part of the story and it is important to remember that the evidence we have available is for the most part anecdotal. We really need to invest in understanding how students' identities are linked to their behaviours rather than citing single examples as evidence of widespread change.

Otherwise we run the risk of responding to a situation that is more complex than we understand, and ultimately making the situation worse by encouraging the kinds of behaviours that actually do not serve students' interests.

When I speak to students they don't talk about feeling like consumers, particularly those who haven't taken a conventional route into higher education.

They talk about the excitement of, through learning, discovering their own undreamt-of capacity. They talk about the doors that will be open to them because of the study they have undertaken.

And sometimes they talk about feeling let down and misunderstood by their institution and most often, the way that blind process, one-size-fits-all policy and bureaucracy stops them from achieving their goals in their learning.

Don't get me wrong, I'm not saying that no student has ever chanced their arm and brought a complaint that turned out to be spurious. I'm not saying that students are angels. But I do think that our processes need to take more account of feelings.

What we habitually and unthinkingly in the UK call 'the student experience' isn't in the main about quality of service provision. It's about how your engagement with your institution makes you feel.

What is interesting is that by saying this I am worried that I will sound hopelessly naïve and frankly, a bit wet. But complaints and appeals are intimately tied up with feelings – of anger, of betrayal, of disappointment. Sometimes a student can't handle their disappointment in themselves, so they turn on their institution.

If you feel uncomfortable with this idea you might be tempted to accuse me of saying that students should be coddled, and treated like children. That's not what I'm saying. We've all known the anger and frustration of trying to engage with a bureaucracy. Of being passed from person to person, telling your story over and over, just trying to explain to someone who is willing to listen and try to understand. Taking the time to try to understand someone's point of view is not coddling someone; it is treating them like a human being.

I'm struck by this metaphor of the heart that keeps popping up, as in 'putting students at the heart of complaints and appeals'. The heart is the metaphorical centre of feelings, but so often by putting students at the heart we mean creating new systems and processes that we believe are right for students, not investing in trying to understand how students are feeling.

And all too often our policies and procedures have the effect of dehumanising students by embroiling them in formal process at the exact moment when they most need to be treated like humans with feelings.

There are so many students, and institutional staff are so hard-pressed, and they see the same issues crop up over and over, and it's hard not to get cynical. But when we find ourselves making assumptions about what is going on with a student, we are relying on lazy stereotypes and not on reality, and our insensitivity denies that student their innate humanity.

Fundamentally, students are operating in a different culture from institutional staff and that cultural difference needs to be understood and managed from both sides. Student behaviours are often incomprehensible to staff. When someone behaves in a way we can't understand it is always more productive to try to get a sense of where they are coming from than to assume that they are basically insane.

In reality if you only ever deal with students in crisis or in a customer service context you don't really know students at all. It takes regular interactions with students, ideally in an informal setting, to be able to develop a good understanding.

When I look at the diversity of students that now attend higher education courses in the UK, I can hardly believe that any institution is able to create policy that applies universally. Sometimes it is the simplest things that affect how students feel.

I once spoke to a mature student who was really frustrated with his institution. He drove in from miles away to attend his classes but the cost of parking on campus was too high to enable him to spend any time on campus beyond his scheduled courses. This stopped him from taking up opportunities outside the classroom to engage with other students, use communal learning space and be an active part of the learning community. As a result he did not feel able to engage.

Those parking charges must have come from somewhere. A universal policy probably designed to discourage people from clogging up the car parks, or to make money, was having an impact on the capacity of that student to engage.

Absent those positive relationships, tell me, is that student more or less likely to complain if his institution fails to meet his expectations in some way?

For this situation to end positively, two things would need to change. The first would need to be that institutional policy processes need to be deliberately flexed to take account of diverse student needs and it needs to be accepted that there will always be exceptions, and individuals need to be empowered to respond to exceptions, not have their hands tied by rigid policy. This is true equity, not applying undifferentiated rules in the name of equality.

The other is that students would need not just to have a clear pathway for these issues to be raised but that hearing how policies have affected students would need to be a genuine priority for the institution. And in this case not the academics or those engaged in learning and teaching, but whoever runs the car park.

As an aside, it is examples like these that make me highly concerned about trends towards outsourcing of student services.

So for starters, putting students at the heart of complaints and appeals would mean all parts of the institution taking an interest in students' experiences and trying hard to understand how students feel about things and how those feelings shape their student identity, not just how they consume and rate services.

As for the process itself, I think there is work that can be done on the part of both institutions and students' unions.

Actually in some institutions the fundamental value of independent advice is not recognised and institutions do not resource the students' unions sufficiently to enable the provision of an independent advice service.

This leads to the deeply unsustainable practice of student officers with limited or no training taking on academic casework and spending a great deal of their time advising individual students, rather than acting as the political leaders and representatives of the student body.

This isn't always a problem of funding; some very small institutions struggle to maintain a union with the scale necessary to provide independent advice. We

could all do more to seek sustainable solutions to this problem, as I believe that independent advice and advocacy is students' fundamental right and is absolutely necessary to a fair system of complaints and appeals.

We could all do more to recognise that postgraduate students and international students are disproportionate users of academic advice services and try to understand why this is and what interventions could be made to improve the experiences of those students at an earlier stage.

Students' unions could do more to recognise the expertise and insight of their academic advisors in understanding where academic support systems aren't working and translating that evidence into policy and campaigns to improve educational provision on our campuses.

And as ever, more work needs to be done to resolve complaints and appeals at an early stage and to speed up the process. Students left in limbo for months and years while processes grind on a snail's pace should be a relic of the past. The work OIA is coordinating on early resolution through mediation I hope will be really positive in this area – complaints should really only reach the formal stage in extreme circumstances, not as standard.

I'm really looking forward to working with the OIA and the QAA and the Academic Registrars' Council to get our teeth into some of these issues as we develop our good practice framework.

I just want to make one final point before I pass it over to questions/Janet (delete as applicable!). It might seem out of place in this context, but we do not get many opportunities to raise it and it is important.

Students in higher education in England, Wales and Scotland have access to the services of an independent ombudsman. Northern Irish students have been promised that they will soon also have access to this service, and I hope the question is speedily resolved in that nation as it has been too long already.

But students in further education and sixth-form colleges and those studying at many private colleges and private institutions of higher education have no such recourse. This is an absolute scandal.



As the government continues to push through deep reforms to our post-compulsory education sector in England, it is absolutely imperative that we make it possible for all students to have a point of recourse for when their institution lets them down, no matter where they study.

Because subscription to the OIA means much more than having somewhere to pass on your disappointed students in the hopes they will be put off from suing. It means having to get your own house in order to enable students to have their voice heard when things aren't as they ought to be. It is not acceptable that it is possible to be a student in the UK and for some to be entitled to independent recourse for complaints and appeals while others are massively vulnerable to exploitation by unscrupulous or unheeding institutions.

So, that's my take on putting students at the heart of complaints and appeals. I look forward to hearing your thoughts, questions and comments from your own differing perspectives and experiences.

Thank you very much.