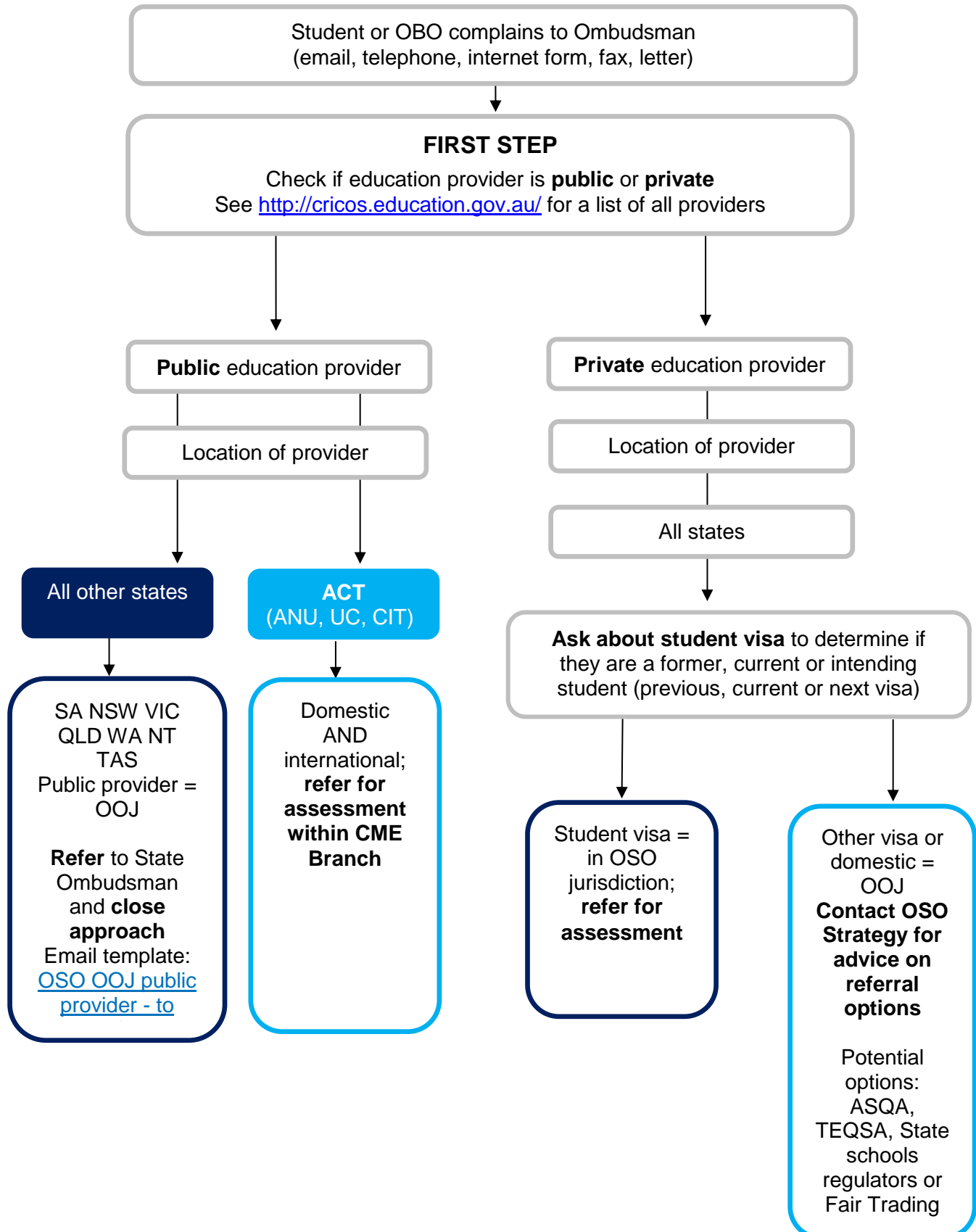


## Overseas Student Ombudsman (OSO) Complaints – Early Resolution Guide

How to assess a complaint made by an international 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

### Lodgement date of internal complaint / appeal:

- Has the student complained to the provider yet, using the provider’s internal **complaints and appeals** process?

### Date of complaint / appeal outcome:

- 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.

### Student visa: yes/no

- Are they in Australia? What type of visa are they on? What date are they intending to arrive in Australia?

### Provider’s Student ID #:

**Name of provider:** from PRISMS record (check if OOJ, private or public)

**Course name:**

**CoE code:**

**Country of origin:** country of passport in PRISMS

**Interpreter required:** yes/no (language)

**Vulnerability:** e.g. age, visa issues

**OBO:** (require consent)

**Consent to transfer to other oversight body / regulator:** yes/no

**Consent for assisted referral to provider:** yes/no

### Details of complaint

- When was the last time the student heard from or spoke to the provider? What did they say?
- Chronological history of actions and issue arising
- 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?

**Is the student being reported?**

**Steps taken to resolve complaint**

- Application made to provider (date). Internal appeal to provider (date). Outcomes.

**Desired action or outcome**

- Short statement of issue that complainant wants resolved
- What would the student ideally like to happen as a result of their complaint? (a tuition fee refund, a release letter, a transcript, something else).

**Intake action**

- Documents requested: written agreement, correspondence with provider about complaint, OBO form requested, etc.
- 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:**

<b>ASQA</b>	Australian Skills and Quality Authority (national VET regulator)
<b>CoE</b>	Confirmation of Enrolment (document issued by the provider to confirm enrolment)
<b>ESOS</b>	Education Services for Overseas Students (the Act that governs the rights and responsibilities of students and providers)
<b>ELICOS</b>	English Language Intensive Courses for Overseas Students (a course to study to improve English skills)

<b>OSHC</b>	Overseas Student Health Cover (all students must have health insurance as they are not eligible for Medicare)
<b>TPS</b>	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)
<b>TEQSA</b>	Tertiary Education Quality & Standards Agency (national higher education regulator)
<b>VET</b>	Vocational Education & Training (i.e. TAFE)

Original document stored at: <https://objective.ombudsman.gov.au/id:A404595/document/versions/latest>