



University of
South Australia

Memorandum

To: University Council

From: A/Prof Anne Simpson
Student Ombud

Date: 13 April 2010

Subject: Student Ombud Report 2009

1 Introduction

This is the 8th 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 on a .5 basis.

Sandra however 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 being able to contact the right person, or by having to leave messages which are not responded to in a reasonable timeframe.

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 function 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 student is still unhappy with the outcome. Having an independent person to listen to the grievance and talk the issue through will often help the student better understand the basis or reason for a decision they may not like.

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 what he or she considers 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.

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.

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 check with the Student Ombud to ensure that the Ombud has investigated the matter and that proper procedure has been followed. This 'safety check' 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.

Communication and co-operation with the Office of the Training Advocate - established by the State Government to assist international students, has continued in 2009. The Ombud will from time to time refer students to this agency 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 students to resolve their problems.

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. Again in 2009 this has been done successfully and without any discord or need to refer to the Vice Chancellor. The relationship between academic and professional staff and the Student Ombud Office remains positive and productive.

In the absence of the Ombud when she is on leave, Emeritus Professor Robert Crotty has continued to offer his services, though he was not called upon in 2009.

2. Contacts with the Office

There were 159 contacts with the Ombud office during the reporting period. Table 1 compares total contacts since 2002.

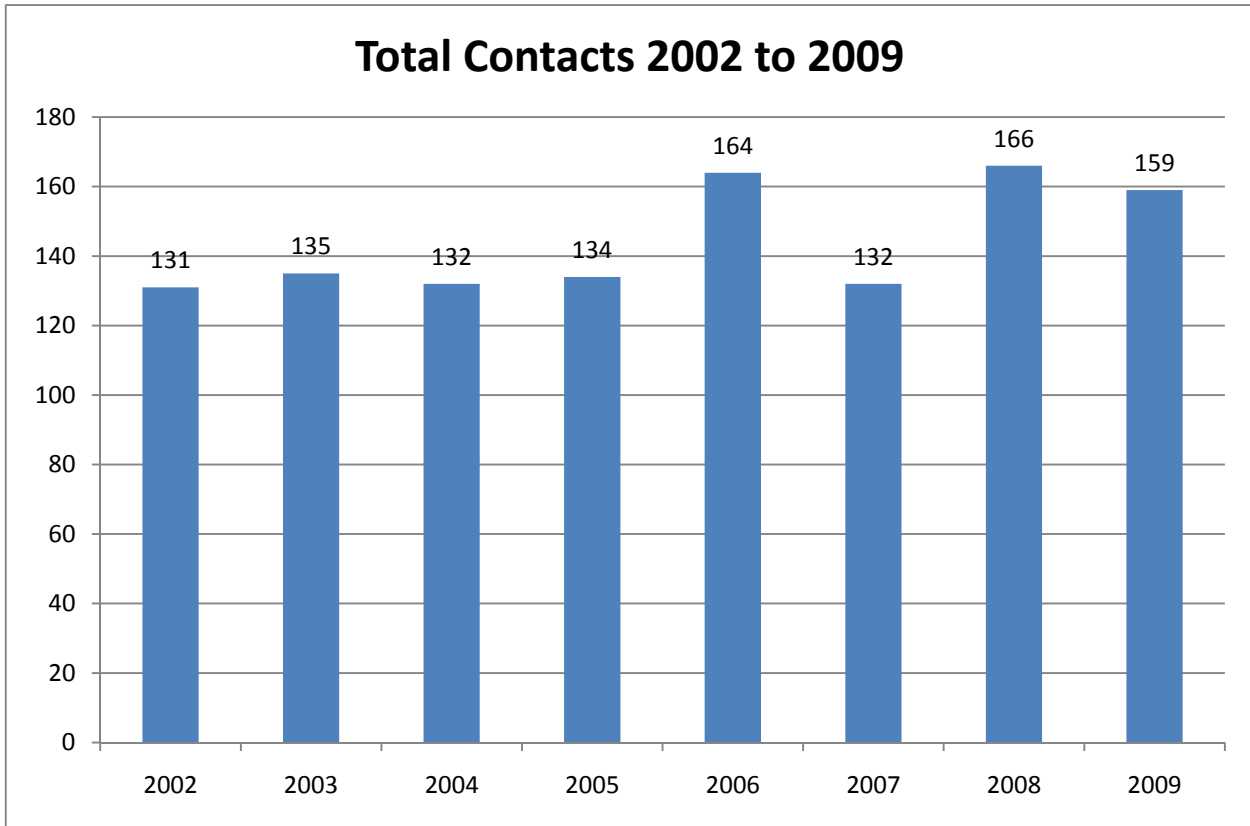


Table 1

The total number of contacts for 2009 is similar to last year. 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. 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.

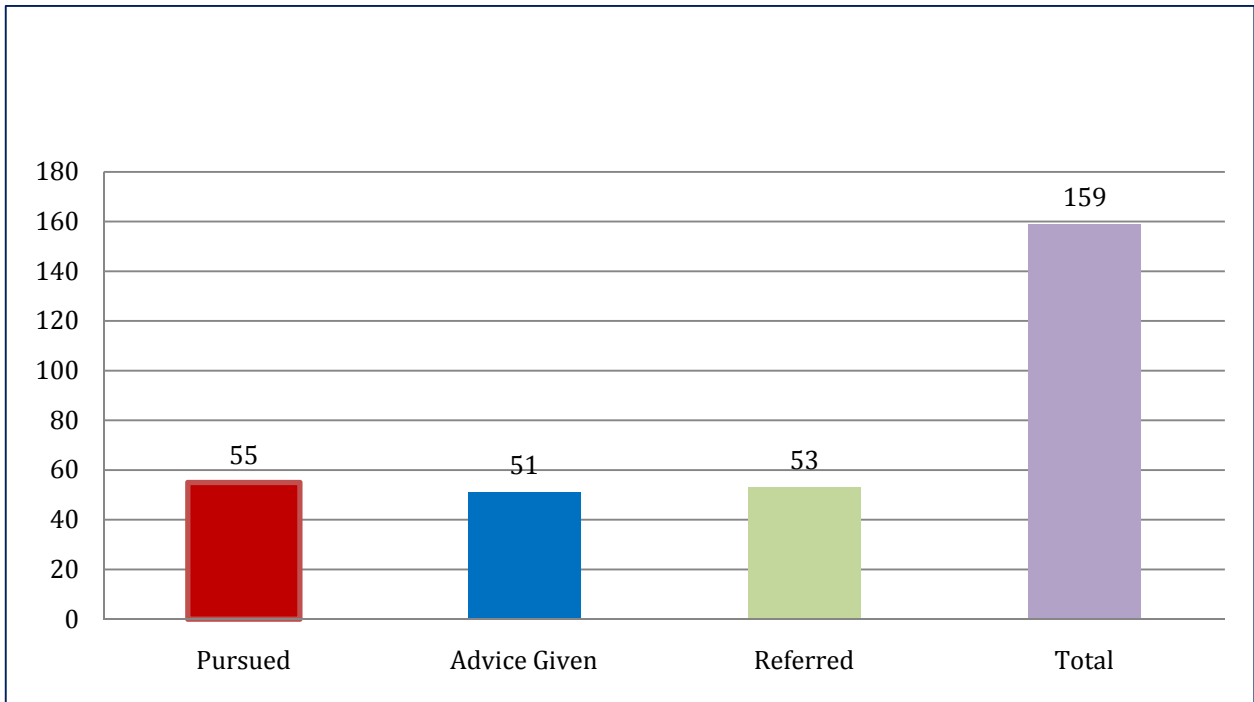


Table 2

Slightly more complaints were pursued in 2009 than in 2008 (55 as opposed to 41), but this is not viewed as significant.

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

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

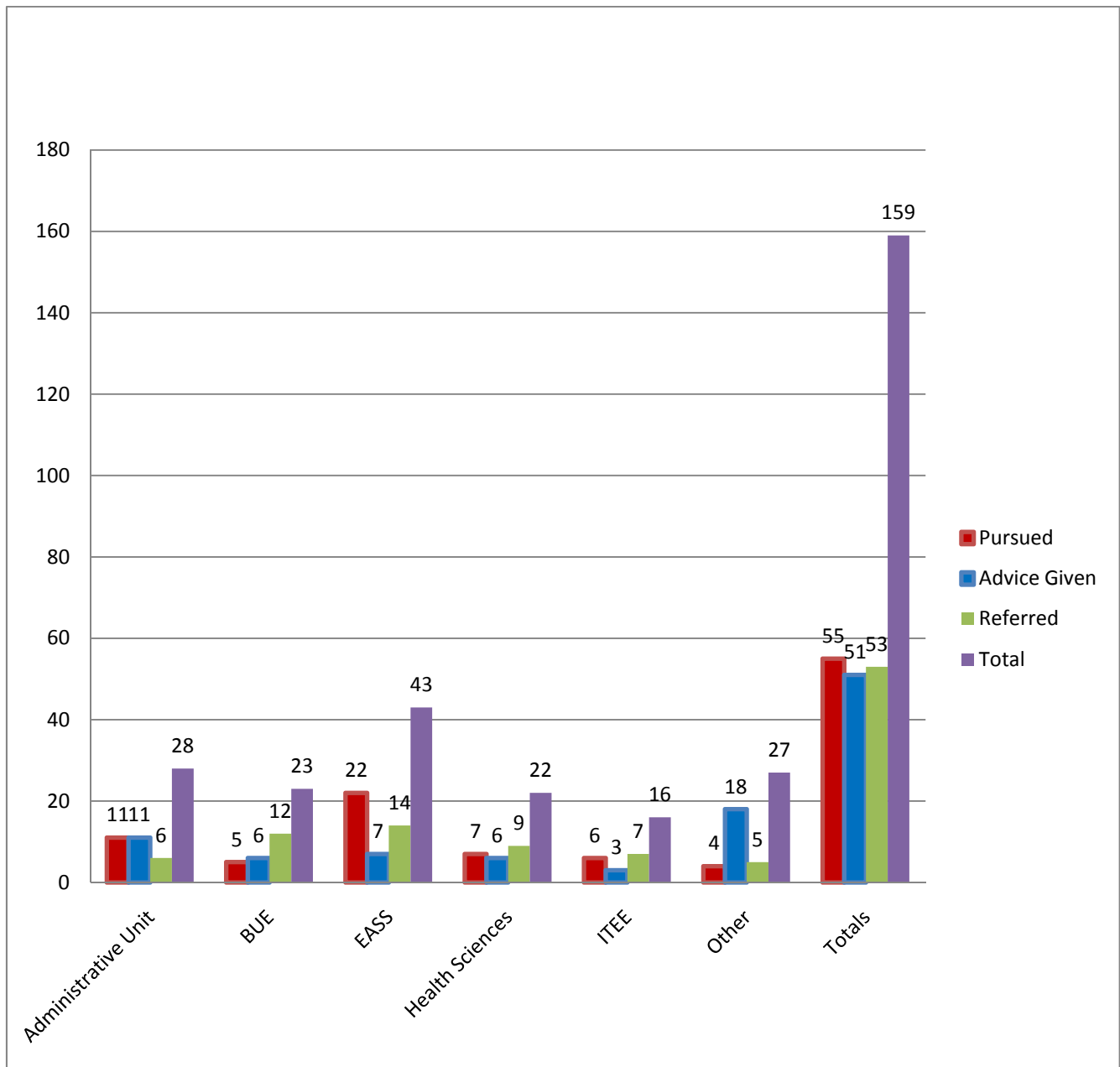


Table 3

In terms of student numbers in each Division, there were relatively more contacts from EASS (.38%) than from the other divisions: .34% from Health Sciences; .26% from ITEE and .17% from BUE).

The 'other' category were either general inquiries, anonymous, or were not identified.

In terms of sex, 84 males approached the Office as opposed to 75 females. This is surprising given that there are around 25% more female students enrolled than male, but the gap is less marked than it was last year. The UniLife Advocacy statistics report a similar imbalance.

The number of domestic students seeking assistance has remained constant at 112, whereas the number of international students has fallen to 17. In terms of percentage, of enrolments, domestic students are more likely to contact the Office (.36% as opposed to .26% of international students)

In 30 instances it was not known if the student was domestic or international.

There were 19 contacts from staff seeking advice.

Post graduate students are slightly more likely to contact the Office (.38% of total) than undergraduates (.31%), and are more likely to have a complaint as opposed to needing guidance or wanting advice.

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

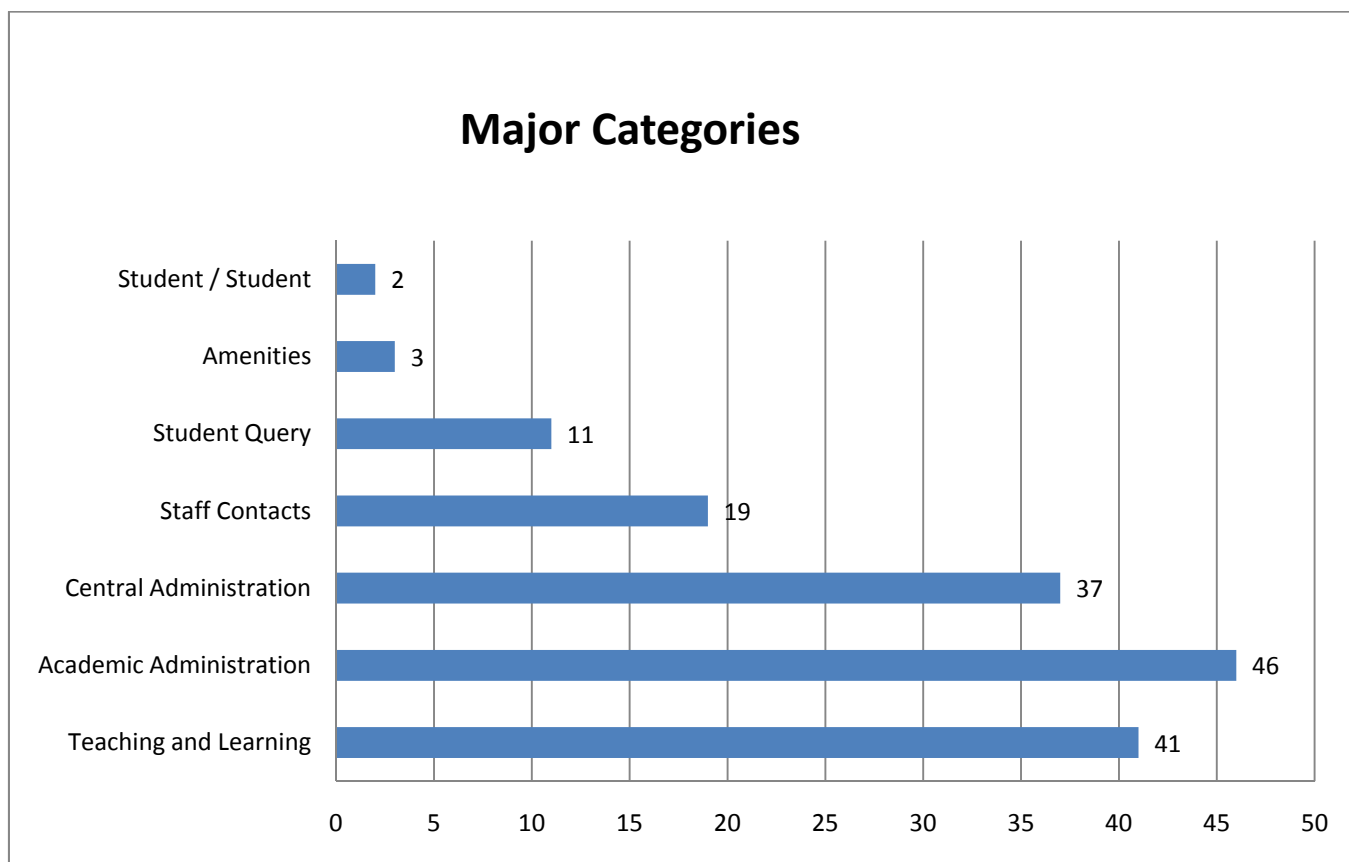


Table 4

The number of queries/problems relating to teaching and learning has decreased by 15 from last year, but there has been a corresponding increase in the areas of administration. Queries about assessment, which are common, are categorised under teaching and learning, and 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 where they can, and staff in Campus Central are very well informed.

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

Sub categories

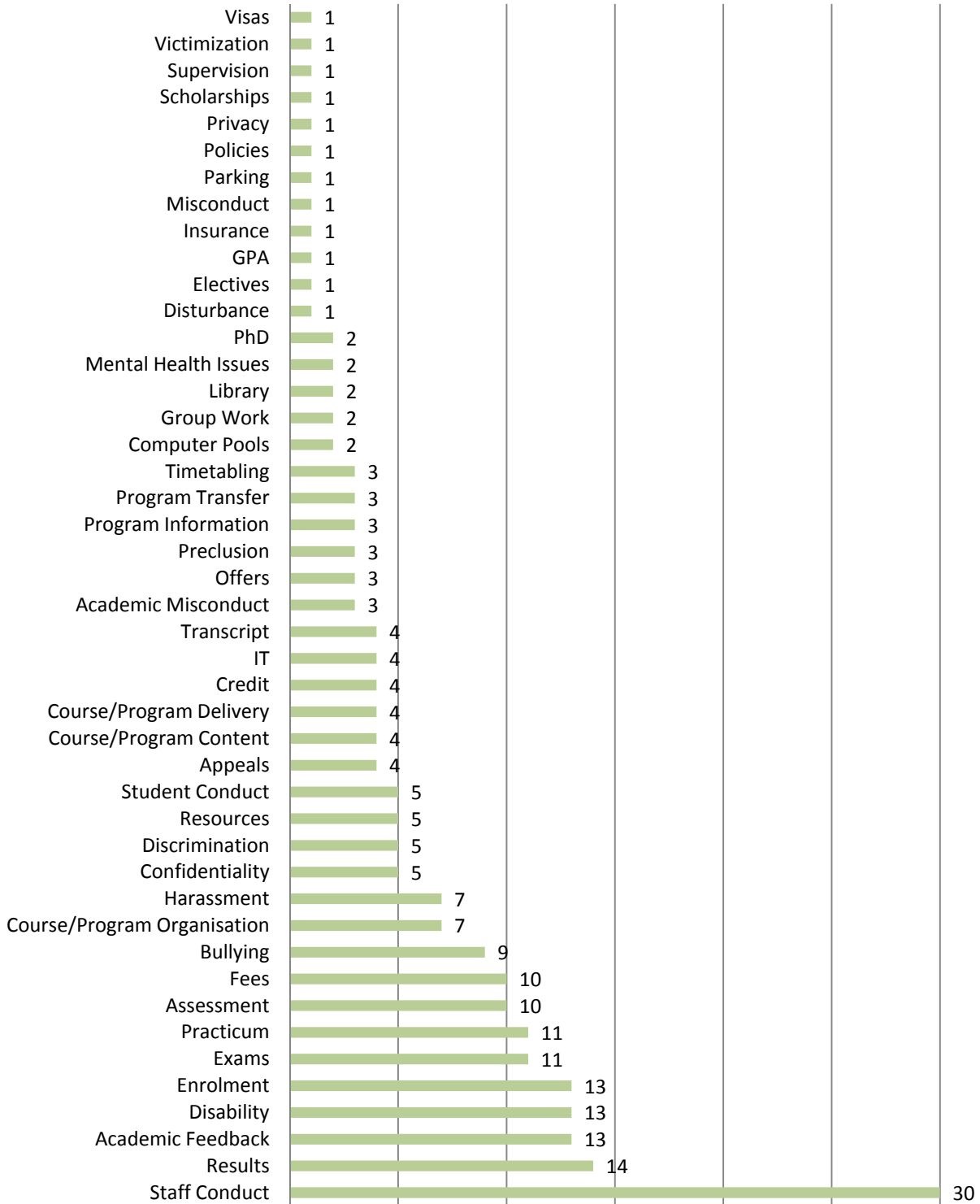


Table 5

The spread of numbers over these categories is not markedly different from last year, with again 'staff conduct' being the major cause of problems. This is to be expected as problems are usually viewed as the result of the decision or action of a particular staff member.

Of the nine cases of alleged bullying, three were instances where students were targeting other students via facebook. They were not using University resources, and there was a issue as to the extent to which the University had the authority to intervene. This is being addressed by Student and Academic Services who are reviewing our current policies to update them to cover cyberbullying.

Other instances of alleged bullying were on placements where the University has limited power to investigate. Where possible students were moved to new locations. Allegations were not always substantiated. Sometimes it was just a personality clash.

4. Issues arising from investigations

During 2009 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:

Breaches of confidentiality. (A reminder about the importance of the privacy of students' and other staff members' details was put on the staff portal)

Students having difficulties meeting the requirements of professional placements (the DVC Academic sent a memo to the relevant Schools to ensure that they make the requirements clear, unambiguous and up front)

Difficulties some staff encounter dealing with disruptive students (Ombud took part in a panel discussing strategies for dealing with such students).

Complaints from a student denied access to the indigenous students' common room in DUCIER (the School is developing a formal written policy to clarify who has access and under what conditions).

Cyberbullying – students attacking other students and staff via public internet platforms (SAS is reviewing current policies to ensure the University can deal appropriately with such instances).

Students being held back a whole year when they fail a pre-requisite course (program structure being reviewed to ensure this does not unduly disadvantage students).

Complaints from students getting a low grade for group work where they claim to have done most of the work and carried 'lazy' members (BUE undertook a review of the purpose of and extent of the use of group work in its programs and the way in which it was to be assessed).

Noise levels in Computer barns late at night (referred to the Student Services Advisory Group. On screen computer banners to be refreshed and signage on walls reminding students to keep noise levels down were to be reviewed).

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)

Professor Nanthi Bolan has now stepped aside as the Dean of Graduate Studies and has not at this stage been replaced. Chris Steketee has retired and has been replaced by Chris Provis who is also an Academic Integrity officer.

We would like to thank Chris Steketee for his valuable contribution over the past few years. His input will be missed, but we look forward to meeting with Chris Provis who also has many years of experience as an academic in the University.

6. Report from the Student Grievances & Discipline Matters Project.

In 2008 I attended a conference to review the progress of this project which was considering, among other things, the possibility of a Commonwealth Student Ombudsman.

The final report has now been published and is available on line at <http://www.altc.edu.au/resource-student-grievances-discipline-matters-scu-2009>.

Allan Tabor, Director of Student and Academic Services and I have reviewed the key recommendations of the report in relation to UniSA's current policies and practices. Overall we have concluded that this University meets and has in place the vast majority of relevant recommendations.

One issue I have taken on board to review is the use of 'formal' vs 'informal' complaints in our policies and procedures (Policy No: C-17.3). The report noted that this was a problematic distinction and could lead to 'unnecessary or inappropriate escalation of minor complaints to a formal stage'. I do not categorise complaints as formal or informal as the distinction is often blurred, and am currently redrafting the University's policy to reflect this.

The report noted a factor that I stress when I speak to staff – that students are often frustrated by the length of time taken by staff to address their problems. Students need to be kept informed of the progress of their issue. One of the important functions of this Office is the ability to get quick answers and to respond to students in a very short timeframe. If a student has been left hanging for weeks without a satisfactory response, I will often intervene to sort the issue rather than send the student back to follow the next step in the complaint procedures.

The report claimed that campus ombudsmen are not generally perceived as independent. This University was not surveyed, but my belief is that the Office has been set up in such a way as to re-assure students as much as possible that the Student Ombud is independent:

- The entrance to the Office is discrete and not visibly attached to any administrative offices
- It is not part of any administrative unit
- The Ombud is not attached to any School or Division

- The current Ombud has no other responsibilities, teaching or otherwise within the University
- The Ombud reports directly to Council through the Chair of Academic Board
- Excellent relationships with the UniLife Student Advocates mean that students are often brought in person by the advocates with the assurance that they will be given a fair, confidential and impartial hearing.

The issue of training academic staff to deal with complaints is one that perhaps could be addressed more systematically. Currently I speak at all new staff inductions about student complaint procedures and my role. I make it clear that I am happy to advise staff on procedures when they have a complaint or anticipate that they might. In 2009 nineteen staff contacted the Office for advice.

I have also visited and addressed campus central staff, counsellors on the various campuses, and the UniLife advocates. In 2010 I propose also to attend as many School Boards as possible to talk about complaint handling and procedures.

As recommended by the report, the Ombud website has hyperlinks to relevant policies and procedures, to important support units and people, and to external agencies. There are also flow charts for procedures.

7. Summary

2009 was another successful year for the Ombud Office and therefore for the University. All genuine complaints were resolved successfully through mediation where staff and students both had their point of view listened to and taken into account. Those students who remained unhappy generally had complaints about assessment, which is not within the Ombud's terms of reference.

Given the size of the University and the complexity of the student population, there were few real complaints that the Ombud considered had substance: where the Ombud believed that the student had been treated quite unfairly. Usually there was a good reason for the perceived injustice, and often there was some room for negotiation and compromise. Often when the situation had been explored and explained, the student would at the very least feel mollified that his or her situation had been taken seriously.

It is important to emphasise that given the size of the University, it is clear that the vast majority of students have a positive and productive experience during their time here. 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.

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