



# **ADVOCACY**

Service Report September - December 2022

**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 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

### Monitors monitoring the monitor – don't look away!

Online invigilated exams have spawned a whole new genre of academic misconduct, where the invigilator's observations of a student's actions and mannerisms while completing their exams have led to a range of spurious allegations.

In one case during this period, an allegation was characterised as "Online collusion/copying/observing other papers", with the suspicion being that the student was looking at a third computer monitor in the room during the exam. The suspicions were based on occasions where the student's face was not fully visible to the camera, and also the student's habit of looking from side to side.

Despite the student strenuously denying any wrongdoing and providing perfectly plausible explanations for their actions and movements, the allegation was upheld, and the student was given a grade of zero for the exam, which meant the whole subject was failed.

The student appealed the decision, arguing that the Student Academic Integrity Policy requires that a Misconduct Committee base their decision on the "balance of probabilities", and emphasising the fact that the evidence which had been relied upon in this instance was purely speculative and entirely circumstantial, and therefore it was manifestly wrong for the Misconduct Committee to conclude that it was more likely than not that they engaged in any form of "Online collusion/copying/observing other papers".

In other words, based on the description in the incident report and the photos that were attached which apparently showed the student covering their eyes (they did not), there was no substantive evidence of the existence of a third monitor, or that they were looking at a third monitor.

The photographic evidence only showed the student to be partially covering their mouth as they tugged and chewed at their jacket zipper – their eyes were in full view in each shot – so there was nothing to suggest they were trying to disguise where they were looking.

The Misconduct Committee had a responsibility to weigh the evidence against the student's description of events, and the evidence was simply not sufficiently substantive to reasonably substantiate a finding; in effect, they reversed the burden of proof, and expected the student to prove that they didn't commit misconduct, rather than having logically probative evidence that they did.

Unfortunately, this argument did not gain traction with the Student Appeals team, and the student received a Notice of Intention to Disallow (NOITD) their appeal. In relation to the arguments about a lack of substantive evidence meaning the decision was manifestly wrong, the NOITD claimed that “The Committee’s decision to uphold the allegation against you was based on your failure (which you admit) to obey directions from the invigilator to show your face during the exam. Given the evidence available, the decision to uphold an allegation where there is evidence to support that a student has engaged in academic misconduct is not manifestly wrong.”

Not only had the student never admitted to failing to obey directions from the invigilator (they had in fact provided a very different version of events with respect to their interactions with the invigilator), this outcome was also materially wrong regarding the visibility of the student’s face in the photographic evidence, and also ignored or overlooked the particulars of the allegation, ie: that the student had engaged in “online collusion/copying/observing other papers”.

With only one chance to provide further information to convince the Student Appeals team that their appeal had sufficient merit to proceed to a hearing, the student pointed out the erroneous basis for the initial decision, but to no avail. The appeal was disallowed, with the final outcome reiterating that this was on the basis of the student’s acknowledgment that the invigilator had contacted the student to request that their face be shown, and that following this their face had been partially obscured at times, which was considered to be a breach of exam rules.

It is very troubling to see outcomes such as this, where the original decision and penalty from the Faculty Misconduct Committee has been based on purely speculative and circumstantial evidence, and then the appeal has been disallowed not only on the basis of misinterpreted (and contested) facts, but essentially in respect of a different alleged offence to the one originally alleged.

### **Recommendations**

Penalising a student for exam misconduct is a significant decision, with material impacts on the student’s interests, as it almost always means a fail in the subject. All allegations of misconduct should require a satisfactory standard of evidence in order to be upheld, but this is especially the case when the stakes are high ([Briginshaw](#) anyone?). Flipping the burden of proof and expecting students to prove that they have not done the wrong thing, rather than the University gathering sufficient evidence to substantiate that they did, is simply unfair. We would like to see the University place more importance on ensuring that findings of misconduct are only made when there is a satisfactory standard of evidence applied.

Further, this case was another example of the concerning trend with disallowing appeals on the papers. Far too many students with clearly arguable cases are running into the roadblock of a single decision maker in the Student Appeals team. These matters should be properly interrogated by a Student Appeal Panel to ensure the student gets a fair hearing and that a robust decision-making process is in place.

### **I am judge, jury and executioner, and you should be grateful**

We were contacted by a student in their first semester at the University regarding a group assignment, after they had received a rather alarming email from their subject coordinator. They were advised that a ‘careful review’ of their assignment had found “strong evidence of collusion/plagiarism”, and as a result, the subject coordinator had unilaterally decided to give the group a score of zero for the assignment.

As the cherry on top, the email concluded by explaining that if the group was not satisfied with that outcome, the case would be referred to a formal academic misconduct hearing.

After advising the student that the subject coordinator had no authority to act in this way and directly impose penalties for alleged misconduct, they wrote back to seek some further clarification. In response, the subject coordinator responded by stating that the rules on academic integrity were clear, that a grade of 0 was consistent with their policies, and that this was a relatively mild punishment.

In addition to this implication that the group should be thankful for the mercy of their kind subject coordinator, the email concluded by reiterating that the alternative was to proceed with a formal misconduct hearing, “which will most certainly not result in any grades being given for A2 and will also likely lead to academic probation and/or suspension.”

Yikes!

Not only did this subject coordinator play the role of judge, jury and executioner, they also saw fit to threaten the students against questioning their authority (do we need to even mention that “academic probation” is not an available penalty for misconduct, or that suspension for a first offence of students in their first semester at the University would be highly *unlikely*, or that, oh, a Misconduct Committee may not have upheld an allegation at all...).

### **Recommendations**

Let’s drop the needle on the broken record... academic and administrative staff *must be adequately trained in how to follow policy and procedure in relation to misconduct matters.*

## Ps make Degrees! No need for the WAMbulance...

We assisted a student who had effectively missed more than a month of classes due to a combination of significant extenuating circumstances, and as a result had fallen well behind on their assessments.

They tried to keep up to the best of their ability, but eventually needed to apply for special consideration in May and did not receive a final outcome until early July. The application was approved, and the student was offered special exams, commencing just one week later.

Having missed so many classes, the student felt entirely unprepared to complete exams at such short notice, and this outcome also did not address the disadvantage suffered for earlier assessment tasks completed under duress.

In the circumstances, the student felt that the only reasonable outcome was to be approved for late withdrawals.

To that end, they submitted a formal grievance in August, with the outcome being that decisions on adjustments for special consideration are solely based on academic judgment, and therefore not in the remit of the Academic Registrar. Consequently, the matter was referred to FEIT for a decision.

FEIT's decision was that *"Late Withdrawal should not be awarded given you have passed all 4 subjects. The Faculty of Engineering and IT considers course progression to be a priority and do not consider LWD as an appropriate outcome for students who have passed subjects."*

The effect of this decision was that the student was provided with no adjustment at all, despite being deemed eligible for special consideration. More concerning on some levels, this decision demonstrated an alarming lack of recognition of the importance of a student's WAM for higher study aspirations, job prospects, and so on.

Special consideration is not just a mechanism for ensuring that a student can avoid a fail grade; it is an equity measure which is meant to ensure that a student's true academic capabilities are reflected in their academic performance.

In this instance, it was very concerning to see the Faculty taking the approach that it was best to just take the passing grades and move on.

### Recommendations

Given a student's WAM is by far the most consequential measure by which they can proceed to higher studies, special consideration outcomes should not be determined by what is deemed to be most expedient and convenient for the Faculty. The special consideration adjustment must be what is most reasonable in the circumstances and in the best interests of the student.

## Advocacy Service Statistics

### Comparative data – September - December 2022

This period 499 students were provided a service resulting in contacts. In the same period last year, the service saw 695 students resulting in 1794 contacts.

The decrease in casework volume is largely attributable to changes to the Service's approach to Course Academic Progress matters. Historically, these matters have swelled casework numbers due to the large volume of students seeking assistance with writing letters to the Course Academic Progress Committee (CAPC). However, increasingly the process of showing cause to the CAPC has been streamlined, reducing the number of students presenting to CAPCs and simplifying the submission of information via an online form. This has enabled the Service to shift our focus to the provision of extensive self-help materials, and a shift away from reviewing individual submissions to the CAPC.

### 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.

September- December 2022

All Students			Graduate Coursework students			RHD students		
Special Consideration	82	16.70%	Academic Misconduct- Plagiarism	26	17.81%	Progress- HDR	8	38.10%
Assessment Dispute	73	14.87%	Assessment Dispute	23	15.75%	Other	3	14.29%
Course Academic Progress Committee	65	13.24%	Special Consideration	19	13.01%	Student Admin- Enrolment problems	2	9.52%
Academic Misconduct - Plagiarism	50	10.18%	Academic Misconduct- Collusion	12	8.22%	Not Specified	2	9.52%
Academic Misconduct - Collusion	34	6.92%	Course Academic Progress Committee	12	8.22%	Supervision Problems	1	4.76%
Academic Misconduct - Other	27	5.50%	Academic Misconduct- Other	10	6.85%	Student complaint about uni staff	1	4.76%
Student Admin - Enrolment problems	18	3.67%	Other	6	4.11%	Student complaint about another student	1	4.76%
Other	17	3.46%	Student Admin- Enrolment problems	6	4.11%	Special Consideration	1	4.76%
Academic Misconduct - Exam	16	3.26%	Selection Appeal	6	4.11%	Sexual Harassment	1	4.76%
COVID-19	13	2.65%	Student complaint about uni staff	5	3.42%	COVID-19	1	4.76%
General Misconduct	13	2.65%	Vocational Placement Problems	3	2.05%			
Student Admin - Remission of Fees	12	2.44%	Academic Misconduct- Exam	3	2.05%			
Student complaint about uni staff	11	2.24%	Student Admin- Remission of Fees	3	2.05%			
Academic Misconduct - Falsified docs	10	2.04%	Not Specified	2	1.37%			
Selection Appeal	10	2.04%	COVID-19	2	1.37%			
Progress - HDR	9	1.83%	General Misconduct	2	1.37%			
Quality Teaching	7	1.43%	Academic Misconduct- Falsified docs	1	0.68%			
Vocational Placement Problems	5	1.02%	Equitable Accommodation (SC Rego)	1	0.68%			
Fitness to Practice (FTP)	4	0.81%	Quality Teaching	1	0.68%			
Scholarship Issues	3	0.61%	Scholarship Issues	1	0.68%			
Equitable Accommodation (SC Rego) Advanced	2	0.41%	Student Admin- Graduation	1	0.68%			
Standing/Credit/RPL	2	0.41%	Discrimination	1	0.68%			
Student Admin - Graduation	2	0.41%						
Discrimination	1	0.20%						
Sexual Harassment	1	0.20%						
Student Admin - Exchange	1	0.20%						
Student complaint about another student	1	0.20%						
Supervision Problems	1	0.20%						
Incorrect Advice	1	0.20%						

September- December 2021

All Students			Graduate Coursework students			RHD students		
Special Consideration	136	19.57%	Special Consideration	36	17.31%	Supervision Problems	3	15.00%
Academic Misconduct - Plagiarism	101	14.53%	Course Academic Progress Committee	29	13.94%	Progress - HDR	3	15.00%
Course Academic Progress Committee	87	12.52%	Academic Misconduct - Plagiarism	29	13.94%	COVID-19	3	15.00%
Assessment Dispute	83	11.94%	Assessment Dispute	28	13.46%	Assessment Dispute	2	10.00%
COVID-19	76	10.94%	COVID-19	17	8.17%	Academic Misconduct - Plagiarism	2	10.00%
Academic Misconduct - Exam	63	9.06%	Academic Misconduct - Exam	13	6.25%	Remission of Fees	1	5.00%
Academic Misconduct - Collusion	35	5.04%	Academic Misconduct - Collusion	8	3.85%	Enrolment problems	1	5.00%
Academic Misconduct - Other	16	2.30%	Vocational Placement Problems	7	3.37%	Scholarship Issues	1	5.00%
Enrolment problems	14	2.01%	Student complaint about uni staff	6	2.88%	Intellectual Property Dispute	1	5.00%
Student complaint about uni staff	11	1.58%	Other	4	1.92%	Incorrect Advice	1	5.00%
Remission of Fees	11	1.58%	Remission of Fees	4	1.92%	Academic Misconduct - Collusion	1	5.00%
Other	9	1.29%	Enrolment problems	4	1.92%	Not Specified	1	5.00%
General Misconduct	8	1.15%	Not Specified	4	1.92%			
Vocational Placement Problems	8	1.15%	Incorrect Advice	3	1.44%			
Advance Standing Credit/RPL	5	0.72%	Academic Misconduct - Other	3	1.44%			
Incorrect Advice	4	0.58%	Advance Standing Credit/RPL	2	0.96%			
Progress - HDR	4	0.58%	Ongoing special consideration	2	0.96%			
Selection Appeal	4	0.58%	General Misconduct	2	0.96%			
Graduation	4	0.58%	Selection Appeal	2	0.96%			
Cross-institutional enrolment denied	3	0.43%	Bullying	1	0.48%			
Fitness to Practice (FTP)	2	0.29%	Fitness to Practice (FTP)	1	0.48%			
Ongoing special consideration	2	0.29%	Academic Misconduct - Falsified docs	1	0.48%			
Scholarship Issues	2	0.29%	Graduation	1	0.48%			
Intellectual Property Dispute	2	0.29%	Cross-institutional enrolment denied	1	0.48%			
Quality Teaching	1	0.14%						
Bullying	1	0.14%						
Exchange	1	0.14%						
Academic Misconduct - Falsified docs	1	0.14%						
Supervision Problems	1	0.14%						

### Distribution by graduate/undergraduate status

September- December 2022

<b>Graduate</b>	223	44.78%
<b>Undergraduate</b>	269	54.02%
<b>Not specified</b>	6	1.20%

September- December 2021

<b>Graduate</b>	259	37.27%
<b>Undergraduate</b>	423	60.86%
<b>Not specified</b>	13	1.87%

### Distribution by International/Domestic Status

September- December 2022

<b>Domestic</b>	191	38.35%
<b>International</b>	256	51.41%
<b>Not specified</b>	51	10.24%

September- December 2021

<b>Domestic</b>	278	40.00%
<b>International</b>	300	43.17%
<b>Not specified</b>	117	16.83%

## Commentary

The proportion of graduate to undergraduate students was 44.78% to 54.2%, last year we saw 32.27% graduates to 60.86% undergraduates. This represents a correction from the pandemic years which saw an over representation of undergraduate students accessing support. This was largely due to WAM concerns driving undergraduate students to seek support in greater numbers than graduate students.

The proportion of international students accessing the service during this period continues to trend upward since the pandemic. The breakdown of major presenting issues below provides further insights.

The primary presenting issue overall this period- representing just over 16% of all matters- were issues related to Special Consideration. The next most common issue and around 15% of all cases related to assessment disputes, followed by problems with and concerns about course academic progress, then academic misconduct allegations in respect of plagiarism and collusion respectively.

Special Consideration matters involved assistance with advice on late applications, disputes over outcomes which predominantly concerned late applications, and those deemed to have insufficient evidence. The majority of Special Consideration related matters involved students enrolled in the Faculties of Science and Business and Economics.

Almost a third of Course Academic Progress matters concerned advice to students for their first attendance. The majority of those students cited the impacts of COVID-19 pandemic as the primary reason for their unsatisfactory academic progress. The majority of appeal related matters concerned restrictions on enrolment. A significant proportion of these did not progress as the students had not been able to audit the subjects and consequently by the time of the hearings, it was too late for them to enrol and catch up.

The majority of Assessment disputes were centred in the faculties of MDHS, Science and Arts. The split between graduate and undergraduate students disputing their results was almost an even 50/50 split.

International students were represented at double the volume of domestic students, perhaps reflecting an increasing concern with grading among this cohort.

### Special Consideration – Contacts by Stage of Process

STAGE	REASON	Total
Application	Late Application	14
Internal Review	Deemed Insufficient Grounds	11
	Late Application	12
	Unhappy with outcome provided	16
		<b>53</b>
Formal Grievance	Deemed Insufficient Grounds	12
	Late Application	3
	Unhappy with outcome provided	2
		<b>17</b>
Appeal	Unhappy with outcome provided	12
<b>Total Special Consideration Matters</b>		<b>82</b>

### Special Consideration – by Faculty

<b>Faculty of Science</b>	25	30.49%
<b>Faculty of Business and Economics</b>	11	13.41%
<b>Faculty of MDHS</b>	13	15.85%
<b>Faculty of Arts</b>	10	12.20%
<b>Melbourne School of Design (AB&amp;P)</b>	8	9.76%
<b>Melbourne School of Engineering</b>	5	6.10%
<b>Melbourne Graduate School of Education</b>	5	6.10%
<b>VCA &amp; Music</b>	3	3.66%
<b>Melbourne Law School</b>	2	2.44%

### Special Consideration – by Graduate/Undergraduate

Undergraduate	50	76.92%
Graduate	15	23.08%

### Special Consideration – by International/Domestic

Domestic	33	40.24%
International	49	59.76%



### Assessment Dispute – Contacts by Stage of process

STAGE	REASON	Total
Formal Grievance	Conduct of Assessment	1
Formal Request for Remark	Procedural Issue	12
	Conduct of Assessment	6
		<b>18</b>
Informal Assessment Review with Examiner	Conduct of Assessment	34
	Procedural Issue	12
	Apprehension of Bias	5
	Admin Error	3
		<b>54</b>
Total Assessment Dispute Related Matters		<b>73</b>

### Assessment Dispute – by Faculty

Faculty of MDHS	17	23.29%
Faculty of Science	12	16.44%
Faculty of Arts	12	16.44%
Melbourne School of Engineering	10	13.70%
Faculty of Business and Economics	8	10.96%
Melbourne School of Design (AB&P)	8	10.96%
Melbourne Law School	3	4.11%
Faculty of Veterinary and Agricultural Sciences	2	2.74%
Melbourne Graduate School of Education	1	1.37%

### Assessment Dispute – by Graduate/Undergraduate

Graduate	37	50.68%
Undergraduate	36	50.00%

### Assessment Dispute – by International/Domestic

Domestic	24	32.88%
International	49	67.12%

## Course Academic Progress – Contacts by Stage of Process

STAGE	REASON	Total
First Attendance	Failed Placement	7
	Mental health	7
		<b>14</b>
Second Attendance	Mental health	12
	Physical health	15
		<b>17</b>
Academic Board Appeal	Restrictions on enrolment	8
	Termination of enrolment	10
	Suspension of enrolment	5
	Duration	1
		<b>24</b>
<b>Total CAPC Related Matters</b>		<b>65</b>

## Course Academic Progress – by Faculty

Faculty of Science	20	30.77%
Faculty of MDHS	14	21.54%
Faculty of Business and Economics	12	18.46%
Faculty of Arts	9	13.85%
Melbourne School of Design (AB&P)	5	7.69%
Melbourne Graduate School of Education	2	3.08%
Melbourne School of Engineering	2	3.08%
Melbourne Law School	1	1.54%

## Course Academic Progress – by Graduate/Undergraduate

Graduate	22	33.85%
Undergraduate	43	66.15%

## Course Academic Progress – by International/Domestic

Domestic	25	38.46%
International	40	61.54%

The next Advocacy Service report will cover the quarter January to April 2023 and will be available in May 2023.

Paul Lewis-Hornsby

Team Leader, Advocacy Service

January 2023

# UMSU ADVOCACY SERVICE USER SURVEY 2022

## BACKGROUND

The UMSU Advocacy Service has surveyed its service users annually since 2009. The survey allows respondents to grade our services on a 5-point scale, and also provide qualitative feedback on their experience. Our service benchmarks derived from our previous funding contract with the University, have historically been set at a minimum aggregate score of 3.5, and not less than 3 for any specific question. The Service has consistently achieved scores well beyond these benchmarks for over a decade.

The survey is distributed as an online questionnaire to service users who have had contact with the service within the previous 12 months. The invitations are sent only to students who have indicated as an opt-in on their initial contact form that they are happy to be contacted for this purpose. To encourage responses, the Service offered the chance to win one of four \$50 Nova Cinema vouchers for completing the survey.

## EXECUTIVE SUMMARY

The Survey was open for four weeks between 20<sup>th</sup> September and 28<sup>th</sup> October 2022. There were 53 responses received of 387 invitations – a 14% return rate. Notably, the number of invitations sent out via an opt-in system was lower than usual, meaning students had opted into the survey at a lower rate than ever in previous years. This possibly indicates a level of survey fatigue among students post pandemic. In any event, the Service is reviewing our evaluation approach in light of this and may switch to a different methodology in 2023 and beyond.

The service has once again exceeded the established benchmark of an aggregate score over 3.5 in all areas. The overall aggregate score was 4.19, down from 4.35 last year, and the lowest score for a specific question was also lower than the previous year at 3.59 (last year 4.12).

Respondents' contact with staff was well distributed across the service: while, as usual a large number could not recall the name of the staff member, 21% of respondents reported contact with Donna Markwell, 19% with Alanna Smith, 15% with Nadia Streistermanis, 13% with Paul Lewis-Hornsby, 11% with Adelaide Bracey, 9% with Aurora Leggett and 2% 4% with Michelle Almiron indicating a representative spread of feedback on the experience of each member of staff. It is important to note that not all of these staff were present all year, some were engaged as backfill and other were on leave for significant periods. Neither do the proportion of contacts with a given staff member generally have anything to do with the number of students respective staff assist, and the proportions vary yearly in a way that indicates it says more about the respondents than our staff. Just under half of all respondents indicated that they could not recall who had assisted them, which is often due to the time elapsed between receiving a service and the request to complete the survey. For this reason, the Service is looking to move to more regular post-service delivery evaluation, rather than a single yearly survey.

While in the last two years the presenting issues for respondents included a number of matters peculiar to a period of the COVID-19 lockdowns in 2020-21, this years' issues returned to a more common spread with almost three quarters being unrelated to "COVID-times". About a third of the matters about which respondents approached the service comprised special or technical consideration, 20% related to Academic Progress processes, academic misconduct accounted for just over 13% with assessment disputes contributing to 11% of the presenting issues.

Following from a review of our service delivery model, the Service moved to requesting all students wishing to access assistance first provide details through our contact form. Accordingly, it's unremarkable that almost 90% of service

users had contact with the service this way. Around 17% of respondents had zoom appointments, around 13% had telephone contact and the remaining 9% were assisted in person.

Overall satisfaction with the service was at 80% in this survey which markedly down on 90% last year and 91% the year before. The last time the average satisfaction was in the 80s was in 2019 where the average was 83%. In many ways this can be attributed to the increased demand on the Service coupled with significant understaffing for the entire year, as noted above.

The lowest aggregate score of 3.59 was in response to the question the *'advocate made persuasive arguments in meetings or hearings on my behalf'*. This has been consistently the lowest scoring question for many years. The overall agreement rate for this question was markedly lower than in previous years however, at only 52%. The qualitative information correlated with these responses indicated that those students did not receive the outcomes they had sought. In the past we have noted that responses to this question are problematic to interpret in the absence of qualitative feedback detailing what aspect of the advocates representations were disappointing. Additionally, responses to this question are likely due to misapprehensions about the Service's capacity to coercively influence university decisions. These issues are discussed further below.

Most respondents found their way to the Service via the UMSU website, which given the reliance on digital communications for much of the surveyed period, is not surprising. A larger proportion of respondents than usual was referred directly from Stop 1 at the University, which indicates the efforts to create awareness and visibility within university services is paying off.

With respect to the demographics of the respondents, the majority – 51% - were graduate coursework students along with the almost 10% of research higher degree students making graduates over-represented in the respondents. Over 90% studied on the Parkville campus, with 2% from the Southbank campus, and there was almost an even split between domestic students and international students.

## COMMENTARY

### LOWEST SCORES

After the question *'the advocate made persuasive arguments in meetings or hearings on my behalf'* discussed above, the next lowest aggregate score was in response to *'Outcome of my case was clearly explained by the advocate'*. While the first question consistently scores the lowest aggregate score, the second lowest has not scored so low before. It's likely this reflects how time poor the staff in the Service found themselves in 2022, perhaps moving to the next live case rather than spending time debriefing students at the completion of their matters. As the Service returns to better levels of capacity in 2023, this will be important to watch.

Ultimately, when assessing respondents' views on the quality of the representations we have made on their behalf, we cannot always know to what extent their experience is reflective of an advocate's efforts at persuasiveness, and to what degree their response was influenced by a failure to secure the desired outcome. Given we have no more coercive powers over university decisions than a lawyer does a Court's findings, this is a largely misconceived view. We generally take poor scores on this question as a sign that we need to be clearer with service users about our powers, and to manage expectations accordingly.

Generally, regardless of the individual student's reasons for dissatisfaction, it is an important reminder that we must be clear about our powers, fully explain our empowerment-based service model, and generally ensure our service users understand our role and assistance from start of our contact until the end.

## Other negative feedback

It is always troubling to read that service users had an adverse experience of the Service. However, the Service reviews these responses carefully and they form an important topic of discussion at our annual end of year planning and review day. In cases where specific staff have been identified in the negative survey responses, those staff will consider what might have happened, and we all look together as a team at ways we can handle such situations better in future. It can be easy to dismiss negative feedback as simply a product of a service user who did not get what they wanted. However, where a respondent has taken the time to articulate why they are unhappy with the service they received it will almost always disclose something we could have done better. The qualitative responses are included in full at the end of this report, however some of the themes warrant specific discussion in this commentary.

The broad themes of dissatisfaction are addressed below.

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## NOT BEING AVAILABLE WHEN THE RESPONDENT NEEDED US

One of the major issues impacting the Service in 2022 was chronic staff shortages. With the Manager seconded into the interim CEO position for the entire year, and staff planned and unplanned leave creating a huge workload for the remaining staff.

*The feedback waiting time is so long. And I need to call again and again.*

*The assistance given to me for my CAPC meeting was helpful and it certainly reduced my stress towards it. I just wish the service was a bit more immediate I had to wait a few days for help.*

While the first comment suggests a problem, it is also possibly a result of unrealistic expectations about the volume of casework that is handled by a small number of staff. The second comment throws into sharp relief how unrealistic some students' expectations might be. As a small service, often with only one or two staff available during the surveyed period, a turnaround of a few days is actually an excellent response!

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## NOT BEING ON THE STUDENTS' SIDE OR NOT TAKING UP COMPLAINTS ON STUDENTS' BEHALF

*I was given the adequate help with my case. I'm not sure about the part where they were supposed to speak up for me during my hearing because I didn't hear anything like that.*

The limitations of the advocate's role and the varying degree of their standing in different formal processes can be hard for students to understand or accept. It may seem like reluctance to go in on a student's behalf, whereas it is simply that we have no recognised standing in a process to do so. Some students equate our capacity to represent them with that of a lawyer engaged to act. This is not the case with internal university processes by and large, which are predicated on students explaining their circumstances in their own terms and limiting the advocate's role to supporting and advising the student in that process.

That notwithstanding, in many cases advocates can and do make direct representations to the University on behalf of students, especially where the issue may impact a number of people or entire cohorts. Consequently, it may be that we need to be clearer when there are limitations on our capacity to act, and where we can advocate directly on the student's behalf.

The following comment also illustrates a disconnect between students' understanding of the advice provided in respect of the formal university process.

*I was given advice which, although correct in terms of the principles of natural justice, led the University administration to include video footage in my general misconduct hearing which it had previously no intention of including as evidence. This substantially increased the risk of my receiving a penalty for misconduct. What's more, it's more than likely that the University handed this footage over to Victoria Police, as I was subsequently charged a \$700 fine for alleged 'riotous behaviour' despite the fact that the University dismissed its internal case against me. I believe the advice UMSU provided me was, although well intentioned, incredibly unstrategic and I fear that students in future may risk being excessively penalised if they were given similarly misjudged advice that failed to consider the political dimensions of the university disciplinary proceedings. I also wish that UMSU could have better informed me on the ways that the university may disclose my personal information to Victoria Police, even in spite of no charge being laid against me through the university's own disciplinary proceedings.*

While all responses are anonymous, we can identify some cases by the particular facts disclosed, and this is a misconceived representation of what in fact occurred. In this situation, the evidence had in fact been made available to the committee but had not been shown to the student. This is procedurally unfair because it puts the student at a disadvantage in terms of knowing the case to be met and how to address the committee's views formed by viewing the footage. The University is also obliged to hand over evidence relevant to any VicPol investigation of potential criminal offences and if this in fact occurred, it was nothing to do with our advocacy on the student's behalf. In fact, in cases where students potentially face criminal or civil penalties as a result of university misconduct, they are always referred to the UMSU Legal Service for advice prior to the Advocacy Service advising on any response to the university process. In this case the student did not avail themselves of that advice.

## **POSITIVE RESPONSES**

The question with the highest degree of positive agreement was the 'Advocacy Service staff were helpful when I made my initial enquiry' followed by the 'advocate clearly described university processes relating to my issue' and then the 'advocate followed through with what s/he said they would do to assist'. The next highest positive score was for the 'I was kept informed of any action the advocate took in relation to my circumstance'.

Some students particularly appreciated the amount of work that goes into complex casework.

*The whole appeal process took me 8 months in total till the final desired outcome was achieved, I am whole-heartedly grateful to Alanna for her help. Dozens of emails, tens of thousand words in 3 separate appeal/grievance letters, Alanna was always patient with handling my case and we tried all possible approaches and escalated the case many times.*

Ultimately, we are mindful that there is always room for improvement, and we must deal patiently and sensitively with people who may be vulnerable and very stressed by their situation. We appreciate the opportunity to better understand our service users' needs and preferences.

## FINDINGS

### OUR STAFF

#### 1. Which staff of the Advocacy service have you dealt with?\*

Can't remember	27	50.94%
Donna Markwell	11	20.75%
Alanna Smith	10	18.87%
Nadia Streistermanis	8	15.09%
Paul Lewis-Hornsby	7	13.21%
Adelaide Bracey	6	11.32%
Aurora Leggett	5	9.43%
Michelle Almiron	1	1.89%

\*Respondents could choose more than one staff member.

#### 2. Please write briefly the issue for which you sought assistance:

Special Consideration/Technical Consideration	21	28.4%
"Show Cause" / Course Academic Progress (CAPC) / RHD Progress	14	18.9%
Academic Misconduct	10	13.5%
Assessment Dispute	8	10.8%
Other (please specify)	6	8.1%
WAM concerns	5	6.8%
COVID-19 impacts on course progression	3	4.1%
Incorrect Advice	2	2.7%
Selection Appeal	2	2.7%
COVID-19 impacts - not otherwise specified here	2	2.7%
General Misconduct	1	1.4%

\*Respondents could choose more than one option.

#### 3. Was the impact of COVID-19 on your studies the primary reason for your contact with the service?

Yes	14	26.42%
No	39	73.58%

#### 4. What was your main method of consultation with the advocate?

E-mail/Webform	47	88.68%
Telephone Appointments	7	13.21%
Zoom Appointments	9	16.98%
In a hearing or appeal	3	5.66%
In person	2	3.77%

\*Respondents could choose more than one option.

5. Would you have used the same method of contact with the service whether you were attending classes		
Yes	43	81.13%
No	10	18.873%

5.a. If no, what form of contact would you prefer?		
Drop-in service on campus	14	45.16%
Face to face appointments on campus	16	51.61%
Phone	1	3.23%



6. Based on your experience dealing with our staff, please tell us your agreement with the statements below:										
Answer Options	Strongly disagree	Neutral	Strongly agree	N/A	Aggregate	Agreement %				
						2022 /	21 /	20		
Once I made contact with an Advocate, they assisted me in a fast and efficient manner	1	2	6	22	22	0	<b>4.17</b>	<b>83</b>	94	93
The advocate clearly described university processes relating to my issue.	1	1	2	19	29	1	<b>4.42</b>	<b>91</b>	96	92
The advocate took my wishes into account. and guided me on the best strategy to achieve my desired outcome.	2	2	3	19	27	0	<b>4.26</b>	<b>87</b>	91	89
The advocate followed through with what they said they would do to assist.	0	2	2	19	25	5	<b>4.40</b>	<b>83</b>	97	92
I was kept informed of any action the advocate took in relation to my circumstance.	0	0	5	16	19	13	<b>4.35</b>	<b>88</b>	88	96
The advocate made or helped make persuasive written submissions in relation to my circumstances.	1	4	7	13	20	8	<b>4.04</b>	<b>73</b>	88	95
The advocate made persuasive arguments in meetings or hearings on my behalf.	1	4	8	6	8	26	<b>3.59</b>	<b>52</b>	80	86
Outcome of my case was clearly explained by the advocate.	0	3	7	11	13	19	<b>4.00</b>	<b>71</b>	88	94
The advocate made appropriate referrals to other service providers.	1	1	8	9	14	20	<b>4.03</b>	<b>70</b>	85	89
I am satisfied overall with the assistance given by the advocate.	1	2	6	23	21	0	<b>4.32</b>	<b>83</b>	86	87

7. How did you first hear about the Advocacy service?		
UMSU Website	35	47.30%
Referral from Stop 1	13	17.57%
Referral from Academic staff	7	9.46%
A University Notice or letter	7	9.46%
Referral from someone who has used the service	9	12.16%
Referral from another UMSU department	1	1.35%
UMSU social media	2	2.70%

\*Respondents could choose more than one.

8. Were you aware of the service prior to the COVID-19 pandemic?		
Yes	21	39.62%
No	32	60.38%

9. Based on your experience dealing with our advocate(s), please tell us your agreement with the statements below:												
Answer Options	Strongly disagree		Neither		Strongly agree		N/A	Aggregate	Agreement %			
										2022/ 21 /20		
The Advocacy Service staff were helpful when I made my initial enquiry.	1	0	3	17	31	1	4.51	92	94	93		
I found information on the Advocacy Service website useful.	1	0	5	23	21	2	4.20	86	88	82		

## A LITTLE BIT ABOUT YOURSELF

10. Please indicate the type of degree you were undertaking when the above issue occurred:

Answer Options	Response Count	Response Percent
Undergraduate	21	39.62%
Graduate coursework	27	50.94%
Graduate research/PHD	5	9.43%

2. Which campus were you mostly studying in when the above issue occurred?

Answer Options	Response Count	Response Percent
Parkville	48	90.57%
Southbank	2	3.77%
Online only	3	5.66%

3. Were you enrolled as an international student when the above issue occurred?

Answer Options	Response Count	Response Percent
Yes	25	41.17%
No	28	53.83%

## APPENDIX A

Please tell us the reason why you are satisfied/not satisfied with the assistance you received:

- The assistance given to me for my CAPC meeting was helpful and it certainly reduced my stress towards it. I just wish the service was a bit more immediate I had to wait a few days for help.
- The whole appeal process took me 8 months in total till the final desired outcome was achieved, I am wholeheartedly grateful to Alanna for her help. Dozens of emails, tens of thousand words in 3 separate appeal/grievance letters, Alanna was always patient with handling my case and we tried all possible approaches and escalated the case many times.
- The unfair treatment I received from MMS was disgusting, but UMSU advocacy gave me hope to strive for justice.
- They were effective and easy to follow, provided me with all the details that I will need and showed me where I can get the information I need .
- Empathetic and assertive. I felt that compassion was evident in responses as well as clear direction. It really helped ease my mind and heart especially during a time when I felt great shame and self-blame, which clouded my thought process.
- I was given advice which, although correct in terms of the principles of natural justice, led the University administration to include video footage in my general misconduct hearing which it had previously no intention of including as evidence. This substantially increased the risk of my receiving a penalty for misconduct. What's more, it's more than likely that the University handed this footage over to Victoria Police, as I was subsequently charged a \$700 fine for alleged 'riotous behaviour' despite the fact that the University dismissed its internal case against me. I believe the advice UMSU provided me was, although well intentioned, incredibly unstrategic and I fear that students in future may risk being excessively penalised if they were given similarly misjudged advice that failed to consider the political dimensions of the university disciplinary proceedings. I also wish that UMSU could have better informed me on the ways that the university may disclose my personal information to Victoria Police, even in spite of no charge being laid against me through the university's own disciplinary proceedings.
- I felt supported and that my concern was being taken seriously.
- That's so good and patient to answer the question.
- I still got an acceptable outcome, so the process is also still satisfied.
- Because once i escalated my issue to the right person (action on the advice i was given by the umsu advocate), the subject coordinator responded at an incredible speed of within 20 minutes which is just stunning, almost as if if he was receiving my emails the whole time even.
- Sometimes not achieving the ideal result.
- Their response was quick and helpful. They explained everything in an efficient manner, which helped me stay calm and take appropriate action.
- Donna and Paul gave me detailed advice through email.
- The feedback waiting time is so long. And I need to call again and again.
- I felt listened to.
- I made a further investigation with Equity and clarified a misunderstanding that put me back on track.
- Both advocates were prompt and clear in their responses.
- They were very helpful and considerate and ensured that everything I needed was cared for.
- Because I nearly failed my subject because of the technical issue.
- It wasnt quite productive for me.
- good service .
- This is because they have given me reasonable amount of support for the situation.
- They answered all my questions.
- While I didn't receive the news I had hoped for, the advocate was extremely thorough and very sensitive in explaining the weaknesses in my case. All in all, I consider this a positive outcome.
- Helpful and kind.
- They told me what I needed to do, I did it, and it worked. A problem I had had the entire semester went away in under a week with their help.

- Nadia was extremely empathetic towards my situation. She made me feel like my concerns were valid and genuinely mattered when most other university staff members were just brushing me aside and hoping I would give up on trying to resolve my issue. I believe she is one of the rare people I've encountered who genuinely cares about helping students. She is patient, kind and very knowledgeable about the university's system. I'm extremely grateful to her for putting so much effort into helping me.
- Able to guide me through the process and help with recommendations for additional support services.
- The university only wanna money from students.
- I was at my wits end trying to get someone within the university (Stop 1, Continuing Students Support) to help sort out a problem which should not have happened in the first place. It was such a relief when I contacted UMSU and someone actually responded and offered advice, including the contact information of specific staff in the university responsible for the error. I was then able to get the problem addressed successfully very quickly. Thank you!
- What took the colleagues in the fees department 2 months took a day after Alanna assistance to receive feedback and action taken as a new student it's unfortunate that the administration seems to respond when strong action is taken while the student is the one that keeps the institution running.
- I finished all required written documents in an efficient and effective way.
- My advocates were incredibly helpful, provided detailed feedback and advice for my case, and responded in a very timely matter so I never had to worry about delays in communication. They also carried out communication in an incredibly thorough, comprehensive and thoughtful manner.
- Felt supported.
- I took the most important information from the advocate.
- Was given the correct support and information needed at that time.
- I was given the adequate help with my case. I'm not sure about the part where they were supposed to speak up for me during my hearing because I didn't hear anything like that.
- I chose to contact the subject coordinator for directly help instead.
- The advocate and the support had my best interests at heart but may have been limited by the university's inflexibility. I decided that, for my own mental health, which seemed to not be of any great concern to the university, I would accept the university's decision to do what they would do despite advice from staff and the handbook to the contrary.
- The reply took very long.
- There was not much that the advocate could do, but they explained the relevant policies to me.
- It would have been nice to get some responses faster and a little more human, felt unempathetic at times.
- I felt well supported.
- Fast and helpful service.
- I wish we could bring advocates along as well but there was not an option to do so.
- I feel supported.
- Serves the purpose of UMSU motive of helping students.
- They were very supportive and explained things I didn't understand. It was a very stressful time and I didn't know if there would be any solution but they were able to help get the issue resolved.
- I gained the information i needed and felt confident in my case and less worried.
- I may not have liked the outcome and I still feel to this day the University did not address the merit of my arguments rather. Investigated themselves and found no wrongdoing. Though it has not stopped me from applying again this year due to my suitability for the course.
- Donna was extremely helpful!
- I was able to have a long conversation about my options, all my questions were answered thoroughly.
- Donna replied in a very timely manner and provided a very detailed response. There were several paragraphs arranged logically by topic and the email was easy to understand. After receiving this response, I was confident in what I needed to do for my special consideration application.

**If you have any general comments about or suggestions for the advocate, please write them here:**

- Thank you very much for your tremendous support during that difficult time. I can't thank you enough but want to share how I felt motivated to fight for justice during that 8 months, using my favourite quote, "The night has given me dark eyes, but I use them to look for light. -- Gu Cheng"
- Please let them know the above (answer to Q17) - I deeply appreciate their support. I wish I had taken the time to write a thorough thank you email - it slipped my mind and this whole incident was something I wanted to put behind me, but I really feel so much appreciation towards them. Thank you so much.
- thank you.
- To Thank them for their timely response to my query.
- no. all good.
- She's doing an amazing job!
- Just give students more real help! Not an email saying sorry!
- I'd like to say thanks to Alanna and the advocacy service for their efforts. With the exception of one lecturer during lockdowns, my recent experience with the MGSE, the subject coordinator in question and the supervisor being more interested in me meeting or not meeting course requirements rather than supporting me as an intelligent and evidentially capable post-grad student struggling with mental health has left me never wanting to study with UniMelb again. But thanks, Alanna, for trying to help!
- Drop in services.
- Just another thank you. I know you really did do everything which was in your power. Think why it stung and I took the appeal as far as I could was this idea we in healthcare had been supported and "clapped for" in the NHS abroad or here at home and when wanting support to pursue things we're so passionate about and get well knocked back, wanted to advocate for myself as much as I do my clients.

**If you have any general comments or suggestions for the Advocacy Service, please write them below.**

- My suggestion of helping more students engage with the service is to have the faculty student representatives/committees introduce the service to students, or during the orientation week.
- no. all good.
- Give students real help!
- Not for UMSU as I was very happy with the support provided. It's a shame that the University does not place any focus on their student administration & support, or on improving their barely functioning systems - Stop 1 should have been able to sort out the problem I had initially.
- Keep doing what you're doing!
- I did feel at the time and still do having quickly reread the response to my formal appeal. My substantive arguments weren't actually responded to and a generic response was given reaffirming the point I was arguing against.