

## CHAPTER 28

### THE OFFICE OF THE STUDENTS' OMBUDSMAN FOR ACADEMIC COMPLAINTS

#### 28.1 THE PURPOSE OF THE OFFICE OF THE STUDENTS' OMBUDSMAN

The Office of the Students' Ombudsman provides registered TUT students with a service for addressing any academic complaints they might have. The main purpose of this service is to offer advocacy, counselling and support to students with regard to all teaching-, learning- and assessment- and supervision related problems the students experience.

The role of the Students' Ombudsman is one of a 'last resort', that is, the Ombudsman will intervene in a complaint only when all responsible academic line management and other avenues for resolving the matter have been exhausted.

#### 28.2 DEFINITIONS

In this chapter unless otherwise indicated –

28.2.1 **“academic complaint”** refers to any complaint that students may have with regard to teaching, learning, research, academic support and postgraduate supervision;

28.2.2 **“academic line management”** refers to the area of the University or member (s) of staff responsible for delivering service or conducting the process about which the complaint is made. These include lecturers, programme coordinators, heads of departments, executive deans, DVC: Teaching, Learning and Technology (DVC: TLT) and DVC: Postgraduate Studies, Research and Innovation (DVC: PRI);

28.2.3 **“complainant”** refers to a person making a complaint;

28.2.4 **“formal complaint”** refers to a written complaint, signed by the complainant and addressed to any responsible manager;

28.2.5 **“local level”** means the area of the University or its staff member(s) responsible for delivering service or conducting the process about which the complaint is being made;

28.2.6 **“non-completion student”** refers to former TUT student with incomplete qualification but who is not academically excluded but is not registered for the current academic year;

28.2.7 **“prospective student”** refers to any individual who is interested in enrolling or has already formally applied to enrol for a qualification presented by TUT;

28.2.8 **“respondent”** means a person who responds to a complaint;

28.2.9 **“the Office of the Student Ombudsman”** is a mechanism of adjudicating students' academic complaints as an independent but integral part of the grievance resolution procedures at TUT.

28.2.10 **“vexatious complaint”** means complaints that are frivolous and or deliberately intended to annoy or bring distress and suffering to other parties.

#### 28.3 AREAS THAT THE OFFICE OF THE STUDENTS' OMBUDSMAN DOES NOT COVER

- Complaints lodged by prospective students (non-enrolled students).
- Students who are not registered and are applying for Recognition of Prior Learning (RPL).
- Allegations of sexual harassment, unfair discrimination or racism (refer to TUT policy or regulatory mechanisms on sexual harassment, policy on unfair discrimination, or policy on racism for both staff and students).
- Disciplinary measures taken against a student for whatever reason in another environment (refer to Chapter 15).



- Academic exclusions on the basis of unsatisfactory academic progress.
- Non-academic complaints by members of staff who are also students at TUT (refer to TUT Human Resources policy on grievances).
- Complaints about accommodation and residences (refer to policy or regulations guiding practices and processes in the Student Affairs and Extracurricular Development (SAED) environment).
- Complaints about enrolment and registration processes. Such complaints should be directed to Academic Administration.

## **28.4 PROCEDURES FOR LODGING A COMPLAINT AND REPORTING MECHANISMS**

- 28.4.1 A student with a complaint shall personally contact the office of the Student Ombudsman at the Directorate of Quality Promotion or may be accompanied by a class representative or a member of the Student Representative Council (SRC).
- 28.4.2 The complainant shall ensure that he or she has tried to resolve the matter with all other stakeholders such as the lecturer concerned, head of academic department, Executive Dean of the Faculty or whoever in the environment the complaint emanates from.
- 28.4.3 The office of the Student Ombudsman shall only investigate the complaint when the complainant has provided evidence that all relevant academic departments and faculty complaints management processes have been exhausted and the complaint was not resolved satisfactorily.
- 28.4.4 The Ombudsman shall then assess the merit of the case whether it warrants to be investigated or be referred elsewhere.
- 28.4.5 The complaint shall be dismissed if the Students' Ombudsman is of the opinion that:
- (a) the complaint is vexatious.
  - (b) the complaint is a fake and riddled with all sorts of lies.
  - (c) the incidence occurred at too remote a time to warrant inquiry.
  - (d) there exists an alternative and satisfactory means of addressing the complaint within the University. In such a case, the Students' Ombudsman may give advice to a complainant as to other internal avenues for addressing the matter concerned.
  - (e) if the complainant is subject to a disciplinary hearing or appeal processes within the University, the Students' Ombudsman shall proceed no further inquiring into the complaint until the hearing or appeal has been finalised.
  - (f) the student is rude, unprofessional and uses derogatory language towards staff implicated in the matter, be it verbally or in written form.
  - (g) the student does not have any documentary evidence such as scripts, assignments or written communiqué between him/her with the implicated persons to substantiate his or her allegations.
- 28.4.6 Where a complaint warrants further investigation, the steps outlined below shall be followed.
- 28.4.7 The student lodging a complaint shall be required to:
- (a) put in writing the nature of the complaint and all other internal processes that he or she has exhausted before approaching the Office of the Students' Ombudsman; and
  - (b) fill in a complaint form; indicating, amongst others, the following information:
    - the student's personal, academic and contact details, preferably a working TUT4life e-mail address;
    - whether the student tried to resolve the matter with any other structure such as the lecturer concerned, Head of the Department or the Departmental Administrator;
    - a narrative of the "actual" nature of the complaint;
    - how he or she would like the problem to be solved; and
    - any supporting documentation that shall serve as evidence, e.g. test scripts, study guides, assignments and projects.



- 28.4.8 If a student requests to be anonymous due to a possibility of victimisation and/or other negative consequences for the student, the Students' Ombudsman may commence with an inquiry without the matter being handled at local level first.
- 28.4.9 Upon completion of a complaint form, the Students' Ombudsman shall start investigating the case.
- 28.4.10 Upon completion of the investigation, the complainant shall be provided with feedback.
- 28.4.11 The complainant shall timeously inform the Students' Ombudsman whether the verdict of the Ombudsman is implemented or not, so that the Ombudsman can be in a position to monitor and evaluate the implementation of the recommendations and verdict.

**28.5 HOW TO CONTACT THE STUDENTS' OMBUDSMAN**

The Office of the Students' Ombudsman is situated at the Pretoria Campus, in Building 21, 4<sup>th</sup> floor, room 428. The telephone number is 012 382 5525/5085 or the students can e-mail the office of the Student Ombudsman at [ombudsman@tut.ac.za](mailto:ombudsman@tut.ac.za).

