

# COMMONWEALTH OMBUDSMAN

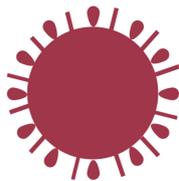
## OVERSEAS STUDENTS



July 2020

[In this edition](#)

- Spotlight on COVID-19
- Changes to our contact hours and methods
- VET FEE-HELP Remedy coming to a close
- Case study
- Outreach and engagement
- What would you like to know?



### [Complaints from students about changes to modes of learning arising from the COVID-19 pandemic](#)

Since the initiation of social distancing protocols in Australia due to the COVID-19 pandemic, many students have approached our Office to complain about changes in the mode of delivery of their courses. In most cases, we have referred students back to their education providers to attempt to resolve their dispute using the provider's internal complaints and appeals processes.

We are engaged in regular conversations with stakeholders about ways to support students and providers in the current situation. Although we understand that education providers are having to make changes due to the pandemic, we also consider that student rights as protected by the Education Services for Overseas Students Act 2000 (ESOS Act) and National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) must be maintained.

For more discussion of the implications on education providers, see our COVID-19 fact sheet on our [website](#).

### [Changes to our contact hours and methods](#)

We have made some temporary alterations to our contact hours and the ways in which students can reach our Office.

We are still taking complaints from students, however in the interest of community health we are not accepting face-to-face appointments at any of our offices. Students can lodge a complaint using our [online complaint form](#). If a student is unable to complete the online form, they can call 1300 362 072.

Due to impacts of COVID our phone service is currently limited to 9am to 12 noon

## VET FEE-HELP Remedy coming to a close

Under the redress measures, we assess complaints and decide whether we will make recommendations to the Department of Education, Skills and Employment (the department) to remove individual VET FEE-HELP debts.

Under current legislation, the redress measures will be only be available for students who make a complaint to our Office before 31 December 2020.

Some overseas student education providers have networks that can help promote these measures to vulnerable groups, including those that may not be aware they can apply to have their VET FEE-HELP debts re-credited if they are assessed as being wrongly accrued. We have developed two posters for this campaign that can be accessed from the links below:

- [VET FEE-HELP campaign poster](#)
- [Indigenous VET FEE-HELP campaign poster](#)

If you can help with promoting the measures, please forward these posters to your networks and put them up in public locations in your organisation.

If you have any questions please email us at [VET.StudentLoans@ombudsman.gov.au](mailto:VET.StudentLoans@ombudsman.gov.au)

## Case Study

A student\* studying personal training contacted us about an issue with their fee schedule. The student had made a request to their provider to move from term pre-payment to a monthly payment plan and if this could not be accommodated, to be able to transfer to another provider.

The student told us their provider had refused to accommodate either request and contacted us for assistance. The student shared their correspondence with the provider over a period of two months, which indicated some misunderstandings and miscommunication between the student and provider.

We advised the student that their provider did not have to provide a hard copy release letter as this would be completed in an online system and that if the student wished to transfer courses they would need to obtain an offer letter from another provider and attach this to their enrolment transfer request. We also advised that we do not usually investigate a complaint unless a student has exhausted the internal complaints and appeals process of their provider.

As the student had not yet made a formal complaint to their education provider, we suggested they do this. We finalised the student's complaint but provided guidance about how they could request a written decision from their provider.

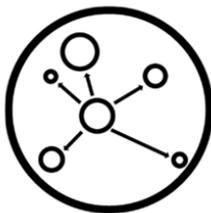
A short time later we received further communication from the student advising that our advice enabled them to discuss the issue with their provider and that the provider had agreed to the payment instalment plan they had requested.

that the provider should have advised the student of their right to make an internal complaint at an earlier stage once it became clear that the student was unhappy with their decision. If the provider had given the student information about how to access the internal complaint process, the issue may have been resolved sooner and avoided the need for the student to contact our Office.

This case highlights the importance of having clear and easily accessible complaint handling processes.

\*Identifying information changed for privacy purposes.

## Outreach and engagement



### Complaint Management Workshops

In early 2020 we delivered 21 Better Practice in Complaint Management workshops to private education providers in Melbourne, Sydney, Brisbane and Adelaide. Scheduling of workshops has now been suspended due to the social distancing measures and travel restrictions associated with COVID-19. We look forward to recommencing our program of workshops once restrictions are lifted. We are looking into alternative means of delivering the workshops, including using online tools.

### What would you like to know?

We are here to help you and we hope our newsletter is useful for your organisation. Please let us know if there is anything you would like to learn more about, such as the role of the Ombudsman, or how to better manage complaints. Or is there an area of the National Code or ESOS Act you think our complaint experience may shed light on? Please write to us at [overseas.students@ombudsman.gov.au](mailto:overseas.students@ombudsman.gov.au) and let us know your questions.

More information is available at [ombudsman.gov.au](http://ombudsman.gov.au).



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