

COMMONWEALTH  
**OMBUDSMAN**



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**OVERSEAS STUDENTS OMBUDSMAN** 

Council for International Education  
Adelaide - 22 February 2017

# Overseas Students Ombudsman (OSO)

Presentation outline:

1. Brief overview of the Commonwealth Ombudsman and OSO role and outcomes
2. Consultation report - External complaint avenues for international students
3. Questions

# Overseas Students Ombudsman (OSO)

A brief overview



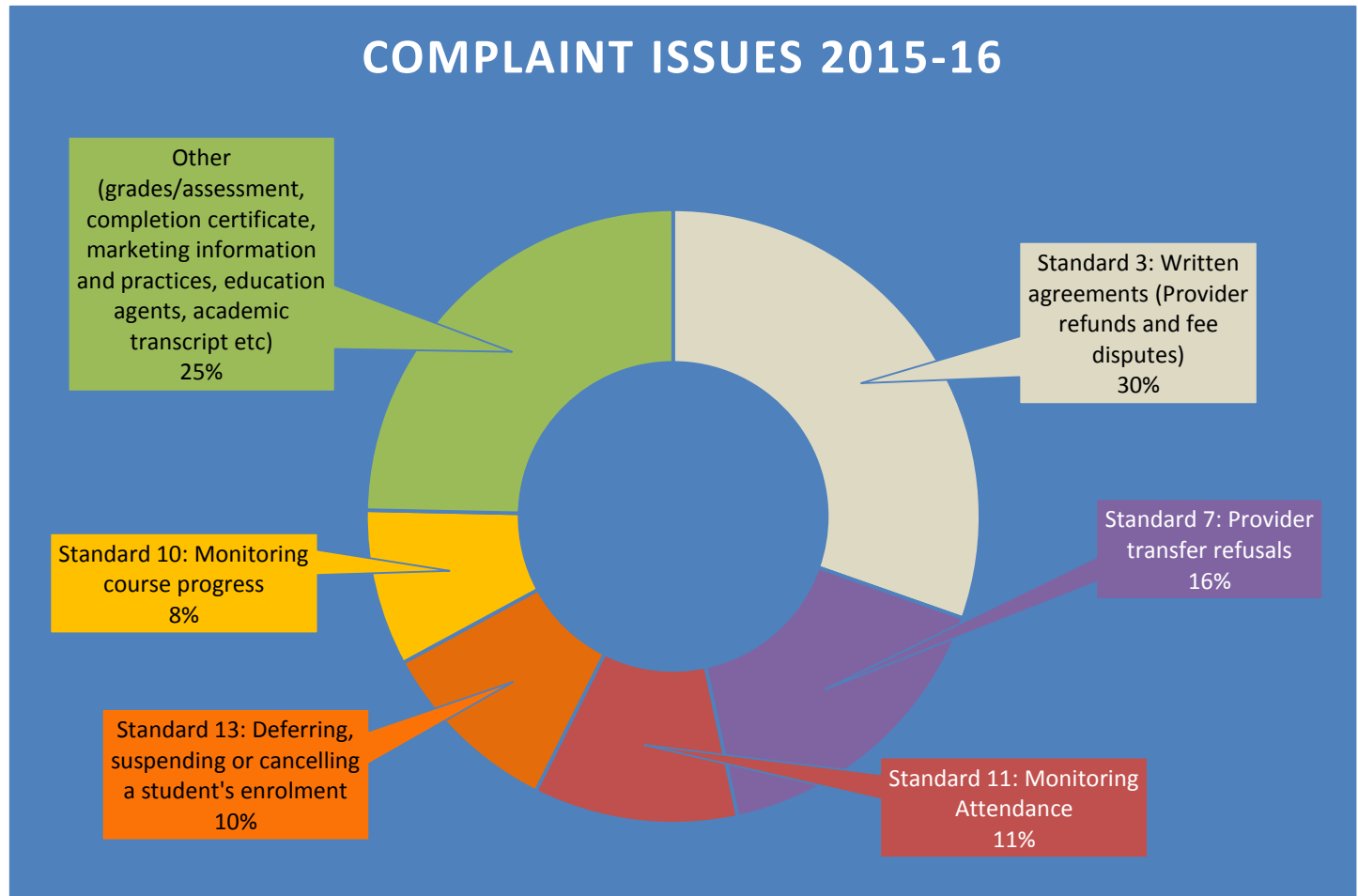
# Overseas Students Ombudsman (OSO)

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Defence Force	Immigration	Law Enforcement	ACT Ombudsman	Postal Industry Ombudsman	Overseas Students Ombudsman	Private Health Insurance Ombudsman	VET Student Loan Ombudsman (1 July 2017)

OSO is a specialist function within the Commonwealth Ombudsman office. We:

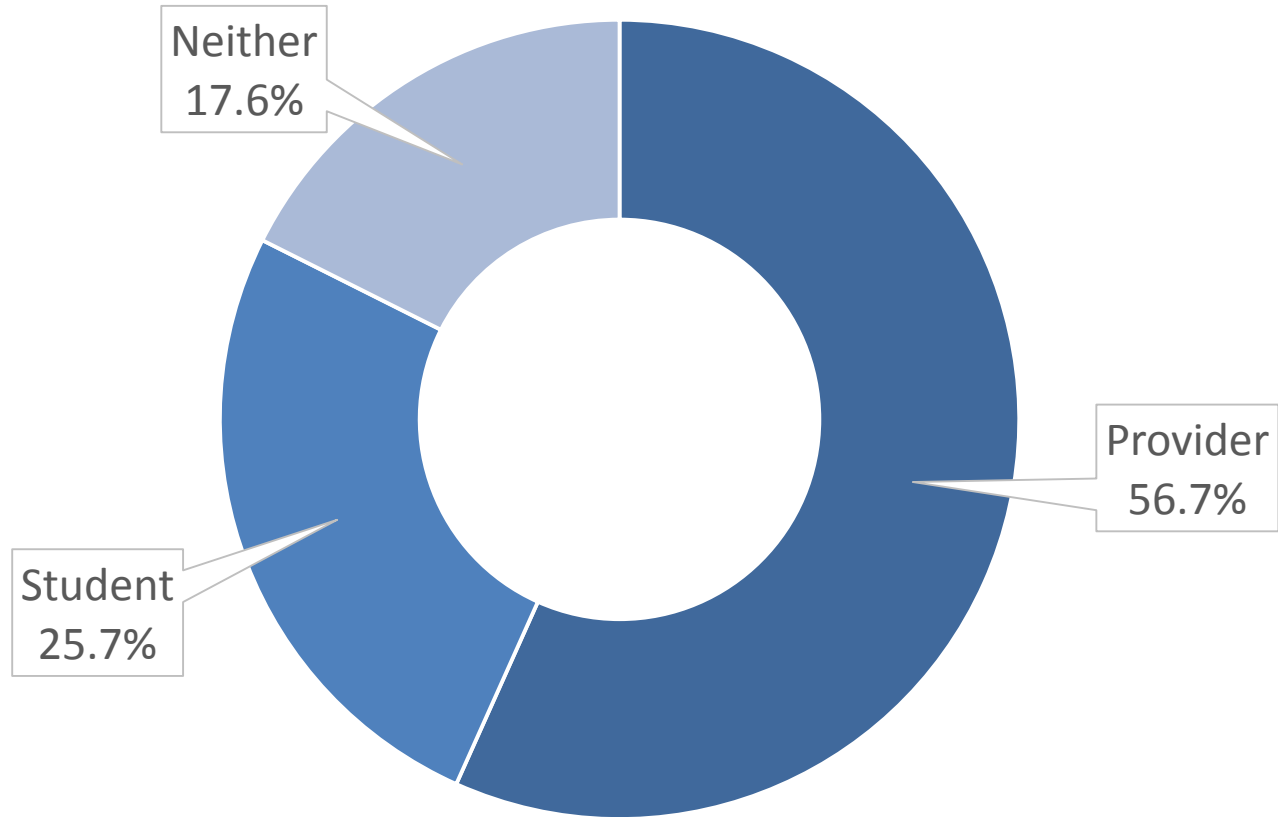
- investigate complaints about problems that intending, current or former overseas students have with PRIVATE schools, colleges and universities (education providers) in Australia
- provide information about best practice complaint-handling to help private education providers manage internal complaints effectively
- publish reports on problems and broader issues in international education that we identify through our investigations.

# Complaint issues



# Investigation Outcomes

Who the outcome supported 2015-16

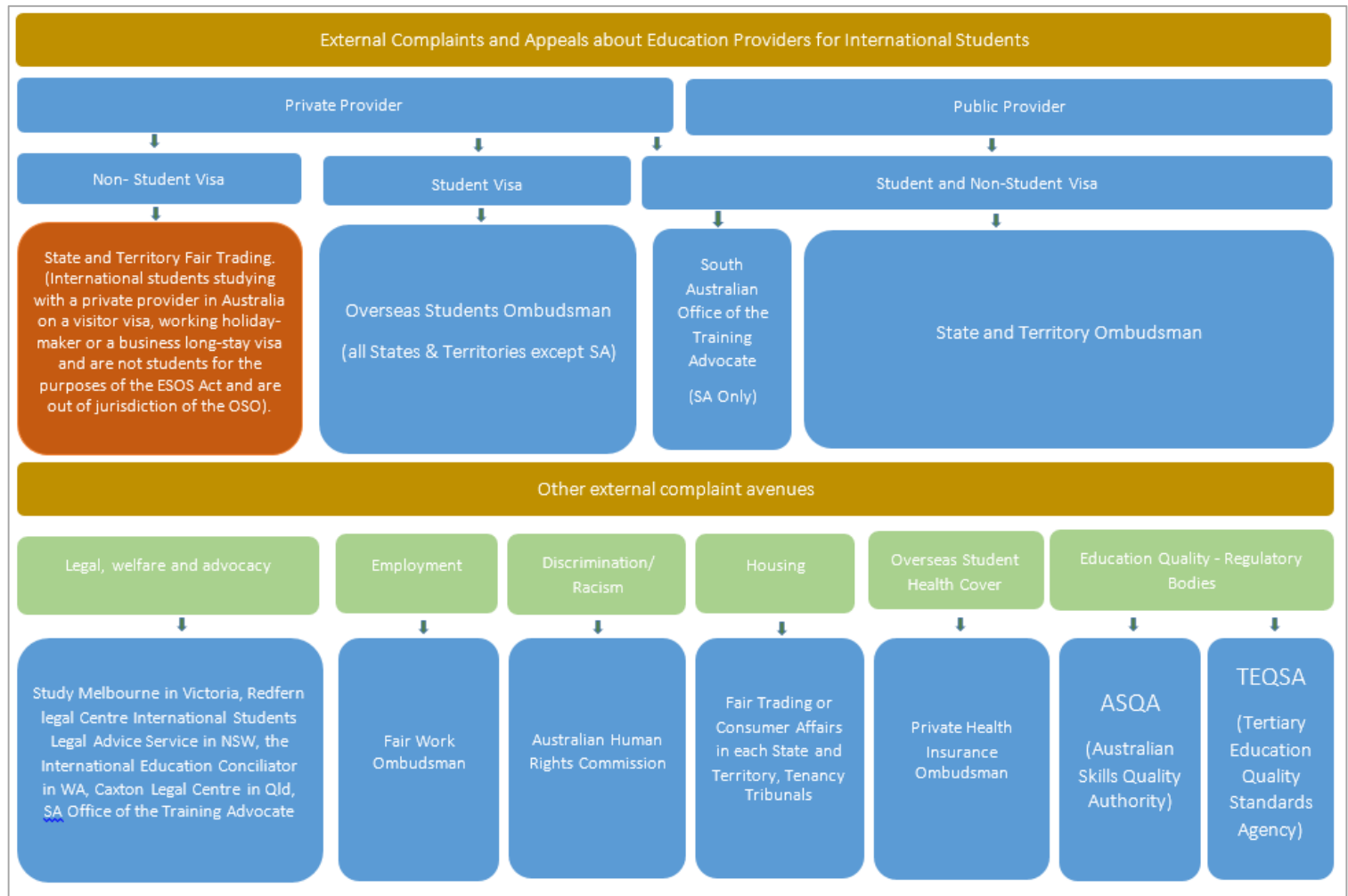


# Overseas Students Ombudsman (OSO)

Consultation report - External complaint avenues for international students

COMPLAINT HANDLERS		
	Private	Public
International students	<ul style="list-style-type: none"><li>• <b>OSO</b></li><li>• South Australian Training advocate</li></ul>	<ul style="list-style-type: none"><li>• State / Territory Ombudsman</li><li>• South Australian Training Advocate</li></ul>
Domestic students	South Australian Training Advocate	<ul style="list-style-type: none"><li>• State / Territory Ombudsman</li><li>• South Australian Training Advocate</li></ul>

# Navigating the complaint pathway





# Summary of stakeholder views

Most stakeholders agreed that:

- the current arrangements can be **complex and confusing**, that there are inconsistencies across jurisdictions and gaps in the current external complaint and appeal framework
- there is also a lack of consistent, **sector-wide data about complaints** and appeals from international students to reliably inform the government and sector about international students' experience with their education providers in Australia, to inform further international education policy developments at both national and State levels.
- there is a need for a **specialised complaints handler** familiar with both administrative law, the *Education Services for Overseas Students Act 2000* (the ESOS Act) and the ESOS legislative framework more generally

# Why a single international student Ombudsman?

Simplicity, accessibility and national consistency were key reasons cited for the support of this model:

- International students are a vulnerable group with multiple barriers to accessing complaints services including:
  - lack of social support systems
  - limited understanding of their rights under the ESOS framework
  - limited English language ability
  - Fear of breaching visa compliance requirements.
- There is a need for a simple, clear message about international students' right to complain and appeal actions or decisions of their education provider and a single entry/contact point
- Currently, some external complaint handlers do not differentiate complaints from domestic and international students, and are not considering the ESOS requirements when handling complaints from international students.

# Where to from here

1. Consider creating a **single international student ombudsman** to handle all complaints from international students across Australia whether studying in the private or public sector
2. All external complaint and appeal bodies should **increase the availability of training for education providers** on best practice complaint handling
3. Consider the **introduction of a National Reporting Standard** for all external complaint and appeal bodies handling complaints from international students, to ensure Australia has consistent key data available data for whole-of-sector analysis to inform international education policy developments at both national and state levels
4. All external complaint and appeal bodies handling complaints from international students could look for opportunities to **share information** to support the regulator's functions i.e. ASQA, TEQSA and the state and territory schools regulators

# Questions?



For more information visit [ombudsman.gov.au](http://ombudsman.gov.au) and select  
Private Education Providers with Overseas Students

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