



University of  
South Australia

## Memorandum

**To:** Members of Council

**From:** Associate Professor Anne Simpson  
Student Ombud

**Date:** 22 February 2008

**Subject:** 2007 Student Ombud Report

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### 1. Introduction

The Office of the Student Ombud was established in 2002 to ensure that students have access to an impartial and independent officer to listen to their complaints when they feel they have not been treated fairly by the University.

The Student Ombud has the power to investigate instances where either procedures have not been adhered to, or where the procedures have not led to a fair outcome for a student or group of students.

The Ombud is usually a last resort, though the Office provides students with advice about correct procedures and can direct students to the appropriate staff to help them with their problem.

The Office has been staffed by Associate Professor Anne Simpson on a .6 basis since April 2003, and by Sandra Ciaramella as Project Officer since 2002. Sandra is in the Office on a full-time basis to be able to respond to students immediately. This is an important aspect of the success of the Office. Many student complaints are exacerbated by the inability of a student to be able to easily contact staff, or by staff delay in responding. The ready availability of a responsible, knowledgeable and skilled staff member to listen to grievances and offer advice often diffuses potential conflict. Sandra also undertakes a range of other duties including finance reporting and human resource management. Access to the Office for students is via Level 4 of the Roland Rees building, and housed adjacent to the Chancellery on Level 4 of the Hawke building.

Emeritus Professor Robert Crotty has generously made himself available for support when the Ombud has been on leave, and we thank him sincerely for his assistance. He has kindly agreed to be similarly available in 2008.

Part of the function of the Ombud is to ensure that if a student is unhappy with the decision of the University and takes their complaint to the State Ombudsman, the Equal Opportunity Commission, or HEREOC, that all avenues within the University have been properly previously explored and that the University has not failed in its responsibility to the student. Where appropriate, cases are resolved by negotiation with relevant staff, precluding the need for students to appeal outside the institution. When a student does appeal outside the University, very rarely will any of these external bodies support the complaint and request a full investigation if the student has been through the UniSA Ombud. Indeed this

has not happened since 2002. This is a considerable saving to the University in terms of staff time and resources.

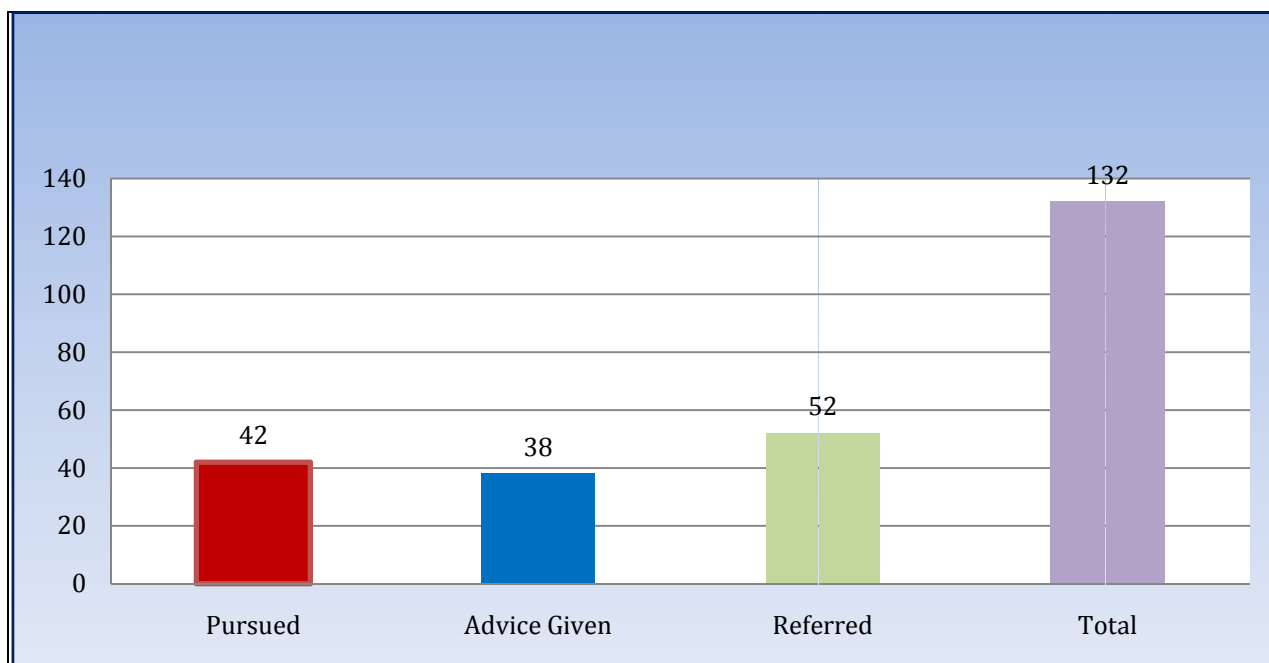
In only one instance in 2007 did the Ombud consider it necessary to write a report to the Vice Chancellor.

As noted in previous reports, the relationship between the Student Ombud Office and University staff is positive and productive. All negotiations in 2007 were extremely cordial and generally managed with goodwill. Staff continue to contact the Ombud for advice in managing difficult cases and to alert the Ombud to potential problems. My experience of the patience, flexibility, and willingness to help of the vast majority of staff – academic and professional – has been one of the highlights of fulfilling the role of Student Ombud.

## 2. Contacts with the Office

A total of 132 students contacted the Office in 2007 for assistance. In comparison with 2006, the total number of students contacting the office is down from 164, but the number is similar to 2004 and 2005 (134). As surmised in last year's report, the rise in contacts in 2006 could be attributed to the reduced availability of the Student Union's Student Advisory Officers during that year.

Table 1 illustrates the distribution of enquires 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 42 instances it was judged that the circumstances warranted further investigation by the Student Ombud.



**TABLE 1**

Eighty one (61%) of the queries were from domestic students, 22 (16%) from international students and only 1 from an off shore international student. As in previous years, and as might be expected, these figures indicate a slight over-representation of international students. Information about complaint procedures is included in program guides for off-shore international students, and they do have ultimate

access to the Ombud, but they are encouraged to use the complaint procedures of the partner institutions. The remaining 28 include staff queries and those contacts who did not wish to identify themselves. Sixty seven contacts were made by undergraduate students, 41 by postgraduate and the remainder were not specified. It appears that postgraduates, at around 25% of the total student population, are more likely to contact the Office than undergraduates.

Table 2 indicates the unit or division to which the student's (or staff member's) query or complaint related, and the response from the Office.

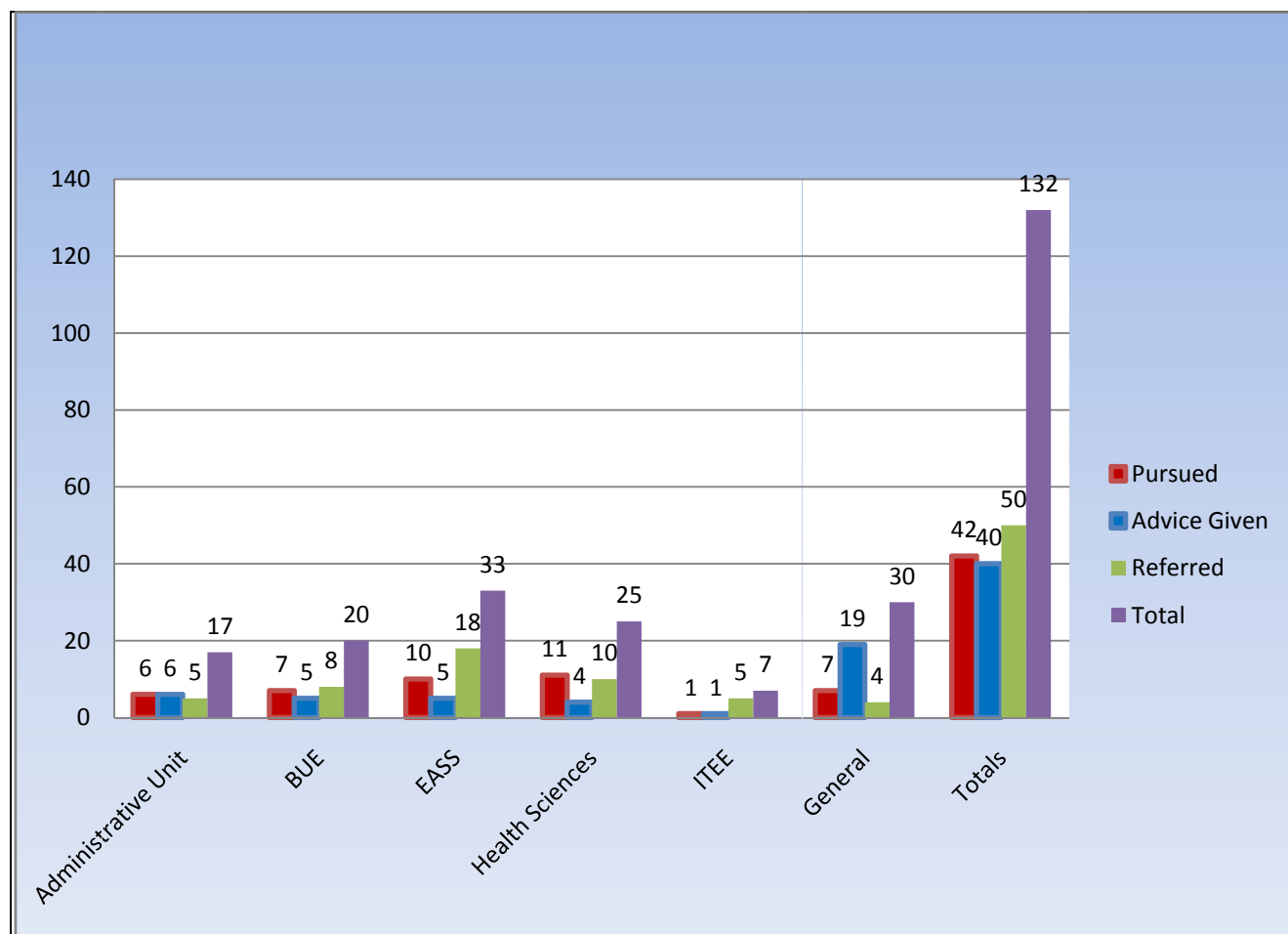


TABLE 2

In terms of the distribution of pursued cases vs advice vs referred, the numbers are very similar to previous years. The area to which the query pertained is not available for previous years.

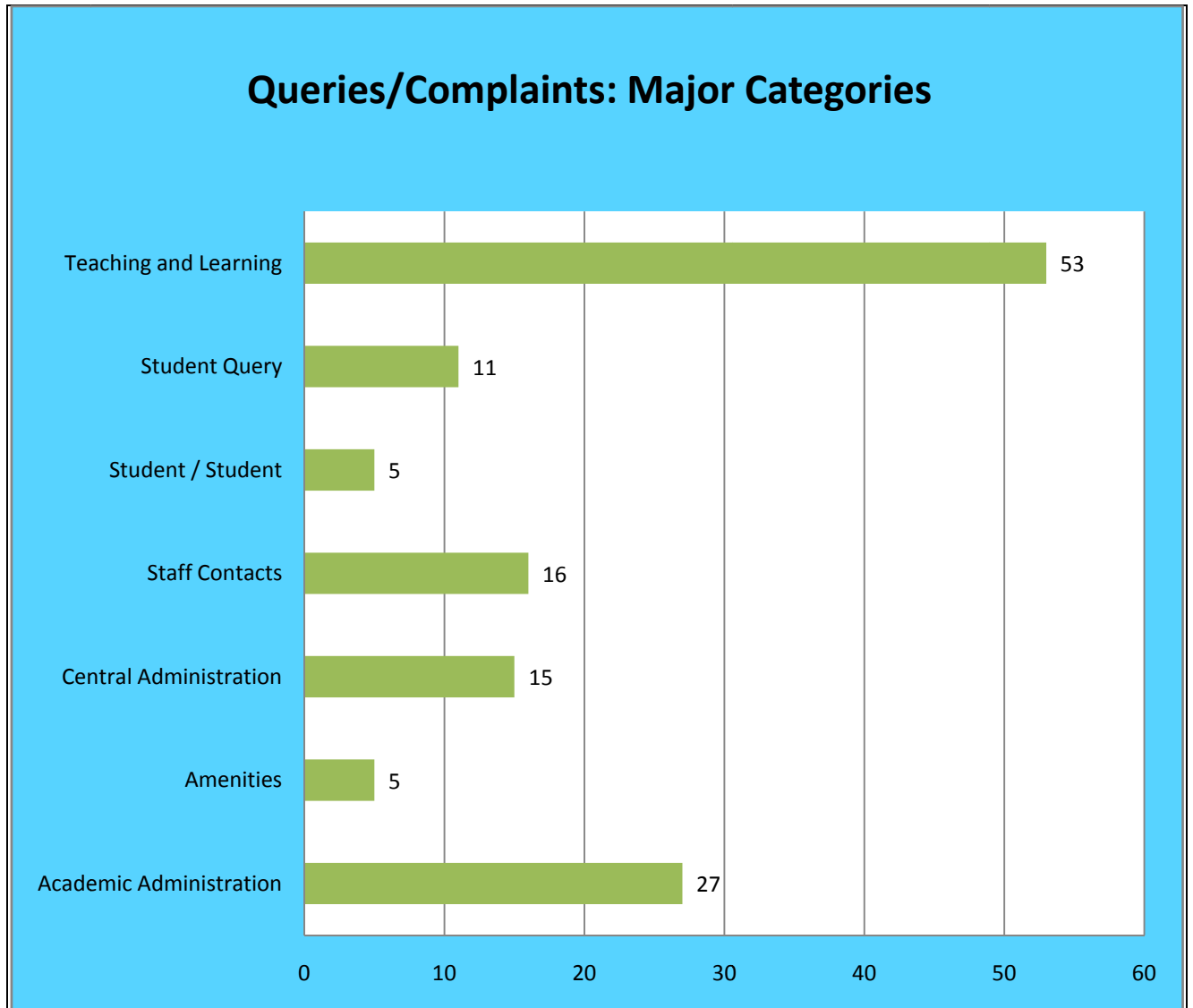
### 3. Category or nature of enquiry/complaint

In 2007 we implemented a new database which was developed by the Flexible Learning Centre. This means that the reports generated for 2007 are different from those in previous years, and we are not able to compare all data from 2007 with 2006 and earlier.

Queries are now categorised under more than one heading. For example in the first instance under a broad heading: Academic administration, Central administration, Amenities, and Teaching and learning, and then under sub-headings which are more specific e.g. exams, fees, practicum, visas, scholarships, graduation etc.

So for example a complaint from a student with a disability about the attitude of a staff member in relation to the venue of an exam and the assessment result of that exam could be entered under Teaching and Learning, and also under disability, discrimination, exams, assessment and staff conduct.

The resulting statistics are presented in Tables 3 and 4 below.



**TABLE 3**

The 11 'student queries' in Table 3 comprise instances when a student has not had any complaint, but has simply contacted the office to seek general information. 'Staff contacts' are when a staff member has contacted the Office for advice.

## Complaints/Queries Sub categories

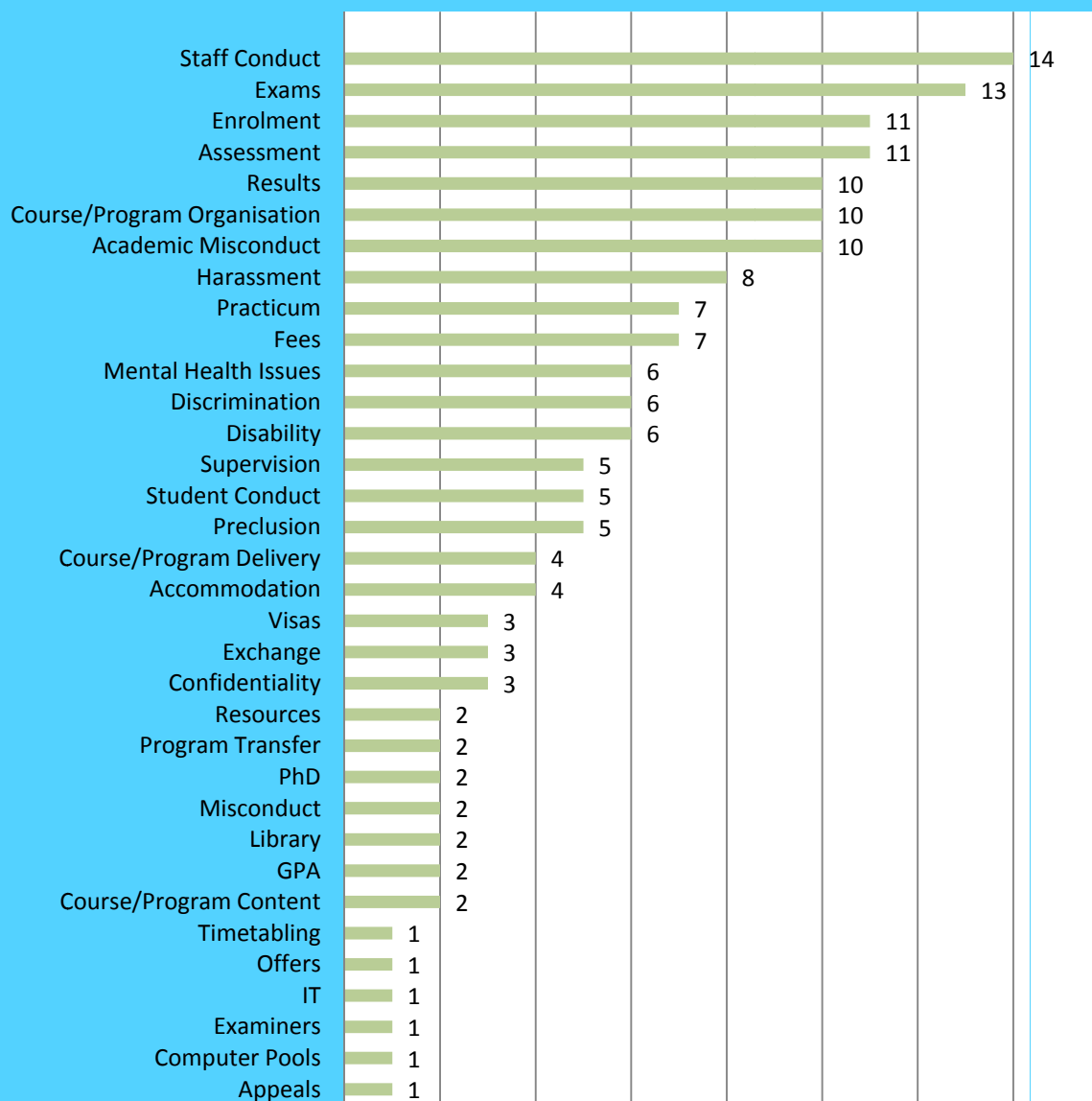


TABLE 4

As might be anticipated, the majority of student contacts relate to assessment/exam/results issues, even though the assessment complaint procedures do not lead to the Ombud. Nevertheless students still contact the Office for advice about these procedures, and sometimes other issues such as disability or alleged discrimination might be involved.

Although the number of complaints entered under 'staff conduct' looks alarming, in the majority of cases this was not the primary complaint, but most likely an issue because the student perceived that a staff member was not being co-operative enough in solving his or her problem.

Unlike most complaints when students are advised to follow set University complaint and appeal procedures, where there is alleged discrimination or harassment students may come directly to the Student Ombud.

There were several instances where students claimed to have been discriminated against because of their age, race, parental status or disability.

All of these were investigated and none were substantiated.

#### **4. Issues arising from investigations**

When in the course of an investigation it becomes apparent that other students might also be disadvantaged by a particular policy or practice, it is the responsibility of the Ombud to highlight the issue with the relevant unit and perhaps make a recommendation.

There were a number of times in 2007 when this occurred.

When students have been inactive for a period of time, they are deemed to have withdrawn and automatically discontinued. The Ombud suggested that SAS should review its policy of not warning students when they are about to be discontinued.

Although it is University practice to allow students to continue in their studies while their appeal is being heard, it was not stated in the Assessment policy and procedures manual. On the recommendation of the Ombud, it is now included as official policy.

In the interests of clarity, the Ombud recommended that the policy on the requesting and granting of 'special consideration' be revised and that some of the information on the actual request form be incorporated into the Assessment policy and procedures manual in order to make it more consistent.

A query for information from another university ombudsman about policies relating to students' requests to re-issue transcripts with a change of name, revealed that the majority of universities will do this. UniSA does not, but might reconsider this policy in the light of the outcome of this review. This information was passed on to SAS.

In the course of searching other Australian university websites for information about their complaint handling procedures, it became apparent that there are discrepancies between universities, and in some cases it is virtually impossible to find information on such procedures. Although it is relatively easy to find through the UniSA website, the Ombud thought this information could be made even more simple and accessible by putting a paragraph about making a complaint on the student portal, and made such a recommendation to the PVC and Vice President: Academic. The point was also made that the word 'complaint' as opposed to 'grievance', would be more familiar to ESL students.

## 6. Publicity

New posters have been designed (with assistance from the School of Art) and distributed widely to schools, campus central, library, FLC, counsellors, Student union and division offices.



Pamphlets are also available at all these outlets.

An advertisement appeared in Entropy and there is a link to the Ombud Home page from the Student Union website.

The Ombud addresses divisional inductions for new staff.

## 7. The Ombud Advisory Group

The group met four times during the year, again with changing membership. Currently it comprises:

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 (Christian Hinora)

Dean of Graduate Studies (Ed Carson)

Student Advisory Officer (Audrey Nicholson)

Academic staff representative (also Academic Integrity officer) (Chris Steketee).

Justene has now taken up a position in the Division of Health Sciences and it is not clear as yet who will replace her. On behalf of the group I would like to thank Justene for her significant contribution and support over a period of 4 years.

## 8. ENHOE Conference

The fifth annual conference of the European Network of Ombudsmen in Higher Education was held in Antwerp, May 24-26, 2007. Title: *“The ombudsman in higher education: counsellor, student advocate or watchdog?”*

There were approximately 50 delegates from over 20 countries including, from Australia, Cliff Picton, Ombudsman (Latrobe), Penny Oakes, Dean of Students (ANU), Yvonne Kerr, Dean of Students (Wollongong), and myself.

It was clear very early on in the conference that all universities are grappling with similar issues, especially those relating to equity, religious customs, and mainstream culture vs minority cultures. Mental illness and how to accommodate students suffering from hard to diagnose conditions while still being fair to other students, was also a common challenge. Dyslexia was mentioned as a condition which was the basis for a growing number of complaints of discrimination in UK universities. The implication being that it may well come to the fore in other countries in the near future. We haven't had one come to the Office at UniSA to date.

Representatives from the Office of the Independent Adjudicator in the UK, which is a central office for dealing with student complaints from all UK universities, were of the view that local campus ombudsmen saved universities time and money. By the time complaints got to the OIA it was often too late to fix the problem and cases often became litigious and costly. Increasingly the OIA was recommending significant compensation to students who had been treated unfairly. The OIA was encouraging UK universities to appoint their own ombudsmen, and was very interested in the Australian model.

Prof Penny Oakes, Dean of Students from ANU and I gave an overview of models of complaint handling in Australian universities (8 have an Ombud, 8 a complaints unit or manager, 7 a Dean of Students, and 6 simply procedures which lead to an Appeals Committee. For several universities I was not able to find any references to complaints or grievances on their websites).

As at previous conferences, the major value lay in networking, and finding reassurance and validation from people facing similar challenges. The role of university ombudsman is necessarily relatively isolated (UniSA is the only university in SA to have someone in the role), and the conference is excellent professional development, facilitating as it does the sharing of strategies for dealing with difficult cases and recurring issues; complaint procedures; and comparing the differing relationships the ombudsman has to other units and services within the university. Overall it was an excellent opportunity to compare notes and be affirmed that our University is doing very well in terms of successful and speedy student complaint resolution.

## Recommendation

**That the Council note the Student Ombud report for 2007.**