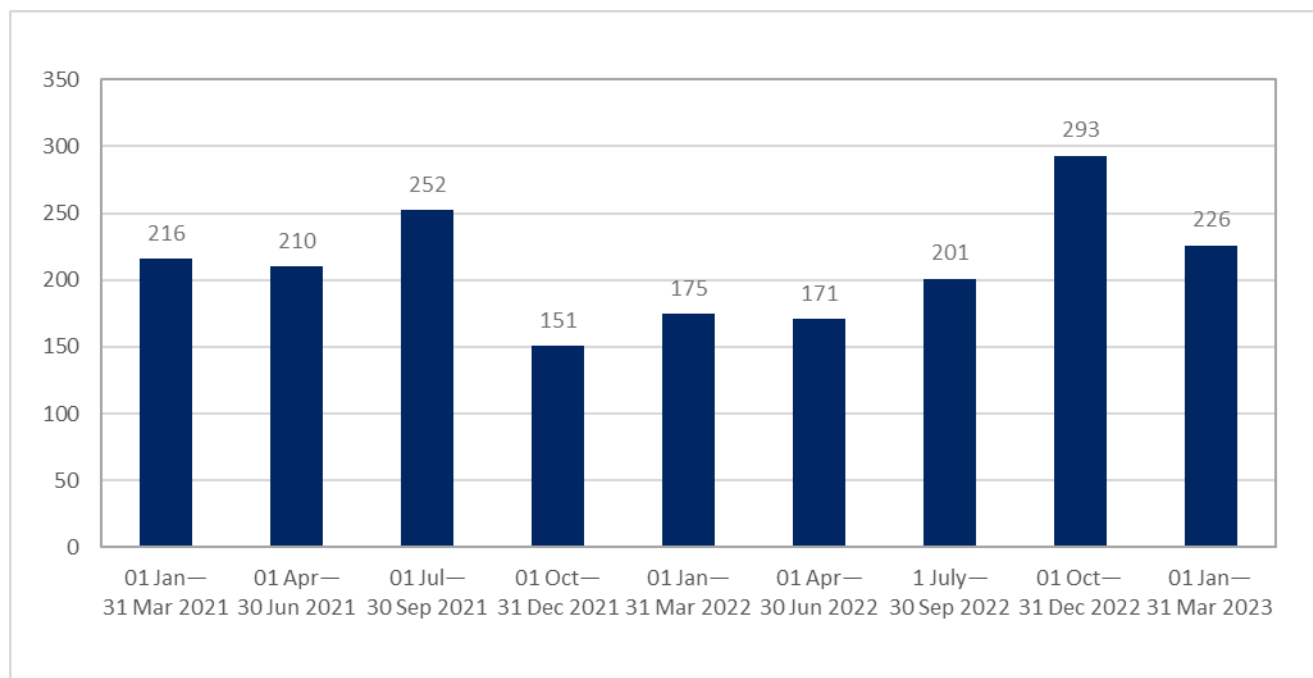


Quarterly Update: 1 January – 31 March 2023

Complaints and enquiries received

Between 1 January and 31 March 2023, in its capacity as the Overseas Students Ombudsman, the Office of the Commonwealth Ombudsman (the Office) received 226 complaints and enquiries from international students enrolled with private registered education providers (see Figure 1). This represents a 29 percent increase when compared to the same period last year. This increase was expected, given a similar increase in overseas student numbers in Australia during the period.¹

Figure 1: Complaints² and enquiries received by quarter

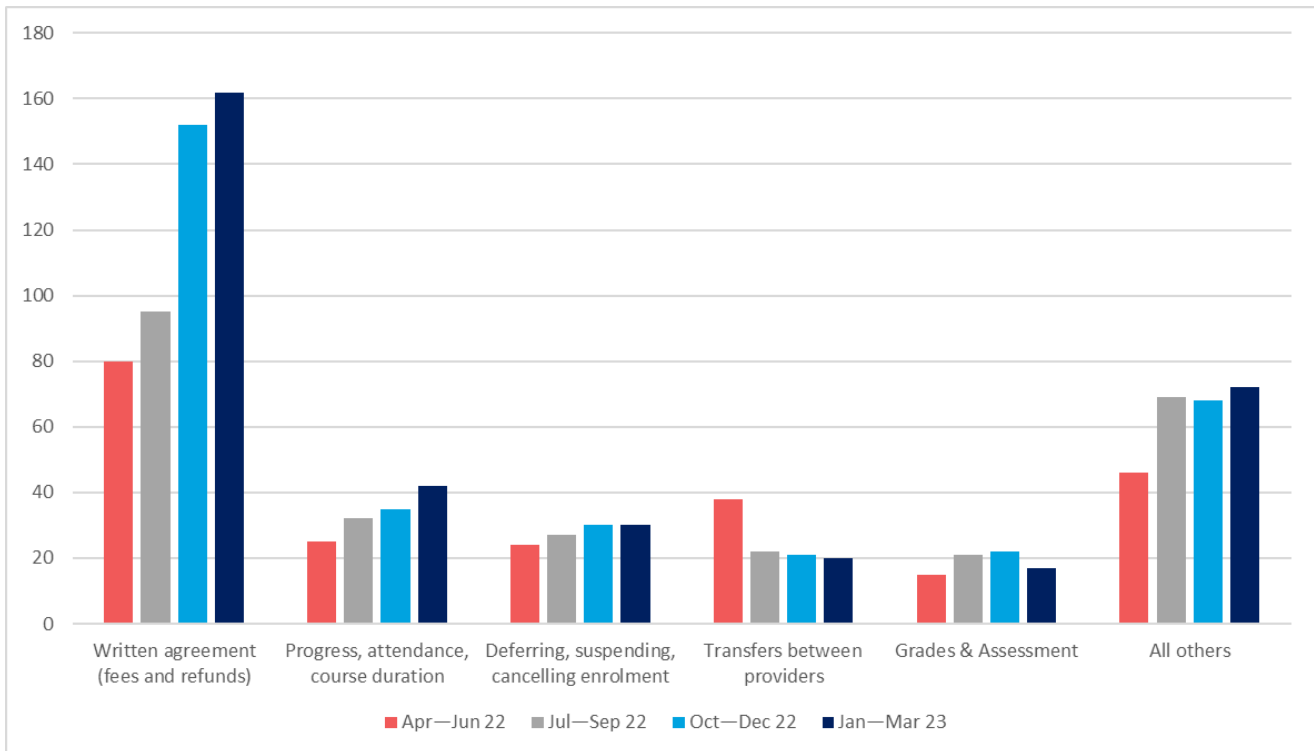


Complaint issues

As in previous quarters, the most common issue in complaints to the Office between 1 January and 31 March 2023 was written agreements and students seeking refunds of pre-paid tuition fees because they ceased studying before they finished their course. We also saw an increase in complaints from students whose visas were refused and had waited extended periods of time for their refund.

¹ [International student monthly summary and data tables - Department of Education, Australian Government](#), accessed 26 May 2023.

² Includes complaints about private overseas education providers. For definitions of complaints, views, issues and other terms, please refer to [Overseas Students - Commonwealth Ombudsman](#). Our data is dynamic and regularly updated. This means there may be minor differences when compared to the last quarterly update. Previous quarterly updates are available on the Ombudsman's [website](#).

Figure 2: Common complaint issues – Comparative data for 1 April 2022 to 31 March 2023

Did providers meet their responsibilities to students?

When delivering education products and services for overseas students, education providers must treat students fairly and reasonably and act consistently with relevant legislation and national standards.

During the period from 1 January to 31 March 2023, the Office finalised 47 complaint investigations, covering 69 issues. Table 1 summarises our view on whether providers met their responsibilities to their students for each issue in the complaints we investigated during this period.

Table 1: Views on finalised investigations: 1 January to 31 March 2023

View	Total issues
Provider substantially met responsibilities to student	31
Provider did not substantially meet responsibilities to student (see below)	26
No view – provider and student resolved matter, or we otherwise discontinued the investigation	12

When we consider a provider has not substantially met their responsibilities, we work with both parties to find a possible remedy for the student. If we observe that a provider's non-compliance is serious or repeated, we may disclose the matter to regulators and other bodies such as the Tuition Protection Service and the Department of Education.

Case Study

In August 2022, Jemma commenced a Masters-level course with a private education provider. Two weeks after the course commenced, Jemma emailed the provider to advise she needed to travel home for a family reason. The provider responded to confirm Jemma could travel overseas but she would need to remain up to date with her course, which was being delivered fully online.

Towards the end of Jemma's stay overseas, she became unwell, and was not able to complete assessment tasks or sit exams. After arriving back in Australia, Jemma emailed her provider to advise she had missed assessments and exams while overseas and requested special consideration to submit assessments and sit her exams late.

The provider rejected Jemma's requests, resulting in an overall failure for those units. To complete the units again, Jemma would need to pay \$8,000. Jemma appealed this decision and provided a further medical certificate to support her appeal. When her appeal was rejected by her provider, Jemma complained to the Office.

Our assessment

We considered information provided by Jemma, her education provider, and:

- the *Education Services for Overseas Students Act 2000* (the ESOS Act)
- the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code),
- whether the decision was reasonable and complied with Jemma's written agreement and the provider's special consideration policy.

The provider's policy stated that students could apply for special consideration if faced with unforeseen situations that may prevent them from completing assessments. The policy stated that to apply for special consideration, the request had to be submitted within 5 working days of the assessment due date. Jemma's request for special consideration was made 20 days after the assessments were due.

Outcome

In Jemma's situation we viewed that the provider's decision was reasonable, given the medical certificate was undated and significant time had passed between Jemma's assessment dates and her request for special consideration.

However, we consider that in some circumstances it would not be reasonable for a provider to strictly enforce a 5 working day limit, given that some unforeseen situations may prevent a student contacting their provider in such a short timeframe.

Information for providers – Why does good complaint handling matter?

A good complaint handling service can:

- Fix problems before they escalate
- Provide better remedies for complainants
- Help you understand your students better
- Increase student satisfaction and improve student interactions
- Increase staff satisfaction
- Produce data and insights that help you continuously improve
- Inform decisions about future services and programs
- Enhance reputation and strengthen trust in your organisation.

Did you know that our Better Practice Complaint Handling Guide has recently been updated? You can review the revised guide here: [Better Practice Complaint Handling Guide February 2023](#)

Commonwealth Ombudsman Complaint Handling Forum 2023



COMMONWEALTH OMBUDSMAN

COMPLAINT HANDLING FORUM
6 - 9 JUNE 2023
VIRTUAL SESSIONS

TICKETS AT EVENTBRITE.COM

6 JUNE 2023 - 12:30-2PM AEST
CONFERENCE OPENER
PERSPECTIVES ON SUCCESS
Iain Anderson, Commonwealth Ombudsman
Deborah Glass, Victorian Ombudsman

7 JUNE 2023 - 12:30-2PM AEST
PRACTICAL SESSION
COMPLAINTS AND GEN Z
Claire Madden, Author and Researcher

8 JUNE 2023 - 12:30-2PM AEST
PRACTICAL SESSION
DE-ESCALATING CONFLICT IN COMPLAINTS
Salli Browning, NSW Ombudsman's Office

9 JUNE 2023 - 12:30-2PM AEST
PRACTICAL SESSION
BACK TO BASICS: CUSTOMER SERVICE IN COMPLAINTS
Monique Richardson, Expert and Author

The Commonwealth Ombudsman's Complaint Handling Forum is back for 2023.

The 4-part virtual forum runs from 6 – 9 June and will include expert speakers sharing practical and strategic insights on complaint handling. Each 90-minute virtual session will take place between 12:30-2pm AEST.

Tickets are \$40 per session, or \$120 for the 4-session pack.

Tickets can be purchased here: [Commonwealth Ombudsman: Complaint Handling Forum | Eventbrite](#)