



University of
South Australia

Memorandum

To: University Council

From: A/Prof Anne Simpson
Student Ombud

Date: May 2009

Subject: Student Ombud Report 2008

1 Introduction

This is the 7th annual report from the Office of the Student Ombud.

The Office was established in 2002, and the post of Student Ombud has been held on a .6 basis by Associate Professor Anne Simpson since 2003. She is supported by a project officer, Sandra Ciaramella, who in addition to Ombud duties, undertakes other Chancellery tasks as required. However the Office is staffed 9-5, five days a week so that students needing assistance are responded to immediately. This ability to respond quickly is a critical function of the Office.

The purpose of the Ombud Office is to provide students with an independent and confidential avenue to pursue complaints when they have failed to find a satisfactory outcome to their issue by following the established university procedures. A significant role of the Office lies in providing students with information about how and with whom to pursue their complaint or concern in accordance with University procedures.

The Student Ombud has the power to investigate complaints where either proper procedure has not been adhered to, or where despite following established procedures, the outcome appears to be unfair to the student.

Many of the issues which are brought to the Office are not complaints of unfair treatment, but are requests for help in resolving a situation where the student has done as much as he or she can, but has not been able to get a reasonable response or outcome. By addressing problems quickly and at the local level, many potentially time consuming matters can be dealt with before they become major problems.

The Ombud is not however an advocate for students, and if students need support in approaching a staff member, or filling out a form, or it is not an appropriate matter for the Ombud, then they may be referred to a Unilife Advocate or to an outside body.

An important responsibility of the Ombud is to ensure that if a student takes his or her complaint outside of the University, to for example the State Ombudsman, the Equal Opportunity Commission or The Australian Human Rights Commission, then if the student has previously approached the Ombud, that all avenues have been thoroughly explored and that the Ombud is satisfied that the University has treated the student fairly. This can and does save the University considerably in terms of time, money and resources as the University does not then have to involve staff in another full investigation.

There has been increasing communication and co-operation with the Office of the Training Advocate which has been established by the State Government to assist international students. The Ombud will from time to time refer students to this agency when they have problems which are not a University responsibility. Conversely it is now becoming more usual for the State Ombudsman, the Training Advocate and the Disability Advocacy Service to contact the Ombud Office prior to responding to a student or taking up their complaint.

Where an investigation reveals some problem with University procedures, practices or published information, the Ombud can and does make a recommendation to the relevant School or unit to review it. Some of these recommendations are noted later in this report.

Most complaints where the Ombud feels the student has a legitimate case are addressed through negotiating with staff. This has been done successfully and without any discord for the period of this report. Relations with staff remain positive and productive. This is a very satisfactory outcome for the Office where often sensitive compromises have to be carefully negotiated and there is the potential for staff to feel threatened and defensive when approached by the Ombud.

In the absence of the Ombud when she is on leave, Emeritus Professor Robert Crotty has continued to ably fill in to handle any difficult cases. In 2008 it was agreed that he be remunerated for his services.

2. Contacts with the Office

There were 166 contacts with the Ombud office during the reporting period. Table 1 compares total contacts since 2002.

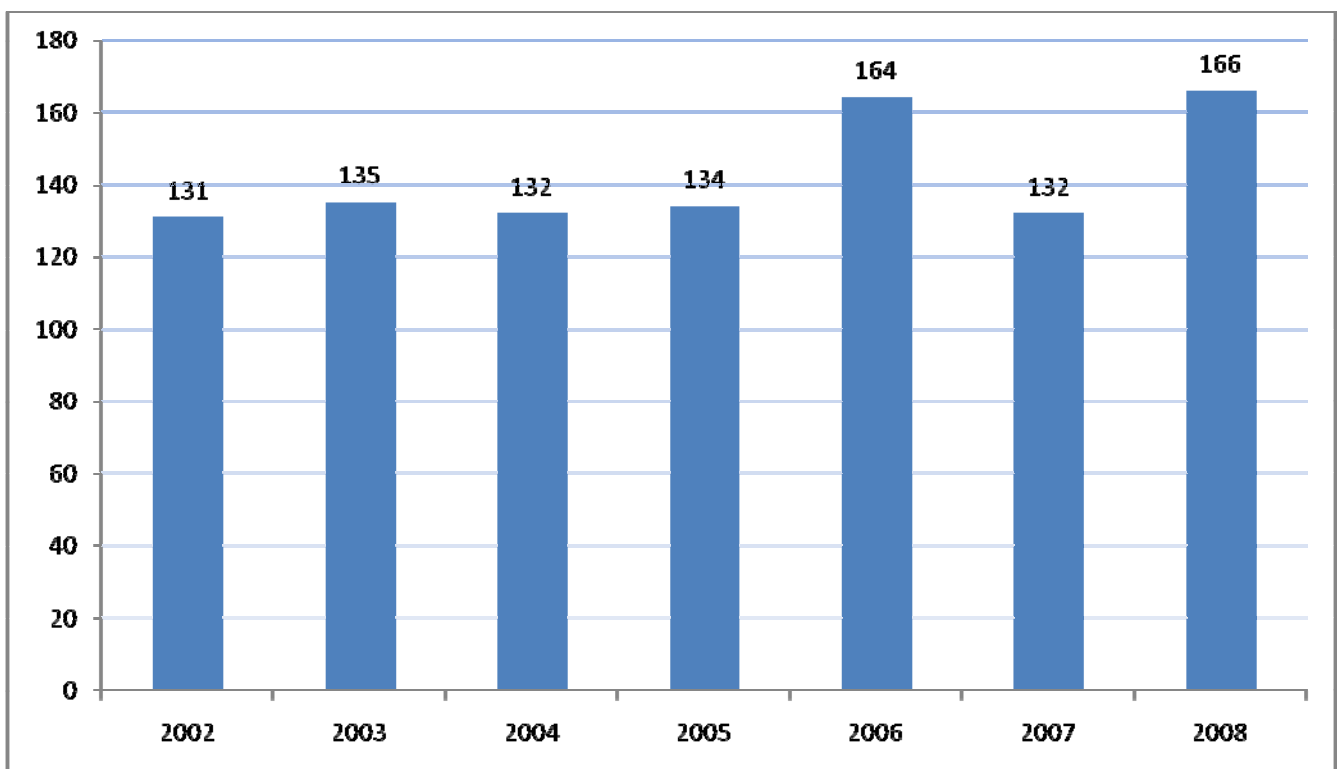


Table 1

Although the total number of contacts is up from last year, this does not necessarily mean that students are complaining more or that there are systematic problems (see comment under Table 2). As noted in the Introduction above, students will come to the Office for advice as to how to approach their problem; whom they should talk to; how they can get assistance; what form they need; whether we think they have a genuine case etc. The project officer is now also entering all contacts with the Office whereas in the past if it was not a relevant query, she did not record it. Hence the increase, as noted in the next table, is in the areas of Advice and Referral.

Table 2 below illustrates the distribution of enquiries which are categorised in terms of whether the Office has offered advice to the student, referred the student on to the person or unit which is the most appropriate to deal with their issue, or whether the matter was judged to be best dealt with, at least initially, by the Ombud Office.

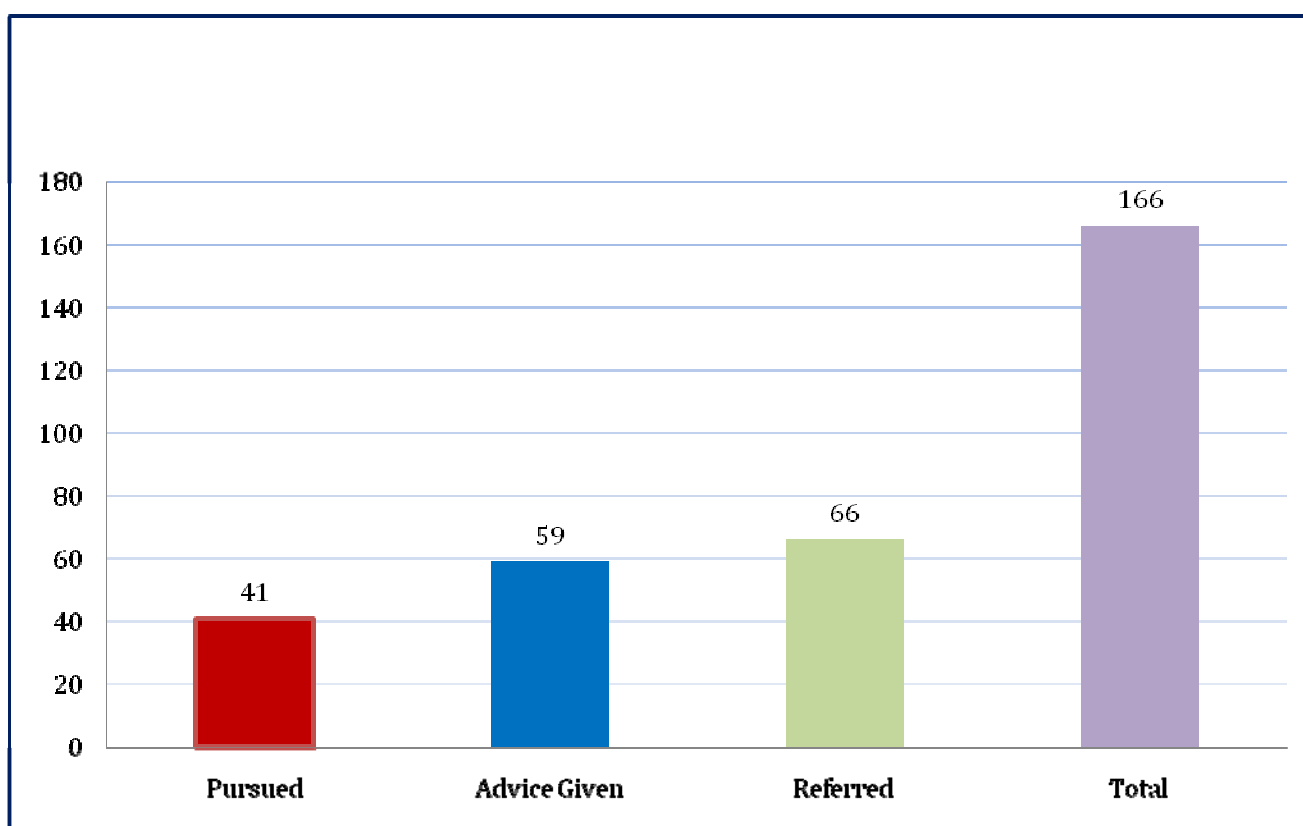


Table 2

As noted above, although there is an increase in the overall number of contacts with the Office, the actual number of instances where there was a problem that the Ombud considered warranted intervention is very similar to 2007 (42).

It is also important to understand that not all complaints are justified. Some may be pursued and dismissed as ungrounded, or the 'fault' may be on both sides of the issue being investigated.

Table 3 below indicates the unit or division to which the student's query or complaint related.

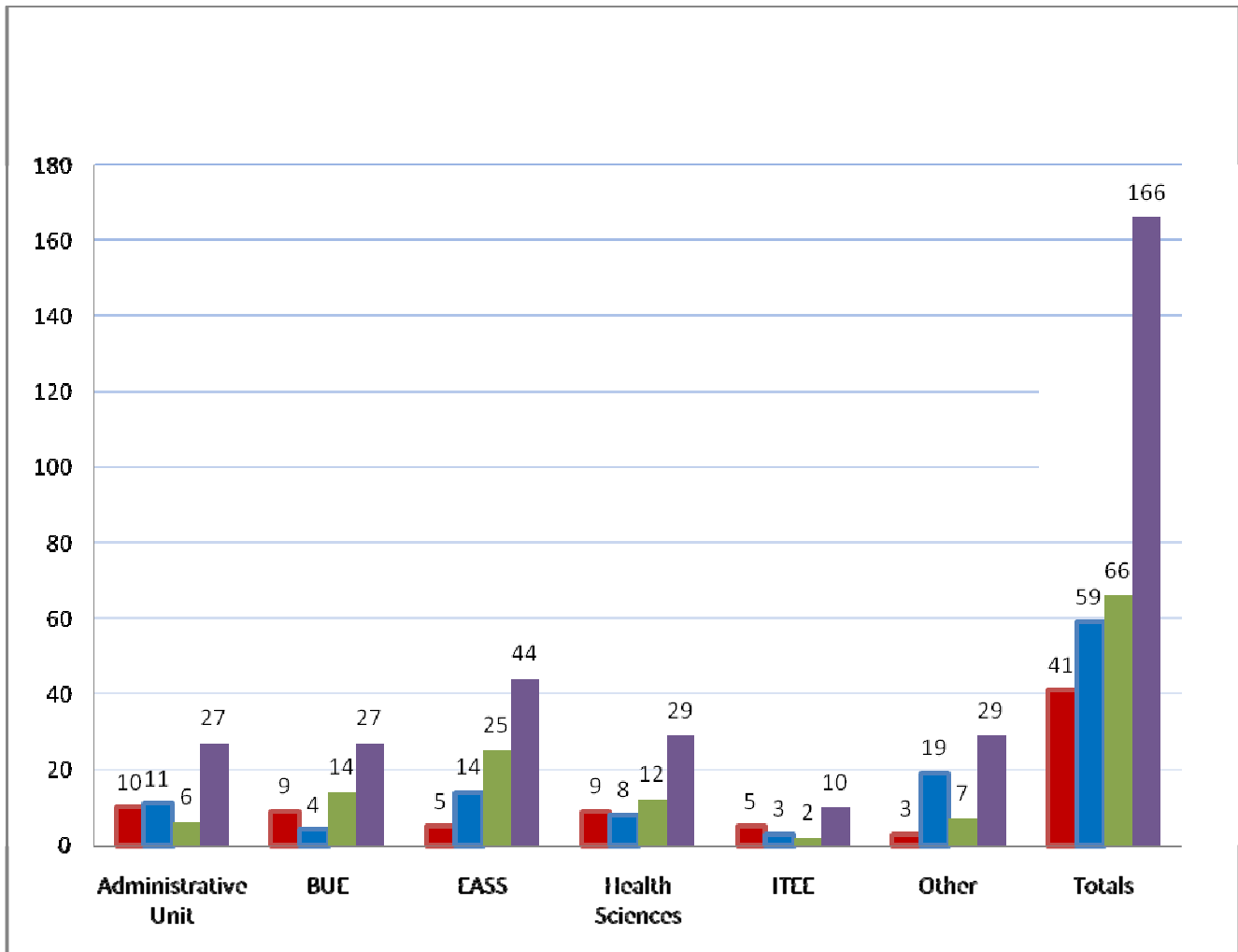


Table 3

The increase in contacts has been spread roughly evenly across the units and divisions. Although the greatest total increase has been in EASS, the actual number of cases pursued in the division has fallen from 10 to 5. Most complaints have been referred back to the relevant School in EASS where they have (presumably) been successfully resolved.

In terms of sex, 106 males approached the Office as opposed to only 60 females. This is an interesting statistic given that there are 25% more female students enrolled than male. The UniLife Advocacy Officer reported a similar imbalance.

The number of domestic students seeking assistance has increased from 81 to 112, whereas the number of international students has remained constant at 22.

Students show up in Medici as 'unknown' if they are not currently enrolled. Some contacts do not identify themselves so it is not possible to say if they are domestic or international. There were 14 instances where it was not possible to say whether the student was domestic or international, and two were off-shore students. There were 16 contacts from staff seeking advice.

Post graduate students are more likely to contact the Office (.5% of total) than undergraduates (.37%), and are more likely to have a complaint as opposed to needing guidance as to where to get help.

3. Category of contact/complaint

Contacts are categorised twice. Once in a major category which is very broad, as in Table 4, and then again more specifically as in Table 5

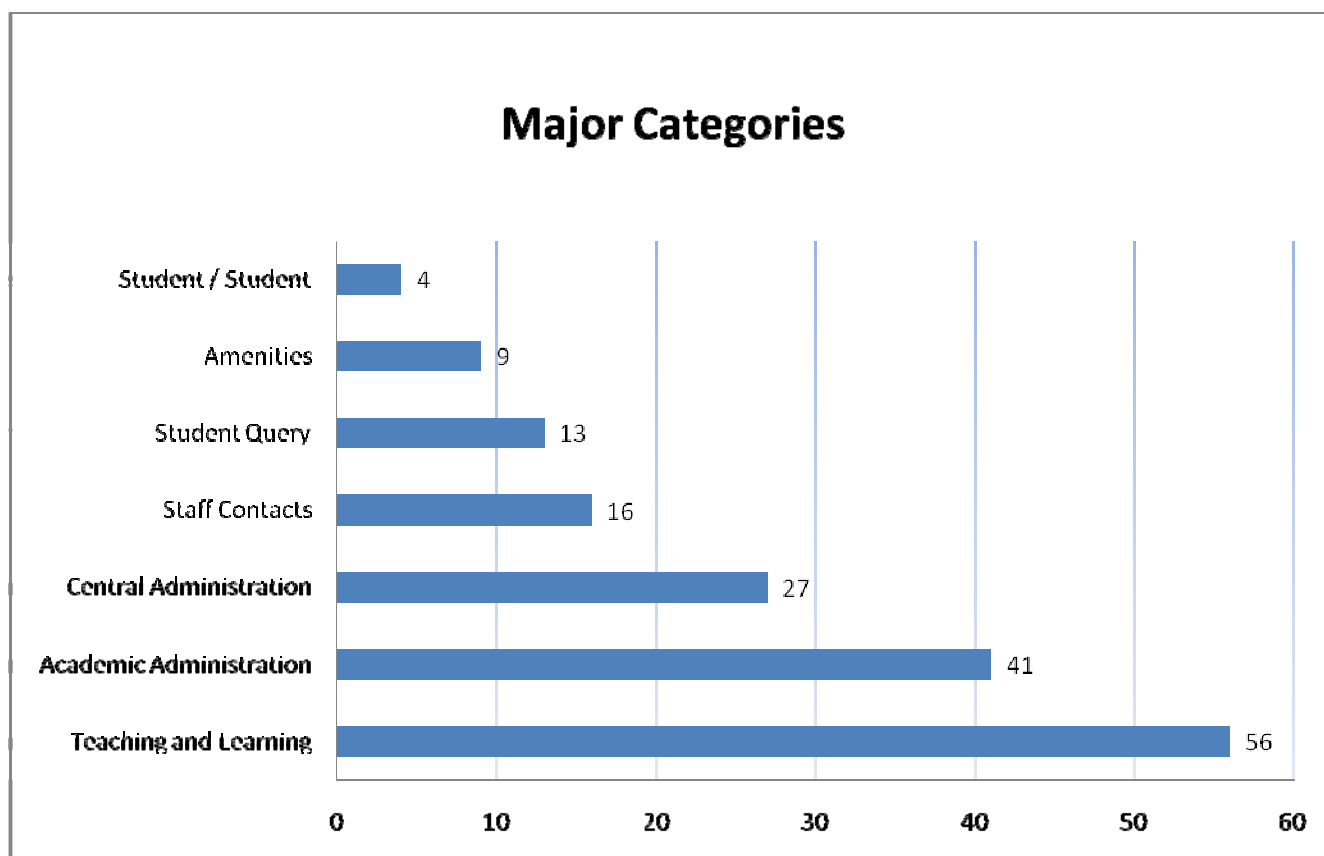


Table 4

The major difference from last year is the increase of queries relating to central administration (up from 15 in 2007) and academic administration (up from 27 in 2007). Although Teaching and Learning is the major concern of students (as to be expected where this is the main business of the institution), the number of problems in this area has remained constant. These problems will often relate to assessment and are most often referred back to the academic staff in the School.

The number of students having difficulties with various forms of administration is not surprising given the complexity of such a large higher education institution. Campus Central does an excellent job assisting students where they can, and staff in Campus Central are very well informed. More administrative problems are related to Schools. Many of these problems arise because academic staff are often under pressure, or on leave, or teaching off shore or have large teaching loads and are struggling to respond in a timely manner to anxious students.

This is reflected in the graph below, where staff conduct comes up again as the major cause of complaint. But most problems arise from the action (or inaction) of a person, so this is not surprising.

In the graph below, the same complaints are categorised more specifically under more than one heading.

Sub categories

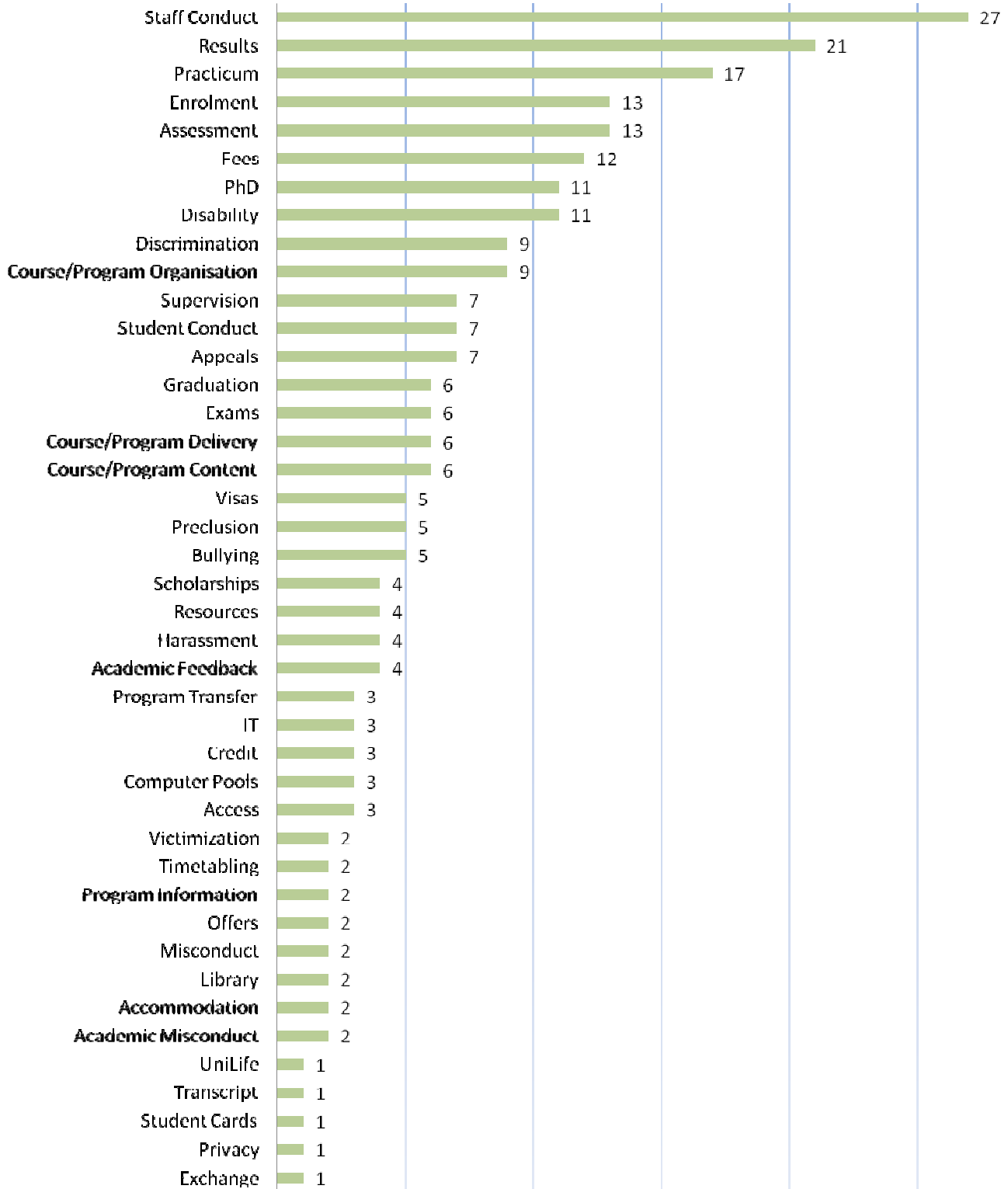


Table 5

The noteworthy aspect of this summary is the number of problems relating to practicums and placements where there is the potential for conflict not only with University staff, but also with professional supervising staff. The majority of issues were in nursing where mature age students were trying to juggle families, illness and other work related demands while fulfilling the requirements of their program. Given the University's commitment to expanding experiential opportunities for students, there is the potential for complaints related to placements to increase. It is important that the University takes appropriate care in selecting sites and accepting supervisors, and that Schools also give students the necessary amount advice and support before they begin a placement.

A large number of disability and discrimination complaints were related to mental health issues. In general staff responded supportively to students with mental health and other disabilities, but there was often an issue to be considered and weighed about how much accommodation should be made to such students whilst still being fair to other students, many of whom might also be struggling with personal problems. In some instances where a placement is involved, the need to obtain a medical clearance for fitness to practice has become an issue. Problems have also arisen where some students have demanded or expected a level of 'monitoring' by the disability staff which is beyond their resources.

4. Issues arising from investigations

During 2008 there were several instances where an investigation into an issue raised by a student led the Ombud to suggest that policy or practice be reviewed. These included:

- Students' rights to feedback from exams and assignments and access to marking schedules. *(Changes have been made in the Policy in terms of students' rights to view their exam scripts. Providing feedback to students on their individual exams is at the discretion of the lecturer)*
- Notifying Open University students that their postal address is the address that will be used to allocate their exam venue. *(Acted upon)*
- Preclusion procedures for some special Masters programs need to be brought into line with University procedures. *(In process)*
- Student notices on University notice boards need to be monitored to ensure they do not breach University policies on for example discrimination. UniLife staff to approve, date and remove old notices. *(Now in practice)*
- Information on the University website about student accommodation needs to be more explicit in regard to the University's role and responsibilities. *(Acted upon)*
- The assessment and the guidelines for assessment in the Hawke Ambassador program need to be specified. *(Carried out)*
- The possibility of offering receipts to students when they submit forms at Campus Central. *(The response from Campus Central, which the Ombud considered satisfactory, was that it is common practice for staff to date stamp and photocopy forms for students to keep if the form is particularly important. E.g. forms around academic review and class overrides. Where forms are processed immediately at the counter they are stamped as processed and dated and a copy given to the students. All forms, once processed, are confirmed as such via an email to the student. And forms that have been received via the public folders receive an automatic email response advising the student the form has been received. The only exception being the change of details form as staff advise students to check their 'MyUniSA' after 24 hours to see that their details have changed.)*

5. Advisory group

The Ombud advisory group currently comprises:

Student Ombud (Anne Simpson)

Project Officer (Sandra Ciaramella)

Director, Human Resources or nominee (Ruth Blenkiron)

Director, Council Services (Penny Moore)

Director, Learning and Teaching Unit or nominee (Stephen Parsons)

Dean of Graduate Studies (Nanthi Bolan)

Director, International Office (Rob Greig)

Director, Student and Academic Services or nominee (Kim Murphy)

Academic staff member (also an Integrity Officer) (Chris Steketee)

UniLife Student Advisory officer (Audrey Nicholson)

The group met 3 times during the year. There were no major issues raised, but matters discussed included Freedom of Information and suggestions about which staff groups the Ombud might usefully address to review University procedures relating to students. This is in addition to the Ombud presenting at Divisional staff induction sessions, and meeting with all Campus central staff on each campus as is currently the practice.

6. Conference

Although a conference for Ombuds and Deans of Students in Higher Education in Australia (OMDOSHEAA) was scheduled for 2008, the network seems to be lapsing. The conference was meant to be held every second year (UniSA hosted it in 2002), but there were no offers this year.

However there was a one day conference in Byron Bay convened to review the preliminary findings of a research project funded by the Australian Learning and Teaching Council to investigate university complaint procedures and the possible need for a national University Ombudsman.

This was a valuable opportunity to make personal contact with several other University Ombuds and Deans of Students.

The results of the research itself are somewhat ambiguous. Fourteen universities were surveyed (not including UniSA) and data has been drawn from the responses of 1577 students and 575 staff (not all complete). Only one of the universities surveyed had a Student Ombud. Consequently the preliminary conclusions reported in the HES (December 12) which included the finding that students did not trust the independence of any Ombud, need qualification.

It is clear however that many universities do not have transparent complaint procedures, and that often they are very difficult to locate. This has been the basis for the argument that students need a Commonwealth Ombudsman.

In spite of this, the strong argument put forward by the keynote speaker, Dame Ruth Deech from the Office of the Independent Adjudicator in the UK (which is a central body funded by UK universities), is that it is preferable for complaints to be dealt with at least initially by campus Ombuds. Her office has found that by the time a complaint gets to them it is usually too late to resolve and all that can be offered students is monetary compensation.

A report from an Officer from the NSW Ombudsman's Office noted that overall the number of complaints from universities was small, but they were expensive for universities, and were more complex and time consuming, especially those from staff, which comprised 1/3 of the complaints from universities. There was a higher proportion of 'querulous' complaints from universities than from the wider public. The Officer also commented that problems were often exacerbated by poor record keeping. Review panels would hand down a decision but not minute the arguments and reasoning behind the decision.

7. Summary

Although contacts with the Ombud Office have increased in 2008, the six to seven years of experience in handling student complaints means that the Ombud and the Project Officer are well able to handle the work load in the time allocated.

The increase in traffic from both staff and students is seen as a positive and a reflection of the profile and reputation of the Office.

Given the size of the University and the complexity of the student population, there are surprisingly few real complaints that the Ombud has considered to have substance. Some complaints have been judged to be without substance and others have fallen into a grey area where there have been issues on both sides of the complaint. Most contacts have been requests for help and advice.

The indications are that the overwhelming number of students are satisfied with their University experience, and that staff are doing an excellent job in teaching and administration.

Finally we consider that it is a strong indicator of the success of the Office that to our knowledge, no complaint which has been investigated and dismissed by the Student Ombud, has been taken up and pursued by an outside body.