




Overseas Students Ombudsman

Independent Schools Qld
Brisbane 18 February 2016
Susan Gray, investigation officer





Overseas Students Ombudsman

- We investigate complaints from overseas students about private universities, colleges and schools
- We work with education providers to help them improve their internal complaints and appeals processes
- We report on trends and systemic issues



How we investigate

- We are independent, impartial and investigate in private
- We usually ask students to go through the provider's internal complaints and appeals process before we investigate
- We ask the provider to explain what they did and why
- We request relevant documents from both parties
- We form a view and provide an opportunity to comment before we make a final decision



How we investigate

- If we find the provider did things correctly, we explain this to the student
- If we find substantial errors, we make recommendations to the provider, including giving the student a remedy
- We also make suggestions for systemic improvements to providers' policies and practices
- We analyse complaints data to identify systemic issues across the sector and publish issues papers on relevant topics

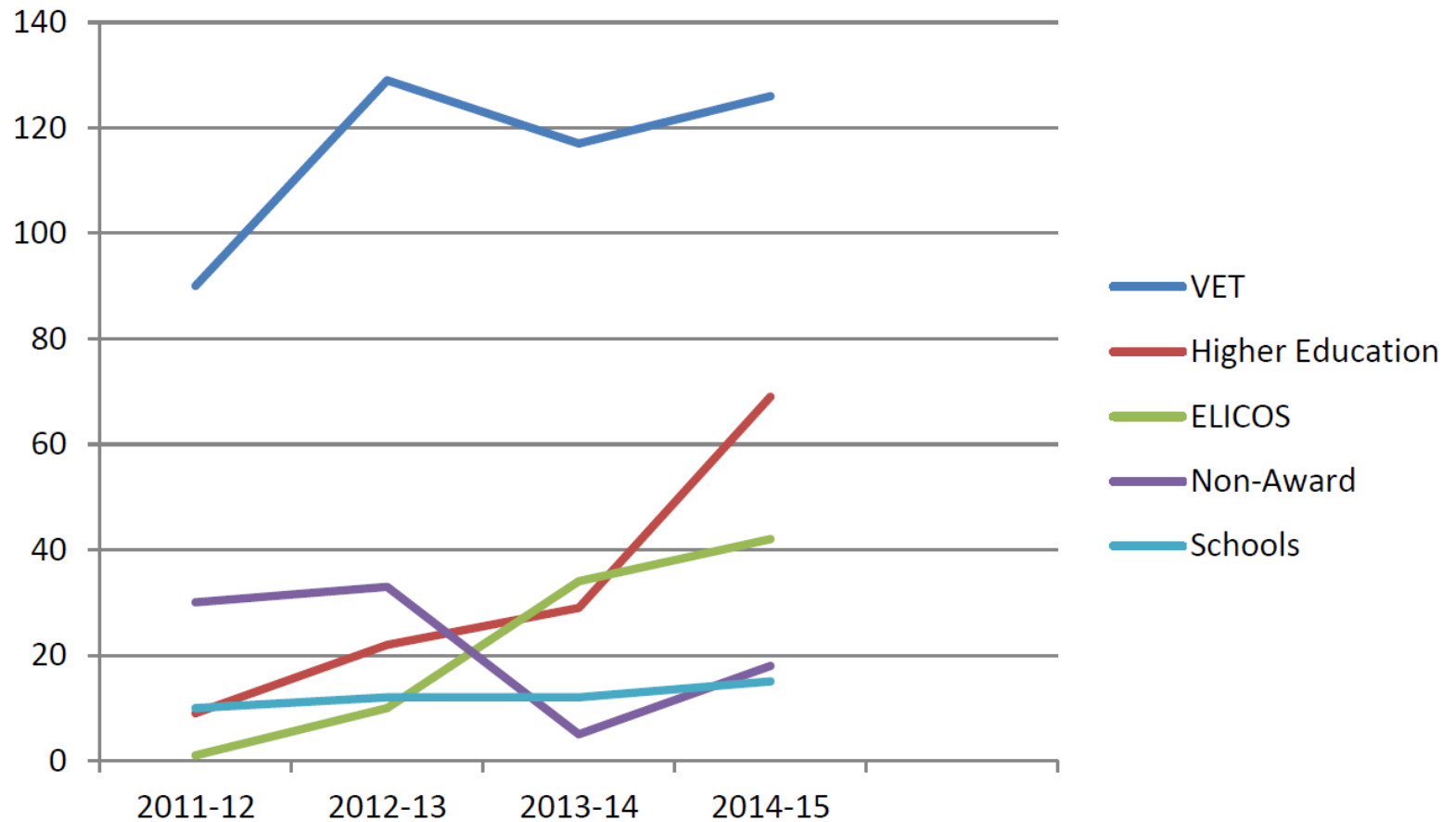


Complaint Statistics

- We have received more than 2800 complaints since we began operating in April 2011
- We investigated 1116 of these complaints (40%)
- We have received 94 complaints about schools and investigated 72 of these

Complaint Statistics

Figure 8: Number of issues investigated per sector



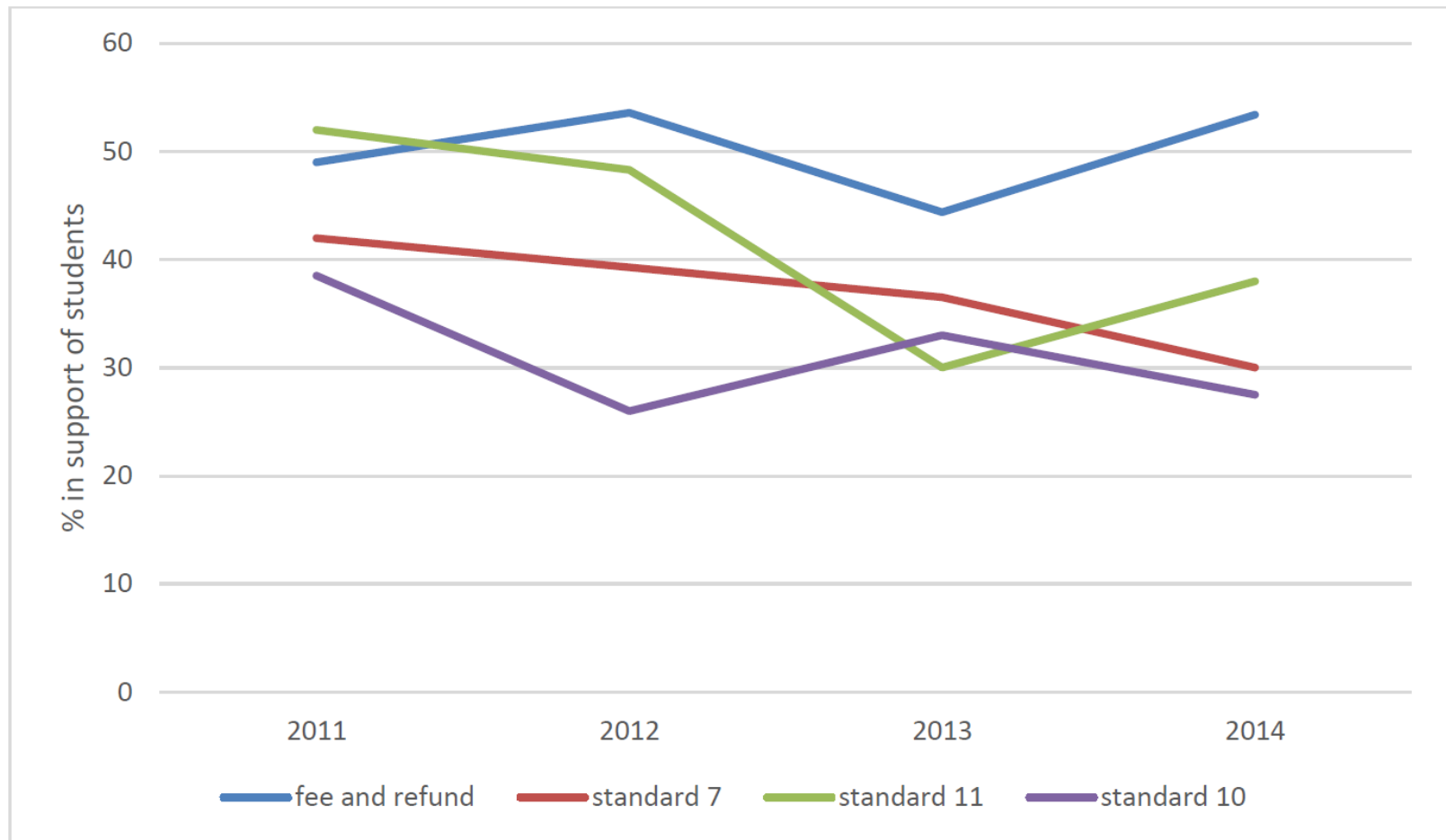


Complaint Statistics

- Issues investigated about schools:
- Refunds and fees (28)
- Attendance (23)
- Transfers (17)
- Welfare and accommodation of under 18 year olds (5)
- Course progress (5)
- Complaints and appeals (3)

Complaint Statistics

Figure 3: Outcome trends for top four complaint issues





How we investigate

In refund cases, we particularly look at:

- Was the written agreement signed before course money was paid?
- Does the written agreement:
 - correctly itemise course fees?
 - include the provider's refund policy?
 - require the parent or legal guardian to sign if the student is under 18 years old?



How we investigate

- In transfer cases, we look at whether the provider:
 - has implemented and properly applied a student transfer policy
 - considered whether the transfer would be detrimental to the student
- In poor course progress or attendance cases, we look at:
 - has the provider implemented and properly applied course progress and attendance policies
 - sent appropriate warnings at the right time



How we investigate

In cases about welfare and accommodation we look at whether:

- The provider has policies and procedures for checking the suitability of the student's accommodation, support and general welfare arrangements and
- The provider has followed these policies
- The provider has told DIBP about a student's change of address.



How we investigate

- In almost every case, we look at whether the provider has a fair and accessible complaints and appeals policy, and has applied it properly in the particular case
- We also look for signs that other students may have been affected by the same or similar problems
 - is there a systemic issue?



Possible Outcomes

- If the provider made a mistake or acted unfairly, we can ask them to:
 - Apologise
 - Change or reconsider a decision
 - Change their policies or procedures
 - Pay a full or partial refund
 - Not report the student to Immigration



Possible Outcomes

- If we think there is a wider systemic issue, we may investigate further and/or publish a public report
- If we consider that the provider may have breached the ESOS Act or National Code, we may notify the regulator
- If we find that the provider acted correctly, we explain why to the student

Examples

- 17 year old student complains that his provider has refused to issue a release letter. We investigated and found that the provider did not process the students request.
- 17 year old student appeals to our office after her provider issues her a notice of intention to report for non-attendance. We investigate and find that the student is deeply unhappy with her homestay.
- An 18 year old school student complains to our office that he wants a refund after withdrawing from a course. We investigated and found that his parents had not signed the written agreement.



Publications and resources

- We send out a **provider e-newsletter** to all private providers twice a year with useful tips and advice
- We also send out a **student e-newsletter** twice a year
- You can subscribe to our newsletters on our website:

www.oso.gov.au/publications-and-media/

Publications and resources

- We publish quarterly complaints statistics reports
- We have produced a guide to 'Better Practice Complaint Handling for Education Providers'



Better Practice Complaint Handling for Education Providers

February 2011

Complaint Handlers' Checklist

- Do you have written complaint handling procedures? Are they easy to understand and apply?
- Do you acknowledge complaints promptly?

ACKNOWLEDGE
all complaints quickly





Questions ?