

Session 5

STUDENT COMPLAINTS ABOUT PUBLIC UNIVERSITIES TO PARLIAMENTARY OMBUDSMEN IN AUSTRALIA: RECENT TRENDS AND FUTURE DIRECTIONS

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Higher education has changed markedly in the last decade and will continue to change over the next decade as universities and others respond to the increasing demands of students, governments, quality assurance agencies and other stakeholders. One important aspect of this change is the growing number of student complaints and concerns about how these complaints are being handled within higher education institutions. Change pervades all types of higher education institutions around the world and these concerns have not been limited to universities in Australia. Ideally, student complaints are resolved locally in a fair and timely manner without the intervention of lawyers. Many universities have ombudsman offices on campus to deal with student grievances. In Australia, these offices are known by various names (for example, student ombuds, ombudsmen or deans of students) and may have different roles (for example, 'last resort' review of processes or neutral intermediary between students and the university) but are all designed to assist students in resolving complaints. All Australian universities have policies and procedures to deal internally with student grievances, but complainants can also choose to have their complaints dealt with by external bodies such as courts and tribunals. Litigation involving students and universities is on the rise in many jurisdictions even though resolving student disputes in courts and tribunals is not the most appropriate way to deal with student/university grievances. In the case of complaints against public universities, complainants also have the option of bringing the matter to the attention of the relevant state, territory or Commonwealth public sector ombudsman. While ombudsmen in the various jurisdictions have raised concerns about dispute handling in Australian universities, very little research has been undertaken to understand the relationship between students universities and public sector ombudsman offices. This paper offers an empirical analysis of complaints about Australian universities to public sector ombudsmen in Australia to better inform universities and policymakers about this increasingly important issue. The paper begins with an overview of the role of the public sector ombudsman and the jurisdiction of the various parliamentary ombudsman offices in Australia. It then provides a detailed analysis of the number and types of complaints about universities that have found their way to one of the nine parliamentary ombudsman offices in the past five years. The paper concludes with a discussion of how the current system might be enhanced and an examination of the arguments for and against the establishment of a national student ombudsman for Australia.

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