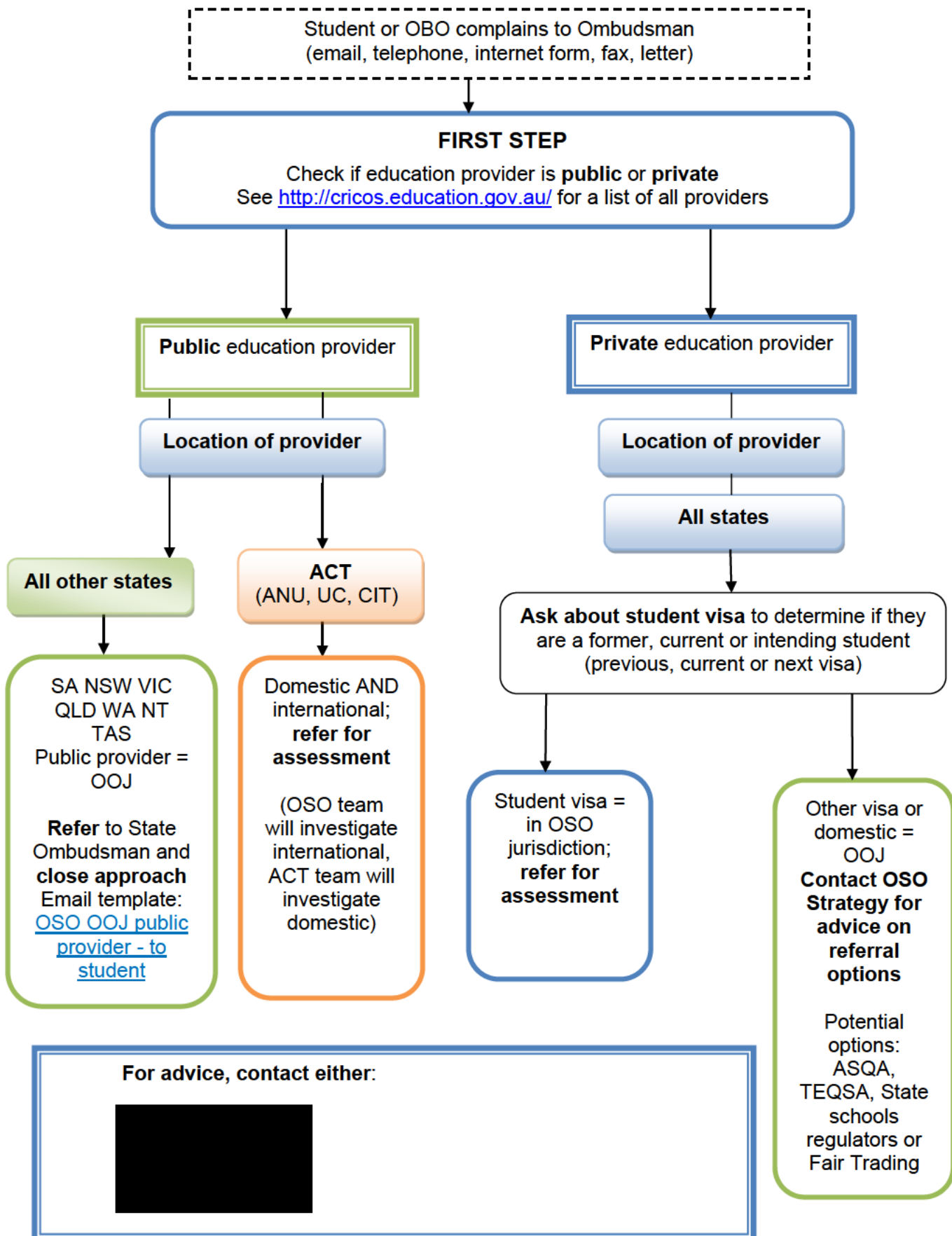


Overseas Student Ombudsman (OSO) Complaints – PCT Guide

How to assess a complaint made by a student about an education provider in Australia.



Person Entry

- Spell out the name by letter to get correct spelling – **very important**
- Date of birth (needed to confirm identity – there can be students with similar names)
- **Email address is vital** – please obtain this as well as a **phone number**
- Student visa (select this if they were on, are on or are applying for, a student visa)
- Country of origin (i.e. the country on the student's passport, aka their nationality)
- Ask OBO to send in the [OBO form](#) (there is a special one on the OSO website). **Refer for assessment in the meantime**

Initial Approach Screen details for OSO approaches

Reference

- Name of education provider & CRICOS Code (if not already in Resolve)
- Student's student ID (if known)

Summary (record normal description of complaint, including details below)

- Are they in Australia? What type of visa are they on? What date are they intending to arrive in Australia?
- Any urgency to complaint? e.g. is the provider about to report the student to Immigration for unsatisfactory attendance or course progress)
- **Which course** are they complaining about?

Action taken to resolve with Agency

- Has the student complained to the provider yet, using the provider's internal **complaints and appeals** process?
 - If yes, what was the **outcome** of the complaint / appeal? Ask for the date of decision & a copy of letter from provider, if available
 - If not, why not? Record reasons – an IO will decide whether to refer them back to the provider's complaint/appeal process and in rare circumstances i.e. vulnerability issues, unreasonable delay, may decide to investigate
 - If the student has not yet lodged an internal **appeal**, ask them to make contact with their provider and request one
- The words 'internal appeal' are more relevant in OSO world than 'complaint', so the student may recognise what you mean more readily if you ask about an 'appeal' as opposed to a 'complaint'.
- Has the student complained to any other complaint body (ASQA/Fair Trading/other)? If they have, this doesn't mean they can't complain to us – it is just helpful for the IO to know.

Question to ask: When was the last time the student heard from or spoke to the provider? What did they say?

Desired outcome

- Remedy sought (a tuition fee refund, a release letter, a transcript, something else).

Question to ask: What would the student ideally like to happen as a result of their complaint?

PCT Action

Refer for assessment, provide complaint reference number

Types of complaints / disputes

- Provider to report student to Immigration for visa cancellation due to poor attendance/course progress
- Refunds, fee disputes
- Release letter/provider transfer request refused
- Provider refusing to issue transcripts/completion certificates
- Education provider closure or course cancellation
- Education agents – advice provided, absconding with a refund paid by the provider
- Incorrect information provided about a course or provider
- Problems with the education provider's internal complaints handling process
- Decisions about Recognition for Prior Learning (credit/advanced standing)
- Decisions to refuse admission to a course
- Problems with accommodation where it was supplied by the education provider
- Problems with work experience or employment where it was organised by the education provider

Key words:

ASQA	Australian Skills and Quality Authority (national VET regulator)
CoE	Confirmation of Enrolment (document issued by the provider to confirm enrolment)
ESOS	Education Services for Overseas Students (the Act that governs the rights and responsibilities of students and providers)
ELICOS	English Language Intensive Courses for Overseas Students (a course to study to improve English skills)
OSHC	Overseas Student Health Cover (all students must have health insurance as they are not eligible for Medicare)
TPS	Tuition Protection Service (a government body which assists students to obtain a refund of tuition fees where the provider is not paying when they should)
TEQSA	Tertiary Education Quality & Standards Agency (national higher education regulator)
VET	Vocational Education & Training (i.e. TAFE)