



**Memorandum**

**To**           **Members of Council**  
**From**       **Anne Simpson**  
                  **Student Ombud**  
**Date**       **19 April 2007**  
**Subject**     **2006 Student Ombud Report**

---

**1       INTRODUCTION**

This is the fifth year that the Student Ombud Office has been in operation, and the fourth year that Anne Simpson has held the position. Her contract was renewed in 2006 for another three years at 0.6. Sandra Ciaramella, the project officer, has been full time in the position since its inception.

The Office is currently located in Currie Street but will move to the Landmark Building later this year. It is anticipated that the higher visibility and physical accessibility of the office may well result in an increase in contacts from students.

To this point the Office is well resourced to fulfil its role in terms of the protocols under which it operates. Its importance lies in ensuring students have recourse to an office which is independent and dedicated to ensuring that they receive fair and equitable treatment while they are studying at UniSA.

In many instances the value lies in just listening to students' problems, reassuring them that there are policies and procedures which are there to protect them and which staff must abide by. They are assured that if they are still dissatisfied after following the procedures that as a last resort they can still come back to the Office - except in cases which go through to the Student Assessment Appeals Committee.

As noted later in the report, no complaints which the Ombud has dealt with have been subsequently taken up by the State Ombudsman – this despite the Student Ombud referring students who were unhappy with her decision to the State Ombudsman. We believe this indicates significant savings in terms of staff time and university resources which would be required in responding to an investigation by the State Ombudsman.

Relationships with staff have remained very cordial and the Ombud has been met with goodwill and co-operation throughout 2006. All recommendations from the Ombud have been satisfactorily negotiated, and in no instance was it necessary to make a formal report to the Vice Chancellor.

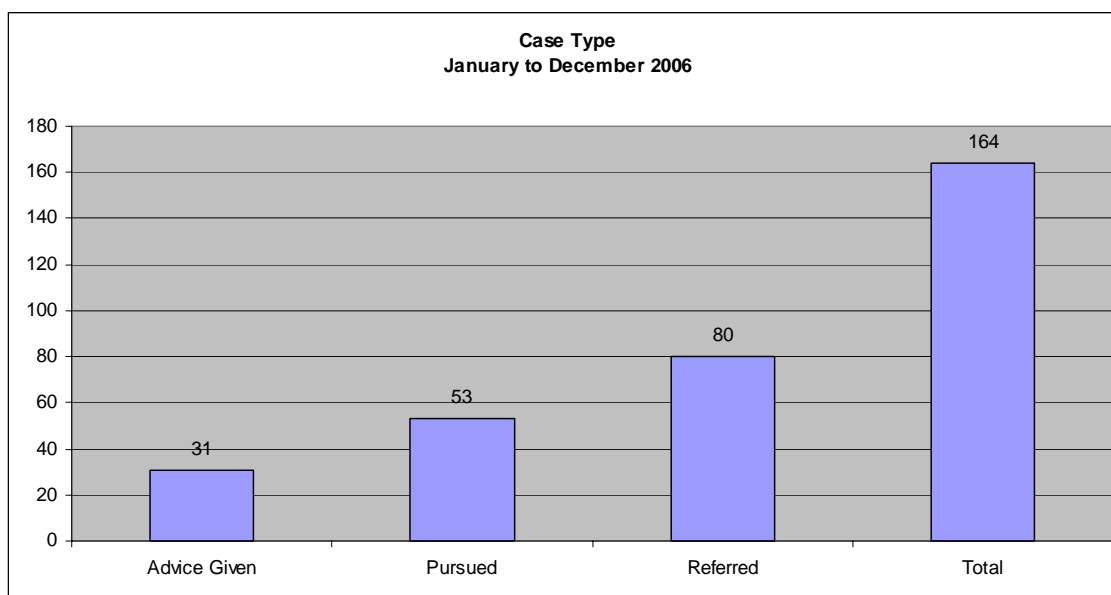
## 2 ENQUIRIES

### 2.1 Number of enquiries

A total of 164 students approached the Office for assistance in 2006.

Table 1 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 can deal with their problem, or whether the complaint was pursued on behalf of the student. In 53 instances it was judged that the circumstances warranted further investigation by the Project Officer and/or the Student Ombud.

**Table 1**



Approximately 81% of the contacts were from domestic students, 15% from international students, and 4% from off shore international students.

There were also 28 contacts initiated from staff seeking advice in handling student issues. These are not included in the statistics.

### 2.2 Comparison with 2005

The statistics indicate a 22% increase in the total number of contacts for 2006, but this does not necessarily mean that there were more complaints or that students were having more problems. Many of the contacts were simply seeking advice about where they should go with their problem or where they could find information about something. The Project Officer also for the first time logged **all** contacts with the office, not just those with a specific issue. (For example a student phoned to say that he had been hearing voices in his head for a few weeks and thought he needed to tell someone. The Project Officer asked his permission to give his number to a counsellor so that she could call him to talk about it).

The fact that the University Student Association Student Advisory Officers were operating only from City East and not on all the campuses may also have had an impact on the number of students approaching the Office for help.

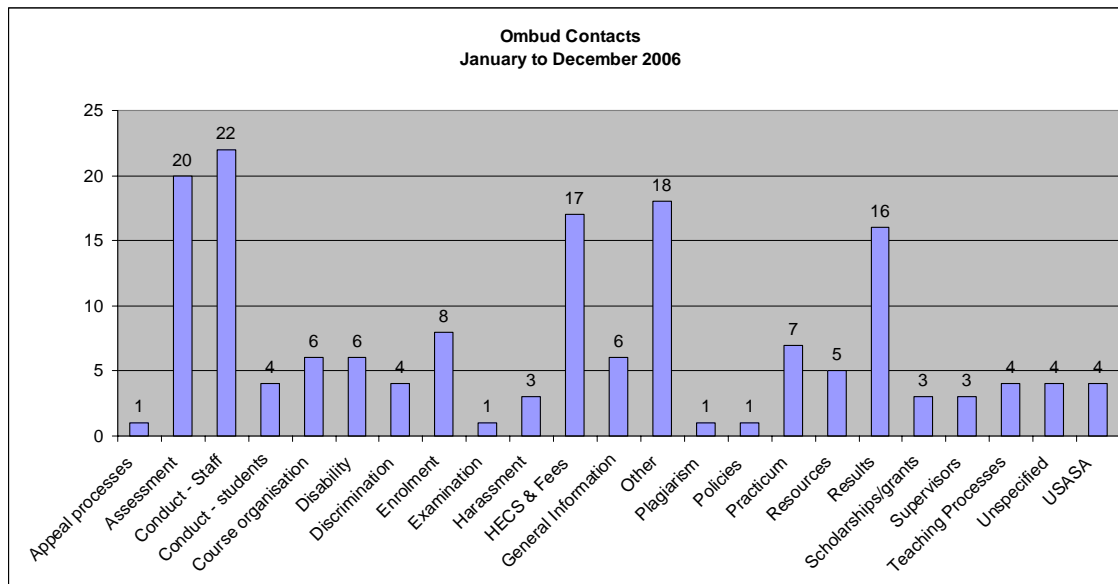
Fifty three pursued cases (as opposed to 31 in 2005) may seem a high number, but in some cases only involved a few emails and phone calls to resolve the situation.

There was a slight increase (7%) in the number of international students calling the office and this would reflect the increasing numbers of international students enrolled in the University. They are slightly over represented statistically, but as noted in last year's report, international students are likely to have more difficulties in a foreign culture.

The number of times staff contacted the Office for advice nearly tripled, and we have taken this to indicate the growing profile of the Office and the trust staff have that they will receive support and helpful advice. Most queries related to potential difficulties with students and staff were seeking advice as to how to avoid or head off problems. The outcomes of these contacts were clearly satisfactory in that very few of the students involved ended up coming to the Office with a complaint.

### 2.3 Category of Enquiry

Table 2 below indicates the broad nature of the issues of concern for students.



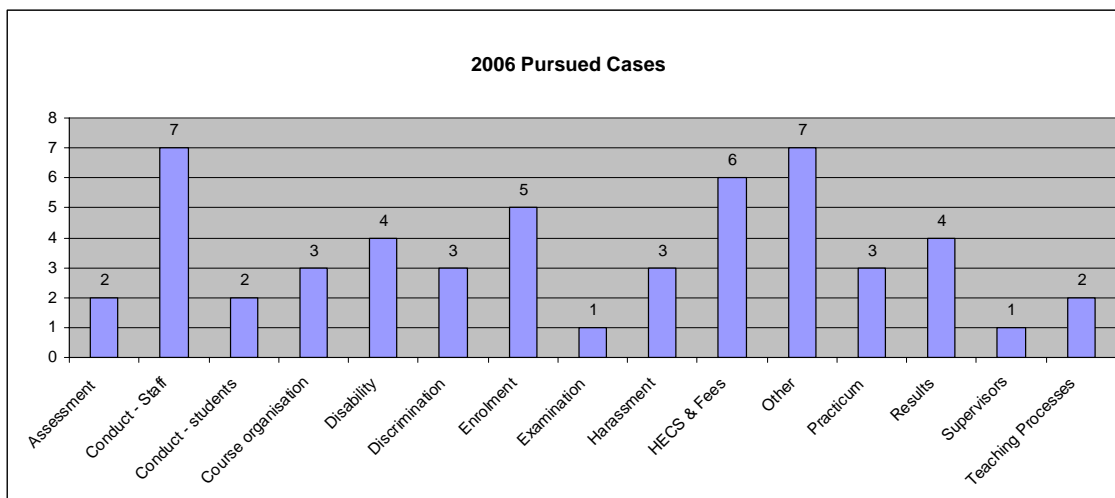
The 'Other' category includes complaints/requests for assistance related to admissions, accommodation, credit, facilities, leave, SATAC procedures, supervision, and graduation.

The high number of contacts related to HECS and fees is due largely to the introduction of library fees for overdue books. Nine of the 17 queries were complaints about library fees.

2006 was the last year that complaints will be categorized in this manner. A new data base, developed with the assistance of the FLC, is in operation for 2007, and this will permit a

more detailed (and hopefully useful) analysis of the kinds of issues students have when they approach the Office.

Table 3



The number of cases which were pursued were generally in proportion to the actual contacts except those relating to assessment, staff conduct and results. In these instances many students were referred back to the policy and procedures for assessment in which the Ombud does not have a role, or in the cases of staff conduct, to the Head of School.

## 2.4 Alleged Unlawful Discrimination and Sexual Harassment

There were four cases of alleged unlawful discrimination. These were investigated, but not substantiated.

One student claimed there was a discrimination issue because he was not permitted to undertake practicums out of sequence (one course was a pre-requisite for the next). He argued that family responsibilities had caused him to fail and hence fall behind, and that he should be allowed to complete them out of sequence. The Ombud upheld the School's decision not to allow this.

An international student had been found guilty of academic misconduct and claimed this was discrimination. The academic misconduct was proven, and there was no evidence of discrimination.

A student had been banned from the University because of violent aggressive behaviour and physically attacking a staff member. He felt he had been discriminated against because of his mental illness. The safety of staff and students was a paramount consideration.

A letter was received by the Office from a student alleging discrimination over a period of years. When the student was contacted, he was astonished by the letter's existence and denied sending it.

There were three cases of alleged harassment.

An Indian female student was being threatened and abused by her partner, but he was not a student and this did not happen on campus. The Office gave her advice and support and made sure she made contact with the appropriate authorities.

A male student claimed he was bullied and intimidated by his lecturer. Investigation indicated that the student had a history of harassing staff to get remarks and credit.

A group of students alleged that a sessional staff member bullied and threatened them and used inappropriate teaching techniques. Preliminary investigations indicated that other students thought the lecturer was fabulous. The matter was referred to the Head of School.

### **3 ISSUES ARISING FROM INVESTIGATIONS**

Again in 2006 there were several cases which led the Ombud to make recommendations to particular units of the University to change or improve practices.

For example the large number of complaints relating to library fees led to the recommendation that more publicity be given to the consequences of the late return of books. Even though students were given several reminders and warnings, the message clearly wasn't getting through to a significant number, and more needed to be done. This was undertaken.

There was a problem of sessional staff members' email being closed off once their contract ended with no indication to senders (in this case, students) that emails were not getting through and being read. An automated response to alert senders that their email was not being accessed is now in place.

Confusion about the university's policy on the return of exam papers led to the Ombud making a recommendation that the practice of not returning them be made explicit policy, unless otherwise stated in a course booklet.

On-line information regarding the date of the commencement of the study period for a particular course should be checked by SAS to ensure it is accurate, and not have defaulted to the date set by the template. Students had complained that they had not received study materials in time for the commencement of their course, whereas in fact the course did not start until a later date.

The Ombud provided input from the complaints she had dealt with regarding placements and insurance to the working party convened by the PVC Academic. This working party was formed in partial response to issues raised by complaints to the Office.

### **4 PUBLICITY**

It was agreed at the last Student Ombud Advisory Group meeting that new brochures and posters be developed to advertise the Ombud Office. There has been a suggestion that pens would be a better option than book marks though cost will be a factor here. The new

publicity will be timed to coincide with the move to the new building in June/July. As noted earlier, it is anticipated that the greater accessibility could lead to more students calling in to the Office.

The Ombud has continued to address key groups such as School Boards and Divisional staff induction sessions to familiarize staff with grievance procedures.

## **5 OMBUD ADVISORY GROUP**

The Advisory Group met 4 times during 2006 with the membership changing during the year as people changed positions. The membership for 2007 is confirmed as follows:

Student Ombud (Anne Simpson)  
Project Officer (Sandra Ciaramella)  
Director, Human Resources or nominee (Justene Knight)  
Director, Council Services and Chancellery (Mary Taylor)  
Director, Flexible Learning Centre or nominee (Jenny Ransome)  
Director, International Office (Rob Greig)  
Director, Student and Academic Services or nominee (Raewyn Todd)  
Dean of Graduate Studies (Ed Carson)  
Student Advisory Officer (Julia Northway)  
Academic staff representative (also Integrity officer) (Chris Steketee)

The previous Ombud, Roger Windle, retired from the group. The Advisory Group and the present Ombud thank Roger for his contribution in setting up the Office and providing on-going support and advice in the subsequent years. Roger also made himself available as a deputy when the Ombud was on leave. We are grateful for his generosity and are sorry to see him go.

In Roger's absence, three Adjunct Professors have agreed to assist the Office when the Ombud is on leave or unavailable. They are Ken Atkins, Robert Crotty and Pat Trott. We are very fortunate to have access to these senior experienced staff members who have agreed to fill in as required in a pro bono capacity. To date Robert Crotty made himself available for several weeks in November. He was contacted twice by the Project Officer for advice.

## **6 EXTERNAL BODIES**

As it was the case last year, there is no evidence to suggest that any of the complaints investigated and brought to resolution by the Student Ombud have been taken up by any external body such as The State Ombudsman or the Human Rights and Equal Opportunity Commission. The few instances where the State Ombudsman has been involved have been related to assessment and appeals which do not normally come to the Ombud.

The Student Ombud maintains contact with these bodies and continues to seek advice from them, particularly with regard to issues of discrimination, disability and harassment.

The Ombud and the Ombud Project Officer attended a training session 'Disability: Dilemmas and Responsibilities' run by the Office of the Commissioner for Equal Opportunity in August.

## **7 OMDOSHEAA (Ombuds and Deans of Students in Higher Education in Australia) conference**

The 5<sup>th</sup> conference 'Conflict resolution in universities' was held at the University of New England in December 2006 and attended by 36 delegates from around Australia.

A number of the presenters covered grievance handling procedures in their specific universities (Western Australia, University of New England, and RMIT). RMIT have grievance handling officers in each school, and this seemed like a model which might be considered for UniSA.

Another session discussed record keeping, and mentioned a way of filing emails within the data base. We have incorporated this into our new data base.

Professor Hilary Astor from the University of Sydney talked about the money wasted and the bad publicity generated by costly disputes in the public arena, disputes which could be better handled in house by developing integrated conflict handling mechanisms.

Associate Professor Anne Simpson chaired a panel and convened workshops in which participants outlined cases, particularly around disability, that they had handled which had raised issues of principle.

Associate Professor Anita Stuhmcke from UTS reviewed the growing number of university complaints which are going to State Ombudsmen (only in SA has the number decreased).

Chris Wheeler, Deputy NSW Ombudsman, presented data in support of the claim that there are more cases and more complex cases coming from universities to State Ombudsman Offices. He also talked about difficult and persistent complainers and how to deal with them.

The proceedings of the conference are on the UniSA Ombud home page

## **RECOMMENDATION**

**That Council note the Student Ombud Report for 2006.**

Associate Professor Anne Simpson  
Student Ombud