



ADVOCACY

Service Report October - December 2018

UMSU
UNIVERSITY OF MELBOURNE
STUDENT UNION

Introduction

Between 2012 and 2017 the Advocacy Service was funded by the University subject to a service contract. As part of the contractual reporting requirements, the Service produced a quarterly report to the University's Advocacy Service Reference Group (ASRG). Subsequent to the discontinuation of the separate Advocacy service contract with the University, after funding for the service was subsumed into the UMSU whole of organisation funding under the 2017 SSAF funding model, the ASRG was formally disbanded on 17 April 2018 at its final meeting.

Nevertheless, although the Quarterly Service Report was originally commissioned by the ASRG as an accountability measure, it has also served to ventilate student experiences of processes within the relevant parts of the University. Over time, the circulation of the Report grew to encompass a good cross section of the University Community, establishing strong communication channels for feedback and issues management between relevant stakeholders. We hope to continue to expand and consolidate these channels and invite interested University staff to contact the Service directly to collaborate on responses to the issues identified in the Report.

Data and 'Anecdota'

The data presented in this report is drawn from the statistics recorded in the Advocacy Service Case management database. It is not drawn from, nor is it correlated with University collected service data, to which we have no access. For this reason, it is important to interpret the data and analysis as pertaining solely to activities of the Advocacy Service. The Report statistics cannot be extrapolated to provide commentary on the performance of Faculties or Schools, unless specifically indicated in the commentary.

The 'Trends and Issues' identified in the report are based on both service statistics, and anecdotal observations and case studies. They are provided as insights into the student experience of University processes, or as potential indicators of systemic problems with administrative decision making and procedural fairness. These issues are not intended to reflect the totality of student experience, but rather those areas where the University needs to address potentially serious issues and risks.

The Service can generate drill down or other statistics on its activities, where these may be of interest to the University community, however due to relatively few resources, such requests need to be made with due notice.

Trends and Issues

Late Withdrawal without Academic Penalty and Remission of Fees – the stars align

From 1st January 2019, there will be a new process aligning applications for late withdrawal without academic penalty and remission of fees. This is an implementation of recommendations flowing from a "Late Withdrawal Taskforce" formed in 2017 and charged with improving "the student experience in applying for late subject withdrawal in special circumstances, and to simplify and create synergies between late subject withdrawal and fee remission applications".

Students may still be awarded a late withdrawal as an outcome of Special Consideration subject to the *Assessment and Results* policy which provides one possible outcome from a successful application is that the Dean may authorise a late withdrawal from the subject. However, previously special consideration applications and remission of fees requests had to be submitted separately and assessed by different teams according to differing criteria. The policy change now aligns the timelines and criteria for late withdrawal applications and fee remissions where the application is made after the final release of results.

In these cases, it will no longer be the Student Equity and Disability Service (SEDS) team assessing applications, but rather the Fees Team in Student Administration will manage the assessment of "Fee Remission in Special Circumstances" applications.

While we welcome the simplification of the process for students, we hope that shifting responsibility for the assessment of special circumstances out of SEDS, to the Fees Team will not mean that staff who lack expertise with equity and disability matters are responsible for making decisions regarding students' equity and disability related special circumstances.

Recommendation

That the Fees Team is appropriately resourced with the requisite expertise to determine late withdrawal requests in accordance with equity and disability best practice and the relevant anti-discrimination legislation.

Check your Privilege

In November the Service assisted in a case which exemplified the potentially serious consequences of general misconduct matters which may attract criminal charges. The case concerned conduct alleged to have occurred interstate, and in a jurisdiction where that conduct could attract criminal charges. By the time the student facing the allegations presented

at the Service, there had been a number of very concerning actions which had the potential to seriously erode the student's legal rights. The seriousness of the allegations and the gravity of the potential consequences demanded especially rigorous adherence to due process. Accordingly, we were highly concerned to see in Attachment A to the allegation notice, an "incident report" from MU Sport which evidenced an egregious breach of the student's right to procedural fairness, and a potentially gross abrogation of the common law privilege against self-incrimination. The student instructed that they were never advised of the specific object of the interview, despite asking in an email prior to the meeting. Moreover, the incident report documents a meeting which featured an interview comprised of a series of manifestly leading questions amounting to an undisguised attempt at entrapment. To exacerbate this regrettable and tainted processes, the student was never at any time advised of possible sources of legal or other advice prior to the meeting, nor were they informed prior to the meeting of the potential consequences of this meeting.

The case revealed a worrying lack of consistency and rigour in MU Sport's "investigation" of the matter, and points to the need for a single investigation process conducted by appropriately skilled and experienced staff who understand the University's obligations in such processes.

Subsequent to conducting its own "investigation", MU Sport referred the matter to the University's Student Conduct process. Regardless of the allegations a student faces, the University continues to owe its students a duty of care to avoid unnecessarily harming their interests, and regardless of the allegations they face, students remain entitled to basic procedural fairness and due process. The University must bear in mind, when asking that its students understand the importance of integrity, it must itself always act properly.

In any matter considered under the *Student Conduct* policy which has potential legal ramifications which are extra to the University's internal process, the University owes students a duty to advise them that they should seek independent legal advice prior to responding, and that where a student invokes the privilege against self-incrimination in responding to an allegation, that no adverse inference is drawn from their refusal to participate.

Recommendation

That adequate training is provided on these matters to all University staff involved in the administration of student conduct matters, and University departments such as MU Sport be required to refer investigations to the University's central investigation process.

Programmes and Events this Quarter

Exam Support Stall at Royal Exhibition Building

The stall sells water, assorted stationary, tissues and lollies for a nominal fee. Additionally, students are provided a number of items at no cost, such as clear plastic bags for their pens etc. Signs are displayed reminding students not to inadvertently take their study notes or any unauthorised materials into the venue with them. The stall also has information about the Advocacy Service; an exam tips information card and information on other University services. Volunteers do two-hour shifts, answering a range of questions, providing directions on the location of facilities, and referral to the Advocacy Service to discuss issues such as Special Consideration and academic misconduct.

This quarter 4012 students accessed the services provided at the stall.

The Advocacy Service is ever grateful for the support of examination administration and the staff at the Royal Exhibition Building who make this initiative possible.

Peer Support Programme at Course Academic Progress Meetings

This quarter 137 students were assisted by 15 peer support volunteers.

The PSP attracts volunteers via an advertising campaign using the Student Portal, posters, the Student Union website and word of mouth. We train a cohort of between 15 and 20 volunteer students every semester. Only students in their second year or beyond are eligible. Training is compulsory and is conducted over a full day. The training provides the volunteers with a solid overview and context for the academic progress review procedures conducted across the University, including the requirements of procedural fairness and the statutory role of the support person in this process. Additionally, the training informs the volunteers about the university's support services and provides practical experience and development of skills required to approach, support and interact with students who are very stressed or even distressed.

The PSP is coordinated by the Student Services Officer who manages the day-to-day rostering and support of volunteers.

Advocacy Service Statistics

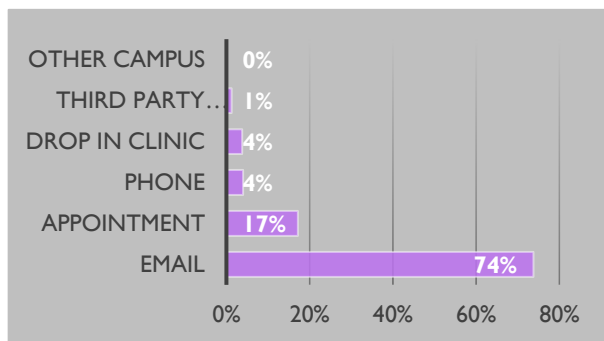
Comparative data – 2017 and 2018

2017

Total students assisted: 2067

Total contacts with students: 4004

By type of contact (may be more than one type)



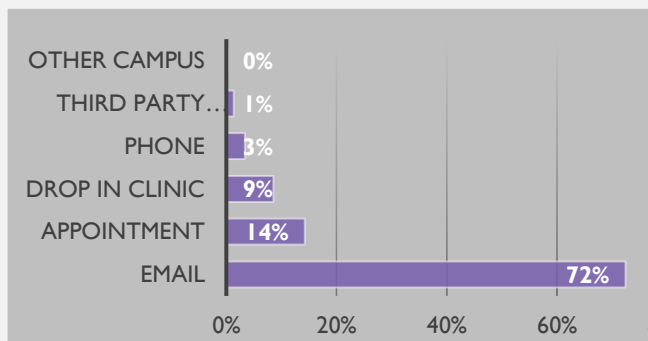
In 2017, just under three quarters of assistance was provided electronically over email, with under 20% conducted face to face in appointments or at hearings, and the balance via phone calls.

2018

Total students assisted: 2403

Total contacts with students: 5351

By type of contact



In 2018, electronic contact and appointments accounted for slightly less than the previous year, with a corresponding increase in students presenting to our drop-in service. The flexible character of the service model continues to mean that the service has accommodated a further 200 students since 2017, without an increase in human resources.

Month by month increase 2017-2018

January	21%
February	23%
March	24%
April	26%
May	12%
June	18%
July	13%
August	15%
September	24%
October	8%
November	6%
December	2%

There was a significant increase month by month over the previous year, peaking in April with a 26% increase in service provision over the same month the previous year. Notably the final quarter this year evidenced a lower growth in demand than the previous quarters, with December experiencing relatively static demand, which may reflect recent changes in the Course Academic progress process, decreasing the numbers of students being asked to show cause at a meeting.

Overall, this data continues an upward trend in service delivery; there was a 10% increase between 2013-2014, a 15% increase between 2014-2015, a 14% increase in 2015-2016, a 14% increase in the year 2016-2017, and a 16% increase between 2017-2018. Overall, the increase in presentations to the service since 2013 is almost 200%, despite to changes to staffing levels since 2015 when the service was granted funding to increase its staff by 1.2EFT, however since that time, there has been more than 100% increase in service provision which has been achieved through changes to the service model.

A review of the data since 2013 reveals that the top four issues each year have hardly deviated – in 2013, 2014, 2015, 2016 and 2018 – the top four most represented issues were CAPC, special consideration, assessment disputes, and plagiarism allegations. In 2017, examination misconduct displaced assessment disputes as the third most represented issue. This was directly related to a major tightening of invigilation practices that year, resulting in a larger than usual

number of formalised allegations. Generally, the increases in students accessing the Service over these years has been relatively evenly distributed, with roughly similar proportions of matters from year to year.

Comparative data – October - December 2018

This quarter 680 students were provided a service resulting in 1562 contacts. In the same quarter last year, the service saw 637 students which resulted in 1413 contacts with the service. The primary focus of casework at this time of year is coursework assessment and course unsatisfactory progress. This included assistance by peer support volunteers to 137 students attending Course Academic Progress Committee meetings in December.

Additionally, the Advocacy website received over 11,200 page views this quarter – over 1200 more than the same time last year. This reflects the move to promoting our web contact page as the first point of contact, and continuous development and expansion of our digital self-help resources. There were over 1800 unique views on pages covering CAPC, more than 1000 on misconduct, and almost 1100 unique page views on Special Consideration among other issues.

Distribution by primary issue

The primary issue is generally identified as the university process to which the student's main concern or problem relates. Data is classified in this way because it provides a standardised and more meaningful breakdown which may be useful for tracking policy trends amongst other things.

October-December 2018

All Students			Graduate Coursework students			RHD students		
Course Academic Progress Committee	225	37.31%	Course Academic Progress Committee	77	34.53%	Progress- HDR	12	63.16%
Special Consideration	110	18.24%	Special Consideration	36	16.14%	Other	2	10.53%
Assessment Dispute	58	9.62%	Academic Misconduct- Plagiarism	29	13.00%	Supervision Problems	1	5.26%
Academic Misconduct- Plagiarism	52	8.62%	Assessment Dispute	21	9.42%	Student complaint about uni staff	1	5.26%
Academic Misconduct- Exam	28	4.64%	Academic Misconduct- Collusion	8	3.59%	Scholarship Issues	1	5.26%
Academic Misconduct- Collusion	16	2.65%	Academic Misconduct- Exam	8	3.59%	Assessment Dispute	1	5.26%
Not Specified	13	2.16%	Student complaint about uni staff	6	2.69%	Not Specified	1	5.26%
Progress- HDR	12	1.99%	Student Admin- Remission of Fees	5	2.24%			
Student complaint about uni staff	11	1.82%	Not Specified	5	2.24%			
Student Admin- Enrolment problems	11	1.82%	Student Admin- Enrolment problems	4	1.79%			
Academic Misconduct- Falsified docs	8	1.33%	General Misconduct	3	1.35%			
Selection Appeal	8	1.33%	Selection Appeal	3	1.35%			
Incorrect Advice	7	1.16%	Vocational Placement Problems	3	1.35%			
General Misconduct	7	1.16%	Academic Misconduct- Falsified docs	2	0.90%			
Other	7	1.16%	Bullying	2	0.90%			
Student Admin- Remission of Fees	6	1.00%	Course structure/changes	2	0.90%			
Vocational Placement Problems	3	0.50%	Incorrect Advice	2	0.90%			
Advance Standing Credit/RPL	3	0.50%	Supervision Problems	2	0.90%			
Student Admin- Graduation	3	0.50%	Equitable Accommodation (SC Rego)	1	0.45%			
Supervision Problems	3	0.50%	Scholarship Issues	1	0.45%			
Course structure/changes	2	0.33%	Sexual Harassment	1	0.45%			
Bullying	2	0.33%	Student Admin- Graduation	1	0.45%			
Scholarship Issues	2	0.33%	Other	1	0.45%			
Equitable Accommodation (SC Rego)	2	0.33%						
Intellectual Property Dispute	1	0.17%						
Discrimination	1	0.17%						
Academic Misconduct- Research	1	0.17%						
Sexual Harassment	1	0.17%						

October-December 2017

All Students			Graduate Coursework students			RHD students		
Course Unsatisfactory Progress Committee	365	53.60%	Course Unsatisfactory Progress Committee	93	46.27%	Progress- HDR	12	48.00%
Special Consideration	85	12.48%	Special Consideration	26	12.94%	Supervision Problems	3	12.00%
Academic Misconduct- Exam	52	7.64%	Assessment Dispute	22	10.95%	Student complaint about uni staff	3	12.00%
Assessment Dispute	51	7.49%	Academic Misconduct- Exam	20	9.95%	Course Unsatisfactory Progress Committee	3	12.00%
Academic Misconduct- Plagiarism	39	5.73%	Academic Misconduct- Plagiarism	19	9.45%	Special Consideration	2	8.00%
Student complaint about uni staff	16	2.35%	Student complaint about uni staff	7	3.48%	Scholarship Issues	1	4.00%
Progress- HDR	15	2.20%	Academic Misconduct- Collusion	3	1.49%	Not Specified	1	4.00%
Academic Misconduct- Collusion	13	1.91%	Scholarship Issues	2	1.00%			
Not Specified	6	0.88%	Not Specified	2	1.00%			
Admission- Selection Appeal	6	0.88%	Academic Misconduct- Falsified docs	1	0.50%			
General Misconduct	5	0.73%	General Misconduct	1	0.50%			
Academic Misconduct- Falsified docs	5	0.73%	Vocational Placement Problems	1	0.50%			
Student Admin- Enrolment problems	5	0.73%	Incorrect Advice	1	0.50%			
Scholarship Issues	3	0.44%	Quality Teaching	1	0.50%			
Student Admin- Graduation	3	0.44%	Student Admin- Enrolment problems	1	0.50%			
Supervision Problems	3	0.44%	Course structure/changes	1	0.50%			
Special Consideration Registration	2	0.29%						
Course structure/changes	2	0.29%						
Vocational Placement Problems	1	0.15%						
Quality Teaching	1	0.15%						
Student Admin- Exchange	1	0.15%						
Student Admin- Remission of Fees	1	0.15%						
Incorrect Advice	1	0.15%						

Distribution by graduate/undergraduate status

October-December 2018

Graduate	257	42.69%
Undergraduate	345	57.31%

October-December 2017

Graduate	245	36.03%
Undergraduate	435	63.97%

Distribution by International/Domestic Status

October-December 2018

Domestic	336	55.81%
International	266	44.19%

October-December 2017

Domestic	399	58.68%
International	281	41.32%

Commentary

The proportion of graduate to undergraduate students was 42.69% to 57.31% (compared with 36.03% to 63.97% for the same period last year). This figure continues an upward trend remaining close to the actual respective enrolment loads of each cohort.

During this period 44.19% of students presenting to the service were international students. This represents a sustained shift from the period 2012-2016, where the breakdown had remained consistent at around 70% domestic students to 30% international students.

The primary presenting issue this quarter was, as usual for this period, course academic progress (CAPC). Our data includes all processes related to CAPC, from briefing students at risk to Academic Board Appeals. After CAPC matters, Special Consideration, Assessment disputes, and Plagiarism related Academic Misconduct, and were the next most common issues, which was the same as the equivalent quarter last year.

Special Consideration issues were centred on assistance with applications, internal reviews, grievances and Academic Board appeals, for reasons including both physical and mental health problems, and where the applications had been denied due to lateness, insufficient evidence or where no appropriate action was deemed. Notably we saw an increase in matters stemming from successful applications with outcomes with which the student was unhappy. Most commonly where a late withdrawal was offered, and the student wanted to sit further assessment in order to try to pass the subject.

Assessment Disputes spanned informal reviews with the examiner to formal grievances, and centred on issues with conduct of assessment, allegations of bias, and administrative error.

Plagiarism related matters spanned from educative responses to Academic Board Appeals and related to allegations of the wilful use of contract cheating services, to a large volume of inadvertent/ignorant infractions.

As usual, the report concentrates on the top four issues for the quarter; however, further breakdowns against other primary issues and against various demographics are available on request.

Course Academic Progress Assistance - By Stage of process

STAGE	REASON	Total
At Risk	Physical Health	1
	Family Responsibilities	1
		2
First Attendance	Choice of Course	46
	Physical Health	30
	Financial Hardship	23
	Transition to University	19
	Mental Health	17
	Failed same subject >=2	16
	Employment commitments	8
	Practical/Rounds/Placement	2
		161
Second Attendance	Mental Health	23
	Practical/Rounds/Placement	2
	Failed same subject >=2	2
	Physical Health	2
	Employment commitments	1
		30
Third Attendance	Failed same subject >=2	7
	Choice of course	1
		8
Appeal	Termination of enrolment	13
	Restriction on enrolment	9
	Practical/Rounds/Placement	1
	Suspension of enrolment	1
		24
Total CAPC related Matters		225

Course Academic Progress – by Faculty

Faculty of Science	61	27.11%
Faculty of Business and Economics	55	24.44%
Melbourne School of Engineering	30	13.33%
Melbourne Graduate School of Education	17	7.56%
Melbourne School of Design (AB&P)	16	7.11%
Faculty of MDHS	14	6.22%
Faculty of Arts	12	5.33%
Faculty of Veterinary and Agricultural Sciences	7	3.11%
Unspecified	6	2.67%
VCA & Music	4	1.78%
Melbourne Business School (MBS)	3	1.33%
Faculty of Science	61	27.11%
Faculty of Business and Economics	55	24.44%

Course Academic Progress – by Graduate/Undergraduate

Undergraduate	141	62.67%
Graduate	84	37.33%

Course Academic Progress – by International/Domestic

Domestic	117	52.00%
International	108	48.00%

Special Consideration - By Stage of Process

STAGE	REASON	Total
Application	Deemed Insufficient grounds	1
	Late Application	21
	Unhappy with outcome offered	1
		23
Internal Review	Deemed Insufficient grounds	7
	Late Application	13
	Unhappy with outcome offered	5
		25
Formal Grievance	Deemed Insufficient Grounds	21
	Late Application	19
	Unhappy with outcome offered	15
		55
Appeal	Late application	2
	Deemed Insufficient grounds	3
	Deemed No Appropriate Action	1
	Unhappy with outcome offered	1
Total Special Consideration Matters		110

Special Consideration – by Faculty

Faculty of Science	26	23.64%
Faculty of Arts	22	20.00%
Faculty of Business and Economics	17	15.45%
Faculty of MDHS	13	11.82%
Melbourne School of Design (AB&P)	10	9.09%
Melbourne School of Engineering	7	6.36%
Not stated	6	5.45%
VCA & Music	3	2.73%
Melbourne Graduate School of Education	3	2.73%
Melbourne Law School	2	1.82%
Melbourne Business School (MBS)	1	0.91%

Special Consideration – by Graduate/Undergraduate

Undergraduate	73	66.36%
Graduate	37	33.64%

Special Consideration – by International/Domestic

Domestic	75	68.18%
International	35	31.82%

Assessment Disputes - By Stage of Process

STAGE	REASON	Total
Informal/assessment review with examiner	Administrative Error	5
	Allegation of Examiner Bias	1
	Conduct of Assessment	22
		28
Formal request for remark	Conduct of Assessment	16
	Administrative Error	1
	Allegation of Examiner Bias	2
		19
Formal Grievance	Conduct of Assessment	6
		6
Appeal	Practical/Rounds/Placement	1
	Conduct of Assessment	1
Total Assessment Dispute Related Matters		58

Assessment Disputes – by Faculty

Faculty of Arts	11	18.97%
Melbourne School of Design (AB&P)	10	17.24%
Faculty of Science	9	15.52%
Faculty of Business and Economics	8	13.79%
Faculty of MDHS	6	10.34%
Unspecified	4	6.90%
Melbourne Graduate School of Education	3	5.17%
Melbourne Law School	2	3.45%
Faculty of Veterinary and Agricultural Sciences	2	3.45%
VCA & Music	1	1.72%
Melbourne School of Engineering	1	1.72%
Melbourne Business School (MBS)	1	1.72%

Assessment Disputes – by Graduate/Undergraduate

Graduate	24	41.38%
Undergraduate	34	58.62%

Assessment Disputes – by International/Domestic

Domestic	42	72.41%
International	16	27.59%

Academic Misconduct – Plagiarism - By Stage of Process

STAGE	REASON	Total
Informal/Educative Meeting	Inadvertent	8
		8
Formal Committee Meeting	Deliberate/contract cheating	6
	Inadvertent	31
		37
Appeal	Excessive Penalty	6
	Inadvertent	1
		7
Total Plagiarism Related Matters		52

Academic Misconduct – Plagiarism- by Faculty

Faculty of Arts	13	25.00%
Melbourne School of Engineering	11	21.15%
Faculty of Science	10	19.23%
Melbourne School of Design (AB&P)	4	7.69%
Faculty of MDHS	4	7.69%
Faculty of Business and Economics	3	5.77%
Melbourne Graduate School of Education	2	3.85%
Unspecified	2	3.85%
VCA & Music	1	1.92%
Melbourne Law School	1	1.92%
Melbourne Business School (MBS)	1	1.92%

Academic Misconduct – Plagiarism- by Graduate/Undergraduate

Graduate	28	53.85%
Undergraduate	24	46.15%

Academic Misconduct – Plagiarism- by International/Domestic

Domestic	23	44.23%
International	29	55.77%

The next Advocacy Service report will cover the quarter January to March 2019 and will be available in early April 2019.

Phoebe Churches

Manager, Advocacy & Legal

February 2019