



## Memorandum

<b>To:</b>	University Council
<b>From:</b>	Dr Laura-Anne Bull, Pro Vice Chancellor, Student Engagement & Equity
<b>Date:</b>	27 November 2014
<b>Subject:</b>	<b>Office of the Student Ombudsman – 2013 Report</b>

### PURPOSE

The purpose of this report is to provide an update to Council members on the services offered by the Office of the Student Ombudsman in 2013.

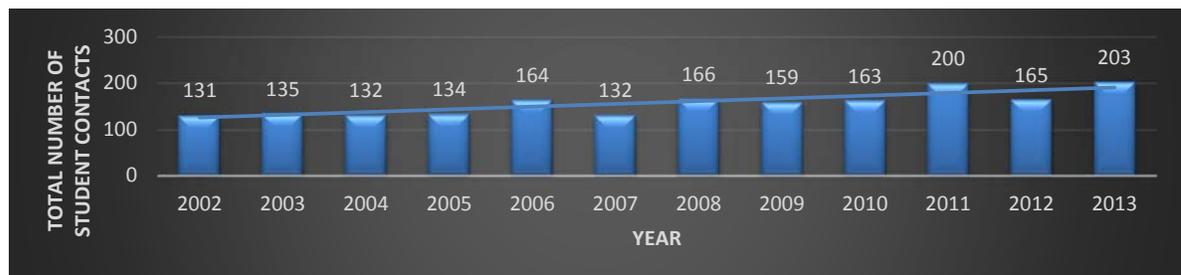
### BACKGROUND

The Office of the Student Ombudsman was established in 2002. Its purpose is to:

- Refer students to University policies, codes and procedures relevant to their complaint.
- Provide students with an independent and confidential avenue to pursue complaints when they have failed to find a satisfactory outcome to their issues by following the established University procedures.
- Investigate complaints where either proper procedure has not been adhered to, or where, despite following established procedures, the student is still dissatisfied.
- Resolve time consuming matters at a local level before they become a major issue.

### SUMMARY OF 2013 ACTIVITY (further details in attached report)

In 2013 there were 203 students who contacted the Office of the Student Ombudsman. This roughly equates to 1:165 University students who sought advice or support in the last year. The graph below maps the total number of students who have contacted the Office of the Student Ombudsman since 2002.



Of those 203 students who contacted the Office of the Student Ombudsman in 2013:

- 54 were male and 149 were female
- 151 were domestic students, 23 were international students, and 3 were offshore students.
- 42 were postgraduate students, 13 of which were PhD students
- 5 were Open University of Australia students
- 26 calls were recorded as anonymous.

The distributions of students contacting the Office of the Student Ombudsman based on their Division/Area is as follow; BUE 12%, EASS 17%, Health Sciences 15%, ITEE 15%, Administrative unit 18% and other 23%.

There were also 10 contacts made by University staff members to seek advice about best practices to handle a complaint, or to advise the Office of the Student Ombudsman about a potential problem.



Of the 203 student matters, the majority of students contacted the office for the purpose of seeking advice with 60% (n=121) being dealt with in this way including referrals to the relevant areas when necessary. The remaining 40% (n=82) of cases were complaints that required further clarification and investigation by the Office of the Student Ombudsman in an attempt to resolve the problem. The areas of enquiry ranged from; Teaching & Learning (n=67), Academic Administration (n=47), Central Administration (n=51), General Enquiry (n=24), Staff Contacts (n=10), Student v's student (n=5) and Amenities (n=1).

The majority of queries in the 'Teaching and Learning' category were assessment related and were referred to the appropriate academic staff members. The category 'General Enquiry' encompasses enquiries made by students, parents, and other external stakeholders who contact the Office of the Student Ombudsman for general information on scholarships, programs, facilities, etc.

The following graph summarises the outcome of these contacts based on whether the enquiry/complaint was referred, advised or pursued by the Office of the Student Ombudsman.



**SUMMARY**

In 2013 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.

Most of those students who remained dissatisfied generally had complaints about their academic assessment, which is not within the ambit of the Office of the Student Ombudsman, or had issues with the expectations of placements, or had mental health issues, which contributed to their unresolved and/or ongoing problems.

Given the size of the University and diversity of its student population, there were relatively few complaints that were considered to have substance and where the student was considered to have been treated unfairly. In those cases, where a recommendation was made that was at odds with a previous decision, staff usually agreed to the outcome. The Office of the Student Ombudsman maintained positive and productive relationships with the academic and professional staff involved in these cases.

Given the size of the University's student population and the total number of complaints reported through the Office of the Student Ombudsman, it is evident that vast majority of students have a satisfying and rewarding experience during their time at UniSA.

**RECOMMENDATION**

That University Council note the attached 2013 Student Ombud Report.



2013

Student Ombud  
Report

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## Introduction

This is the 12<sup>h</sup> annual report from the Office of the Student Ombud.

This report is brief as it has been prepared by the current Ombud, Dr Geoff Page who took up the role in 2014 and as such was not involved in the reported year.

The Office was established in 2002, and the post of Student Ombud has been held on a .6 basis by Associate Professor Anne Simpson from 2003 until December 2013. She is supported by 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.

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 the Office provides students with information about how and with whom to pursue their complaint or concern in accordance with University policies.

The Student Ombud does not normally cover complaints about academic judgement, such as grades and preclusion. These are addressed according to the Assessment Policies and Procedures Manual and Academic regulations for Higher Degrees by Research policy. We do however at times provide advice to students on the process and where to obtain assistance.

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 203 contacts with the Ombud office during the reporting period. This equates to 1 contact for every 164.3 students.

Table 1 compares total contacts since 2002

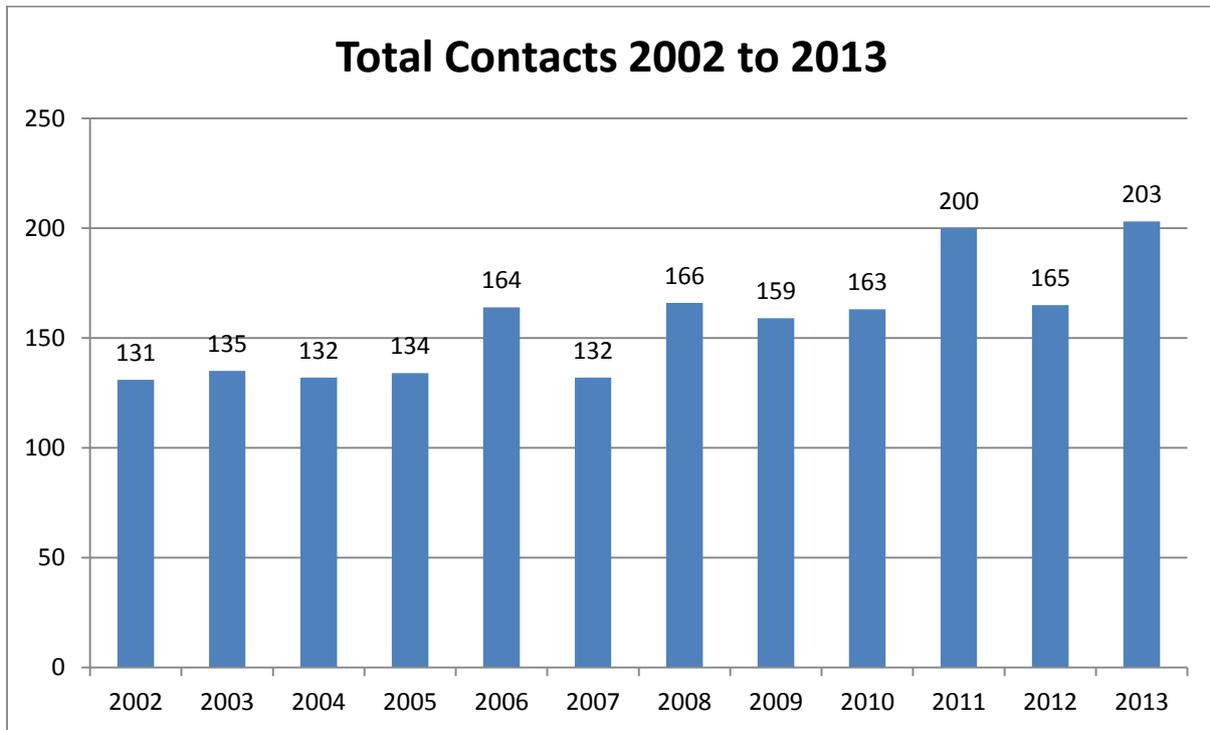


Table 1

The majority of contacts with the Office were via email and phone.

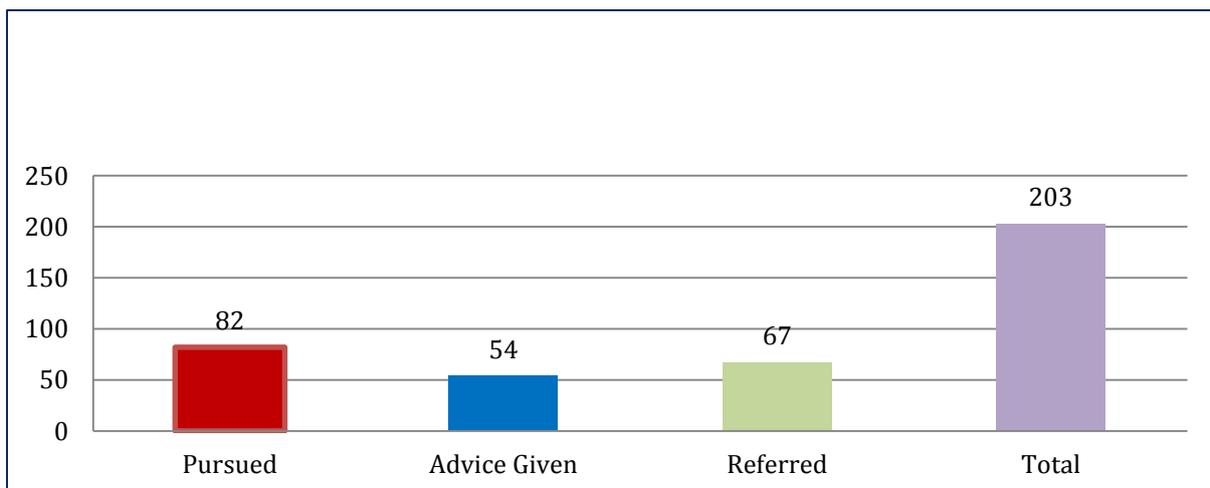


Table 2

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. 121 students who contacted the Office were supported in this way. In 82 instances students' concerns were followed up by the Ombud to seek clarification and more information in an attempt to resolve the problem.

It is important to emphasise that not all complaints which were investigated were justified. Some complaints were pursued and dismissed as ungrounded, or the 'problem' lay in part on both sides. Compromise reached through negotiation was a common pattern and outcome. Consequently it is not easy to categorise the 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.

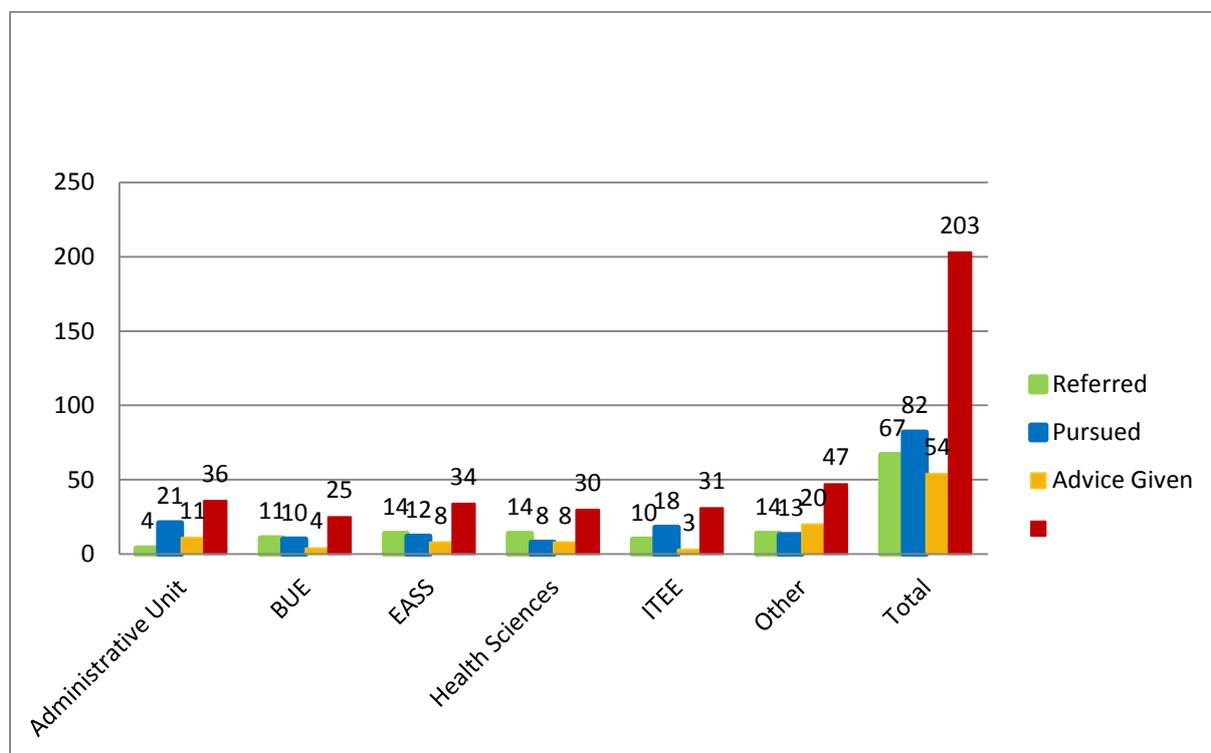


Table 3

## Type of students contacting the Office

In terms of gender, 54 males and 149 females approached the Office.

The number of domestic students seeking assistance was 151 and there were 23 international students and 3 off shore. In 26 instances 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.

42 postgraduate students contacted the office 13 of whom were PhD students

Five students were studying through the Open University of Australia as compared to sixteen in 2012.

Ten 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.

### Category of problem/complaint

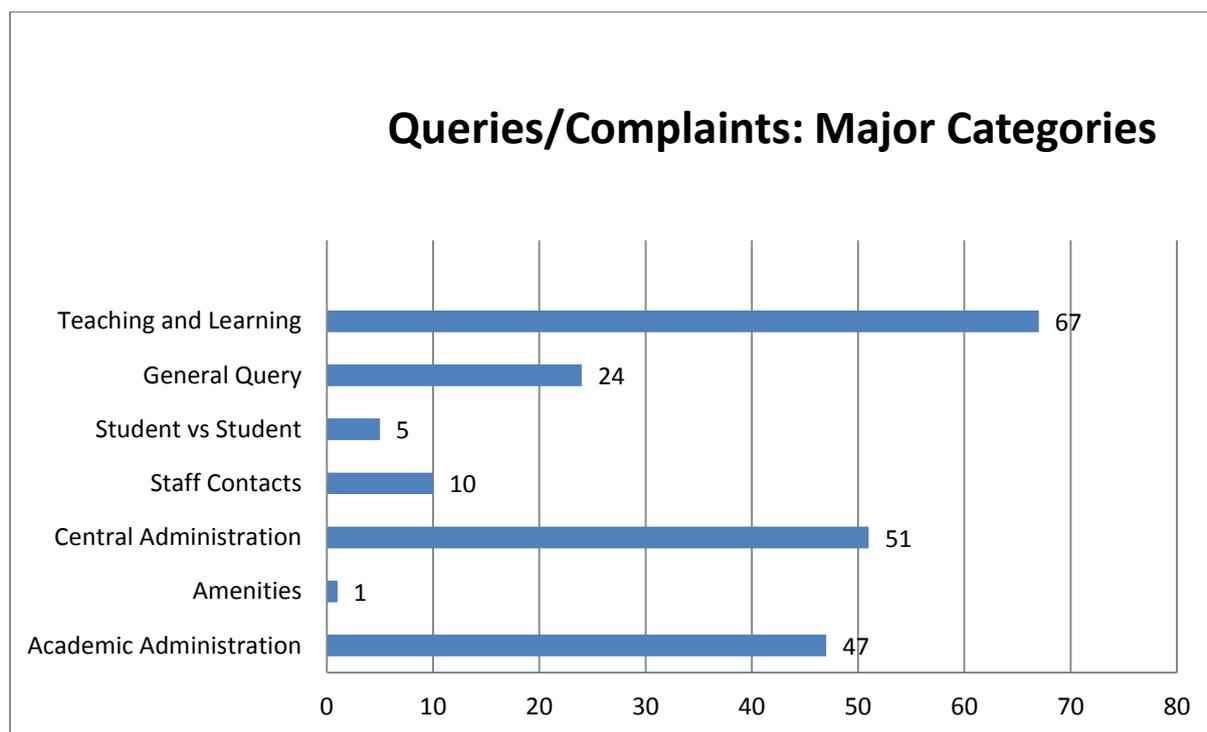


Table 4

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 members.

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

## Ombud Advisory Group

The Ombud Advisory Group meets as required when there is sufficient business and when there are sufficient members available.

The Ombud advisory group comprised:

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 (Dirk Mulder)  
Director, Student and Academic Services or nominee (Allan Tabor)  
Director, Human Resources or nominee (Ruth Blenkiron)  
Academic staff member (also an Integrity Officer) (Ian Clark )  
UniLife Student Advisory officer (Luis Gardezabal).

The Student 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.

Both Emeritus Professor Robert Crotty and Associate Professor Chris Provis are highly regarded and experienced retired academics who have made themselves available to act as Student Ombud should the Ombud take extended leave. We are very grateful that they are there for back up if needed. Associate Professor Chris Provis will be available to continue to offer his time and expertise if required in 2014.

We thank Adrienne Nieuwenhuis and Penny Moore who covered the Ombud position during November and December 2013.

We thank Anne Simpson for her good work over the last decade in shaping the Ombud role to a position highly respected within the university community. She has ensured that the Ombud role plays a significant role in addressing issues.

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

## Summary

In 2013 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.

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

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, the Training Advocate 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.

The Ombud Office – often in conjunction with Student and Academic Services – maintains a good working relationship with these outside bodies.

Given the size of the University and the complexity of the student population, there were relatively few real complaints that were considered to have substance and where the student was considered to have been treated unfairly. In those cases where a recommendation was made that was 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 they work hard to accommodate the variety of students and their needs with positive good will.

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.

# Student Ombud Protocols

## 1 Appointment

1. The Council of the University of South Australia has endorsed the appointment of an academic staff member as Student Ombud with day to day responsibility to the Provost & Chief Academic Officer. To ensure independence the Student Ombud is provided direct access to the University Council.
2. From time to time the Provost & Chief Academic Officer may appoint a Deputy Student Ombud in an acting capacity at times when the Student Ombud is on recreation or other leave. The Deputy Student Ombud will have the same authority and responsibilities as the Student Ombud.

## 2 Authority to Enquire

1. The Student Ombud has the authority to conduct enquiries relating to complaints by students against decisions or conduct of staff, committees (other than decisions of the student appeals committee), Board or any unit or group either within the University or acting under the authority or auspices of the University.
2. The services of the Student Ombud will be available to all students of the University regardless of location and mode of study.
3. Unless it is a matter of unlawful discrimination or sexual harassment the Student Ombud will not normally investigate a complaint until all internal grievance procedures have been exhausted.
4. On receipt of a complaint, the Student Ombud shall have authority to enquire into that complaint.
5. On receipt of a complaint, the Student Ombud shall decide, by enquiry if necessary, whether or not the complaint falls within the role and functions of the Student Ombud.
6. If during an investigation being carried out by the Student Ombud it becomes known that the complaint is the subject matter of a hearing or appeal under a University Act Statute or By-law, the Student Ombud shall proceed no further with investigating the complaint until the hearing or appeal has been concluded.
7. The Student Ombud shall be given access to all University records and documents relating to the complaint.

### **3 Conduct of Enquiry**

1. The Student Ombud shall decide the form and procedures to be adopted in investigating a complaint. All persons involved shall be given reasonable opportunity to explain their views and encouraged to reach agreement.
2. If the complaint is not settled by informal consultation and discussion and the complainant wishes to proceed the Student Ombud may proceed with the enquiry by methods such as:
  - Providing a written copy of the complainant's statements to the person(s) against whom the complaint has been made: or
  - At the request of either the complainant or the person(s) complained against, or in any case where the Student Ombud deems it desirable, convening a conference to discuss the complaint.
3. If the Student Ombud believes that a situation arising from a complaint requires action to avoid further problems, the Student Ombud will make recommendations to any authority or person.
4. If in the opinion of the Student Ombud a complaint warrants no further action, or no further action can be taken, the Student Ombud may decline to proceed further.

### **4 Report of Investigation**

If the Student Ombud has been unable to reach a decision regarding a complaint, or the personnel involved refuse to accept the recommendation of the Student Ombud, then the Ombud will seek resolution through the Head of School, Manager of Unit or Pro Vice Chancellor. If referring the matter to the Vice Chancellor for determination the Student Ombud will make available all details of the complaint, investigation findings, and actions undertaken in attempting resolution.

### **5 The Student Ombud may bring to the attention of the Vice Chancellor any matter:**

(i) arising from an enquiry; or

(ii) relating to processes, procedures, rules or policies of the University.

### **6 Outcome of Investigation**

Once a recommendation has been made by the Student Ombud and accepted by the relevant University authority, then the Ombud shall have no further responsibility for actions taken as a result of that recommendation. The Student Ombud may not be called upon to appear before any University boards of discipline, appeals committee, grievance committees or any inquiry.

**7 Report to Council**

At the end of each year the Student Ombud shall provide Council with a report for the previous twelve months. The report shall be statistical in character and shall contain no reference to named individuals.