



2011
Report

Student Ombud

CONTENTS

Introduction	2
Number of student contacts with the Ombud Office	3
Type of students contacting the Office	5
Category of problem/complaint	5
European Network of Ombudsmen in Higher Education Conference.....	6
Workshop for complaint handlers in Australian universities.....	7
Meetings and other activities	8
Summary.....	9

Introduction

This is the 10^h 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 her Ombud duties, also undertakes other Chancellery tasks as required.

Sandra is in the Ombud Office 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 as many problems are caused by students not knowing whom to contact, not being able to make contact with the right person and having to leave messages which for one reason or another may not be responded to.

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. In addition to this another significant function of the Office has emerged over the years it has been in operation. This lies in providing students with information about how and with whom to pursue their complaint or concern in accordance with University policies.

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 student is still unhappy with the outcome and the Ombud considers further investigation is warranted.

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 feels that he or she has done as much as they can, but has not been able to get what they consider to be a reasonable or timely response. By addressing problems quickly, and where possible at the local level, many potentially time consuming matters can be dealt with by the Ombud before they become major problems.

Number of student contacts with the Ombud Office

There were 200 contacts with the Ombud office during the reporting period. These 'contacts' were from staff or students and might have been by letter, email, phone or in person. By far the majority were via email and phone. Table 1 compares total contacts since 2002.

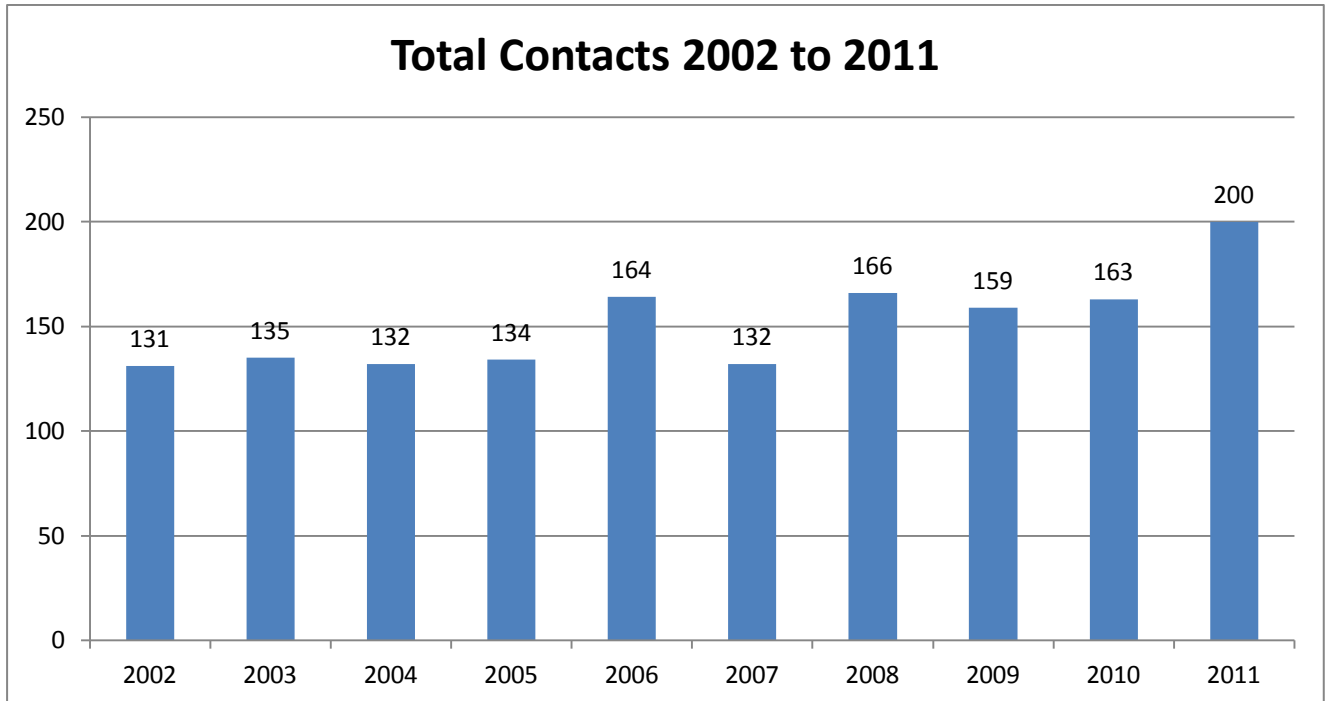


Table 1

The total number of contacts for 2011 is higher than previous years, but if we refer to Table 2 below, it can be seen that the increase has been in those being referred and those seeking advice.

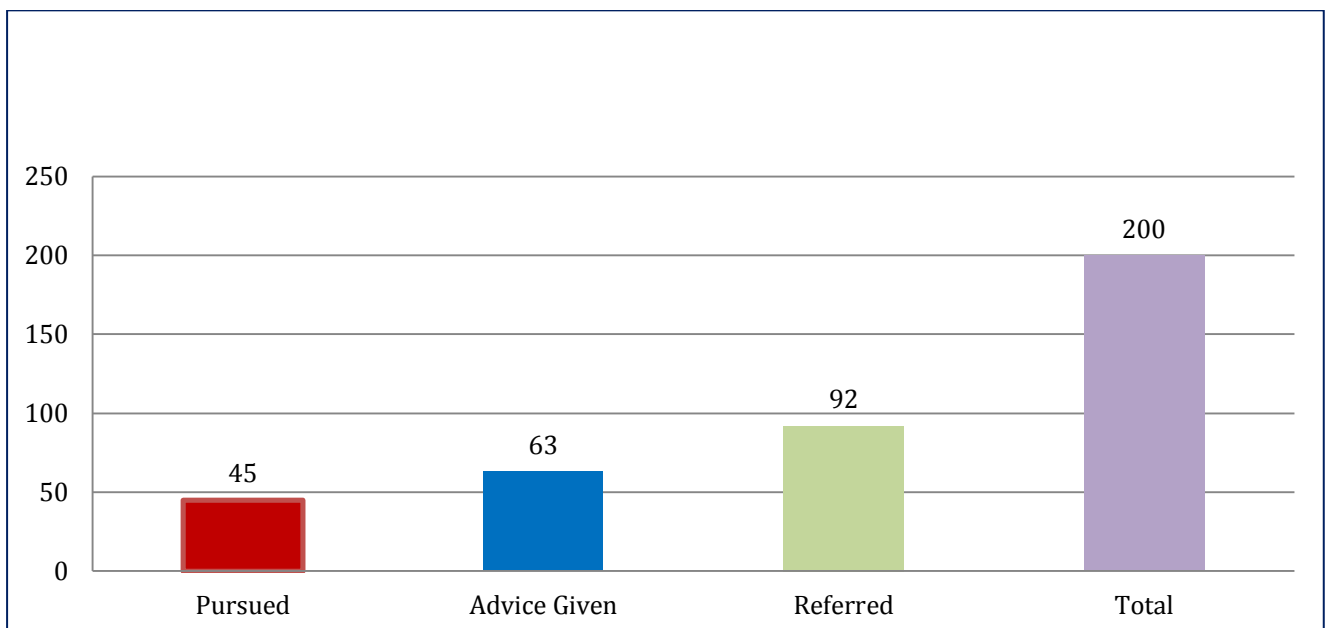


Table 2

These statistics indicate that the number of students with problems or complaints that warranted being followed up by the Student Ombud has decreased from 66 last year. On the other hand it would appear that the profile and positive reputation of the Ombud Office as a source of support and information is increasing.

As noted in the Introduction above, many students 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.

It is also important to emphasise that not all complaints which were investigated were justified. Some were pursued and dismissed as ungrounded, or the 'problem' lay in part on both sides. Compromise reached through negotiation was the most usual pattern and outcome. Consequently it is not easy to categorise the majority of complaints as either 'with substance' or 'unfounded' as most often they are somewhere in between.

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

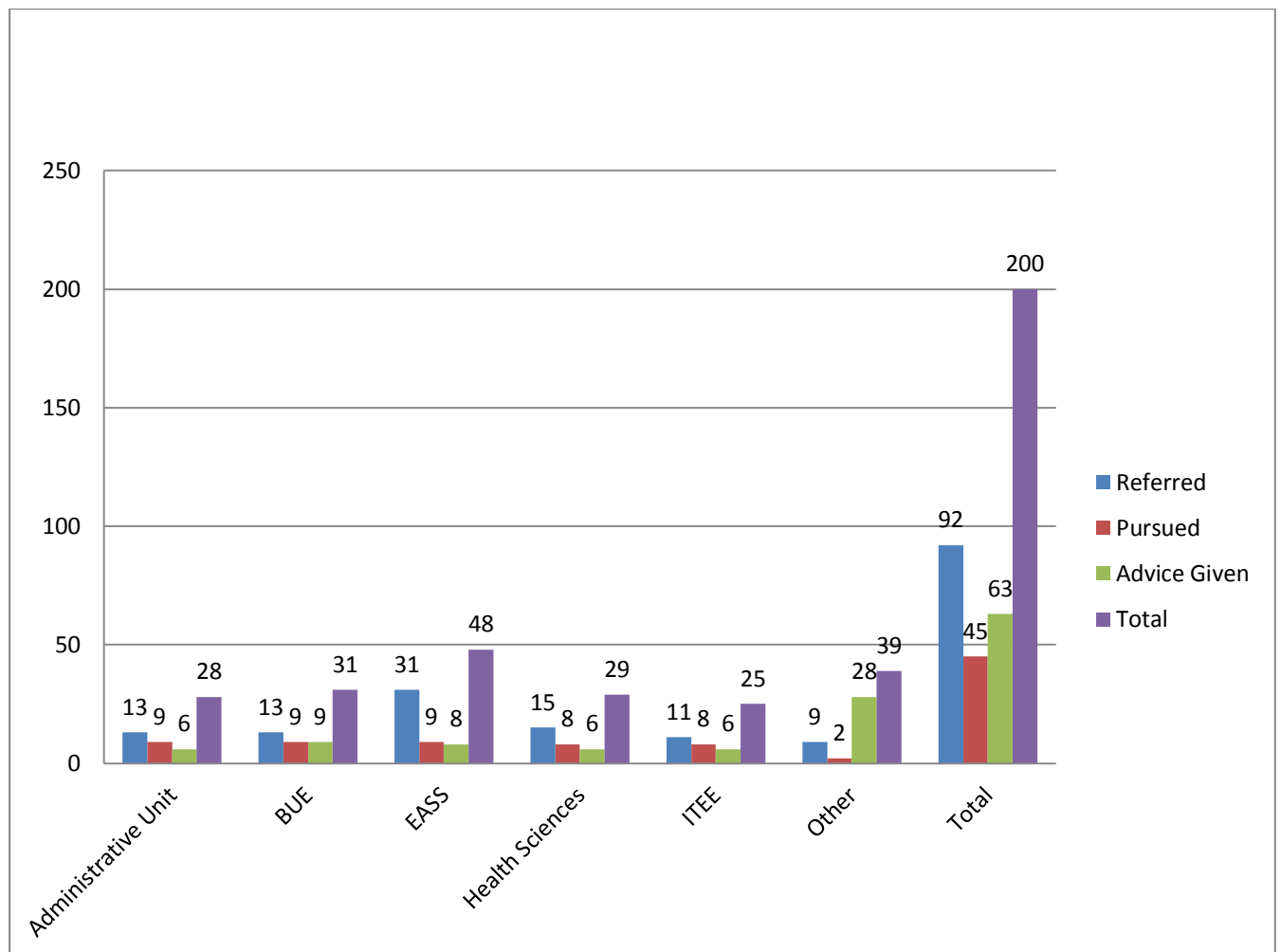


Table 3

Type of students contacting the Office

In terms of sex, 97 males and 103 females approached the Office.

The number of domestic students seeking assistance was 139 and there were 33 international students. In 28 cases it was not known whether they were domestic or international – for example the caller was anonymous, not currently enrolled, precluded or did not disclose that information.

Thirty nine postgraduate students (14 of whom were research students) contacted the office and 99 undergraduate. Again there were instances where this information was unavailable.

Ten students were studying through the Open University of Australia.

Nine contacts were from staff seeking advice about how to handle a complaint, or advising the Office about a potential problem. Staff contacts with the Office are also treated confidentially.

Again 10 students from Africa confused us with the University of South Africa and emailed us for help (these are not included in the total of 200).

Category of problem/complaint

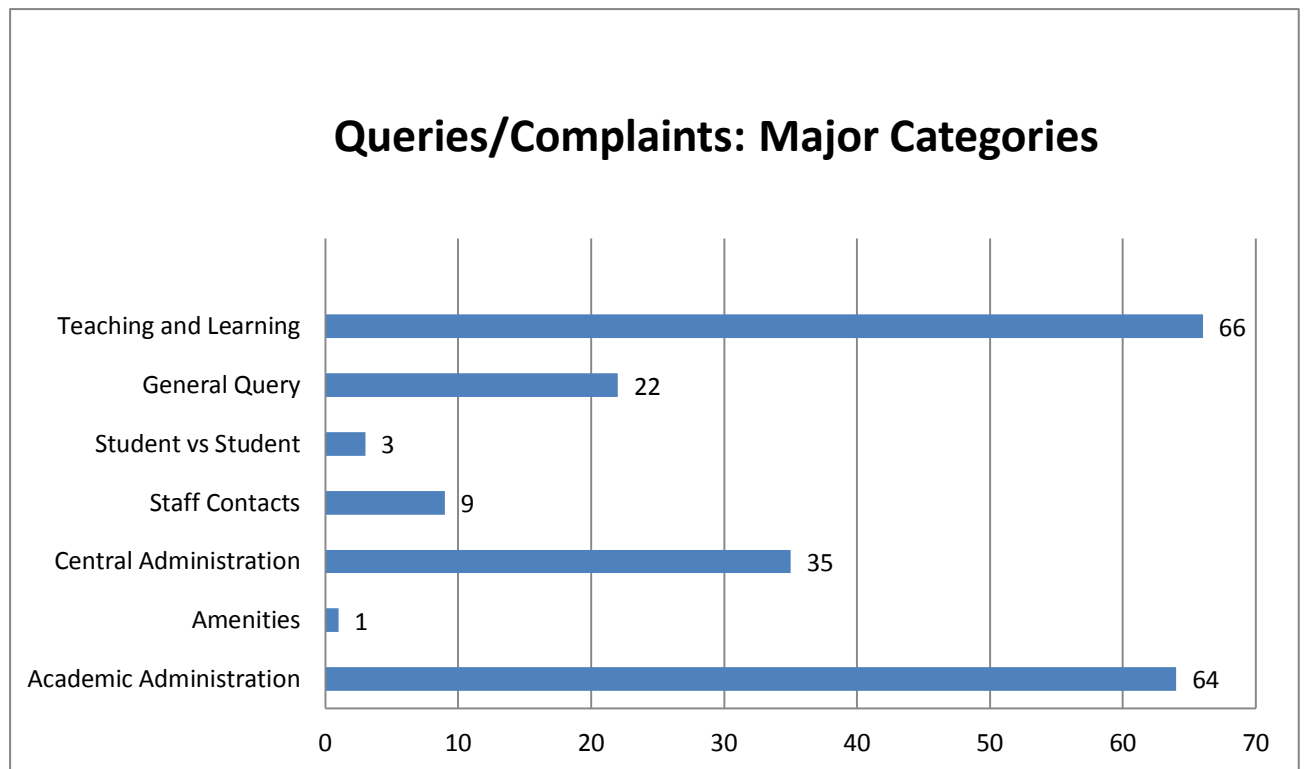


Table 4

The distribution of complaints within these categories is consistent with previous years.

Queries about assessment, which make up the bulk of numbers in the teaching and learning category, are most often referred back to the appropriate academic staff member.

Again, 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 continues to do an excellent job assisting students when they are able - staff there are very well informed and rather than just referring students on, attempt to help the student solve his or her problem.

'General queries' include students, parents and others outside of the University contacting the Ombud office for general information about scholarships, programs, facilities etc.

In 2010 I identified students with mental health or disability issues, bullying and harassment, PhD students' problems, and practicum placements as cases which took up a considerable amount of my time.

My comments about these topics in last year's report remain valid for 2011, and I will pick up on some of them in the sections below in relation to concerns in other universities both in Australia and overseas.

Several specific recommendations for change emerged from various investigations. These were:

- Courses and programs should not be advertised to overseas students as being offered internally if in fact the internal offering was then dependent on the number of students enrolling in a course.
- Information about clinical challenges should be available on the School of Nursing website
- The university should look at ways to support isolated and vulnerable PhD students, through the Deans of Research and the Graduate Studies Centre
- Complaint procedures for research students should be revised
- A program needed to be restructured so that overseas students were not expected to overload in some study periods and also study over the summer break.

European Network of Ombudsmen in Higher Education Conference

The ninth annual conference titled 'Higher education ombudsmen in times of crises' was held at the Universidad Europea de Madrid.

This is not a huge conference which is part of its appeal, but very focussed and hence very useful and interesting. There were approximately 60-70 delegates from Europe, USA, Canada, Mexico, Australia and Sweden. (Interestingly in Sweden the idea of a university ombudsman is quite new and with 47 universities, only three have ombudsmen. On the other in Spain since 1988 all universities are legally required to have an ombudsman).

Also attending from Australia were Cliff Picton (La Trobe), Sally Varnham (UTS), Sara Pheasant (VU) and Patty Kamvounias (USyd).

It was clear from the European delegates that the economic climate in Europe and the subsequent cutbacks to higher education funding was causing great unrest amongst staff and students. Staff were being made redundant; those remaining were feeling very insecure and were taking up outside consultancies; teaching hours were rising from 12 hours per week to 16-18hrs; classes were getting larger; there were more exams and less but bigger tutorials.

We were told that in Denmark and Ireland 10% of staff had been fired. Funding for universities in Austria had been cut 15%. These were just some examples of what was happening all over Europe.

While we were in Madrid protesting students were occupying the city's central squares.

I had the impression from speakers at the conference and news at the time that students overseas in Europe and North America were generally much more politically active than here in Australia. Apart from protests about fees and cut backs, other issues that Ombuds had to deal with were clashes between pro-life and rights to choice groups and religious groups (Muslim vs non-Muslim).

All universities were grappling with an increase in complaints from students with mental health problems. The balance between making reasonable accommodations for students with disabilities while being fair to other students was a constant challenge. Someone noted that one of the problems was the late disclosure of a mental health condition, and that this was often because such conditions often did not emerge until the student began in a higher education institution.

Rob Behrens from the Office of the Independent Adjudicator in the UK stated his belief that UK universities were not good at responding to complaints from students with mental health problems and often hid behind 'academic standards'. Complaints to his office had increased by 33% in the previous year, leading to a recommendation that all universities should have campus ombudsmen so that complaints could be dealt with more quickly and hopefully stem the increase in those escalating to the OIA.

Also challenging all universities was the rise of social network media amongst students and the fact that most ombudsmen were somewhat less engaged in platforms like Facebook, Twitter and Youtube than students. These sites can be used to attack other students and staff, and everybody had at least one significant incident in the last year. Here at UniSA I had a case where two female students had been attacked on Facebook and accused of various sexual activities by a fellow student who felt he had been unsupported in his tutorial presentation.

A number of Ombudsmen felt that their Offices were significantly undervalued and under resourced. I was very happy to report that the Ombud Office here at UniSA is extremely well supported and is able to carry out its responsibilities efficiently and (in my view at least) effectively.

Workshop for complaint handlers in Australian universities

In 2010 I convened a workshop for university complaint handlers, held here at UniSA in October. It was attended by 25 participants and was so successful that a similar workshop was organised by Maxine Evers at UTS in November

Sandra and I attended this workshop along with representatives from 16 other universities.

Again it was a very worthwhile exercise, both in meeting and informal discussions with people doing similar work, and identifying common problems.

Strategies for dealing with 'difficult' complainants were canvassed and it was clear that students with mental problems were on everybody's list of concerns.

Another interesting topic was when an Ombud or Dean of Students or Complaints manager should intervene in a dispute. There are different models of complaint handling and no two universities seem to have the same. Prof Penny Oakes put forward the model of Dean of Students which is the position she holds at ANU, and where she is the first point of call for students with problems. She also maintains that such a position should be held by a senior academic in order that other academics will respect the Dean's advice or perspective. Other professional staff from complaint handling units which are situated with administrative units felt they could be just as effective.

Others of us including Penny and myself believe that the independence of an Ombud is of primary importance. Even though we are theoretically a 'last resort', in practice I and one or two others in similar roles use our discretion as to when it is sensible to intervene as opposed to referring a student on to someone else as strict adherence to procedures might indicate. This is where long experience and good relationships with staff is so valuable.

I also reported on the outcomes from the Madrid ENOHE conference at this workshop.

Meetings and other activities

The Ombud Advisory Group meets as required when there is sufficient business and when there are sufficient members available. Otherwise information (such as revising complaint procedures) is circulated by email to members for comment.

The Ombud advisory group currently comprises:

Student Ombud (Anne Simpson)
Project Officer (Sandra Ciaramella)
Director, Council Services (Penny Moore)
Director, Learning and Teaching Unit or nominee (Stephen Parsons)
Dean of Graduate Studies or nominee (Kym Murphy)
Director, International Office or nominee (Rob Greig)
Director, Student and Academic Services or nominee (Allan Tabor)
Academic staff member (also an Integrity Officer) (Ian Clark)
UniLife Student Advisory officer (Marieke de Graaf).

Both Emeritus Professor Robert Crotty and Associate Professor Chris Provis are highly regarded and experienced retired academics who have stepped in to act as Student Ombud when I have been on leave. We are very grateful for their services and hope they will be available to continue to offer their time and expertise as needed in 2012.

As well as presenting information about University complaint procedures at Divisional staff inductions, I also talked about the activities of the Ombud Office at a meeting of the Teaching and Learning Committee.

One important aspect of the role of the Student 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), that the Ombud is satisfied that the University has treated the student fairly. For example if a student complains to the State Ombudsman, then staff from the State Ombudsman's Office will normally check with the Student Ombud to ensure that the Ombud has investigated the matter and that proper procedure has been followed. 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 and report.

Sandra and I met with staff at the State Ombudsman's Office in August to outline University policies and procedures and the role of the Student Ombud, and to answer questions. This was a very productive session.

The Ombud will from time to time refer students to the Office of the Training Advocate when they have problems which are not a University responsibility. There has been regular informal discussion with staff from the OTA with the aim of assisting international students to resolve their problems with for example accommodation and financial issues, consumer mistakes and private legal or employment matters.

The Ombud is not 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 (eg a complaint/appeal about an assessment), then the Office will refer the student to one of the Unilife Advocates - Luis Gardezabal and Marieke de Graaf.

The Advocates perform a tremendously important role in supporting students with appeals, procedures and fronting up to meetings with staff. When a student needs guidance with filling out a form or advice as to what information and circumstances are important and/or relevant we will most often refer them to an Advocate. Indeed in approximately 50% of the instances where we refer or advise a student about procedures and to whom they should take their problem, we also advise them to get support from one of the UniLife Advocates.

Professor Peter Lee, formally DVC here at UniSA and currently VC at SCU asked me in June to undertake an investigation at SCU. There was a perceived conflict of interest with their Ombuds so it was necessary to bring in an experienced investigator and I was pleased to be able to assist.

Summary

I consider that 2011 was another successful year for the Ombud Office and therefore for the University. All genuine complaints were resolved successfully through consultation and discussion with staff and students both having their point of view listened to and taken into account.

Sandra Ciaramella does a superb job of listening to students, advising them of options and procedures, and sifting through the information they provide before passing the more problematic cases on to me. She also deserves many thanks for her contribution to this report, particularly in terms of data entry, collection and presentation.

Most of those students who remained unhappy generally either had complaints about assessment, which is not within the Ombud's terms of reference, or had mental health issues which contributed to their unresolved and/or ongoing problems.

Given the size of the University and the complexity of the student population, there were few real complaints that I considered had substance and believed that the student had been treated unfairly. In those cases where I made a recommendation at odds with a previous decision, staff were agreeable to the outcome. The relationship between academic and professional staff of the University and the Student Ombud Office remains positive and productive.

It is clear that the vast majority of students have a satisfying and rewarding experience during their time here at UniSA. My interactions with staff have also confirmed that with few exceptions, they work hard to accommodate the variety of students and their needs with positive good will, sometimes under trying circumstances.

The work that the Ombud Office does is not so much 'dealing with complaints' as that of problem solving. In this sense it is a positive and rewarding role which supports the goals of the University in ensuring that as far as possible students have the opportunity to focus on their learning and attain their aspirations.