

What's happening in international student complaints?

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Commonwealth Ombudsman

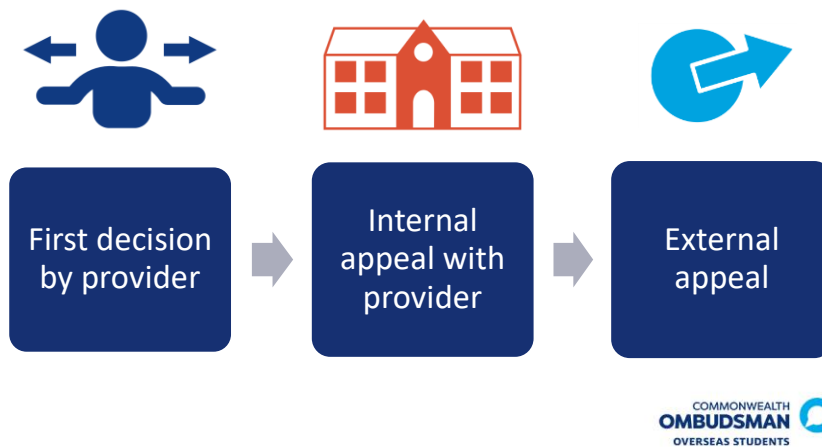
The Commonwealth Ombudsman has a specialist function to handle complaints from overseas students:

- investigates complaints about problems that intending, current or former overseas students have with PRIVATE schools, colleges and universities (education providers) in Australia
- provides information about best practice complaint-handling to help private education providers manage internal complaints effectively
- publishes reports on broader issues in international education that we identify through our investigations.



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When does the Ombudsman step in?



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How do we decide if a student has been treated fairly?

We look at whether the provider has complied with:

- The *Education Services for Overseas Students Act 2000 (ESOS Act)*
- The provider's own policies, procedures and agreements, and
- general principles of Australian Law

We also consider whether the outcome is ***fair and reasonable*** in all the circumstances.

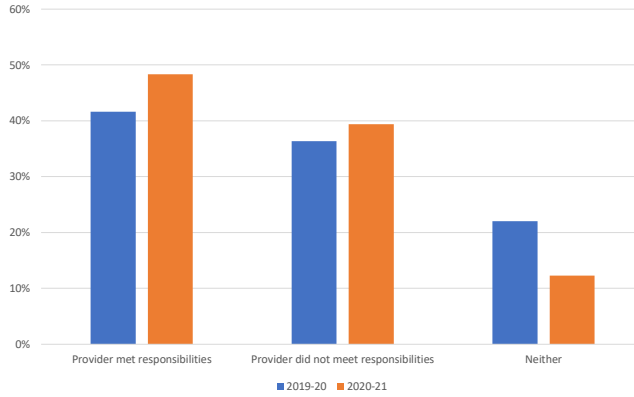


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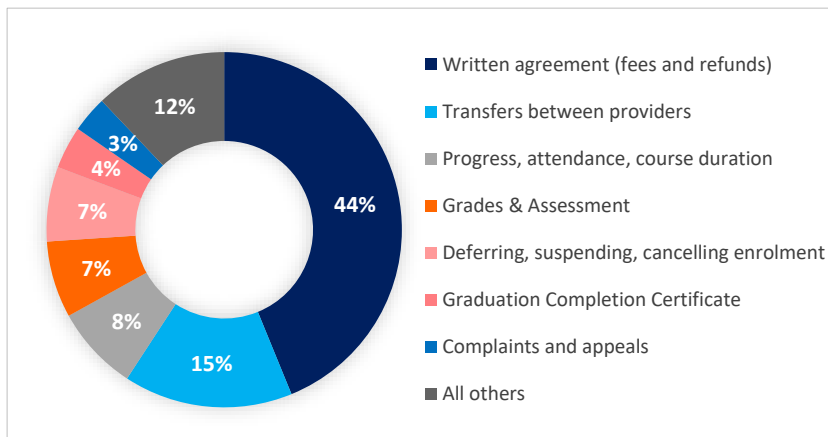
Complaint outcomes – July to March



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Most common issues July 2020 to March 2021



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COMPLAINTS ABOUT COVID-19 DISRUPTIONS TO STUDY

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COVID-19 complaints

- Complaint issues include:
 - I paid for a face-to-face course, and I don't want to study online.
 - I need to transfer to a cheaper education provider, because I can't afford to pay my fees at my current education provider.
 - I no longer plan to study in Australia due to border closures, and I want a refund of my pre-paid fees.



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Our position on COVID-19 disputes

Every complaint is unique, and our investigation will try to establish the facts, and consider what the provider and student have done to try to resolve their dispute.

The table below outlines our possible position on some complaint scenarios, but our actual position will depend on the complaint details.

Complaint	Our possible position
I paid for a face-to-face course, and I don't want to study online.	Provider needs student's agreement to online study. If student does not agree, provider should release and refund.
I need to transfer to a cheaper education provider, because I can't afford to pay my fees at my current education provider.	Provider needs to consider all information student provides in transfer request. However, provider has the discretion not to allow transfer.
I no longer plan to study in Australia due to border closures, and I want a refund of my pre-paid fees.	Provider needs to consider the reasonableness of retaining a student's pre-paid fees.



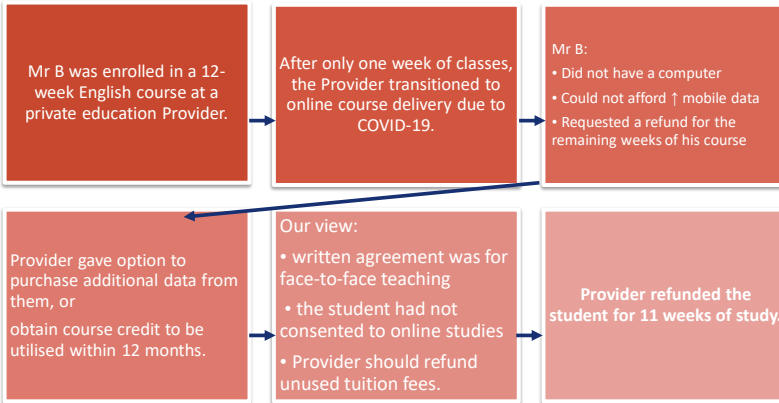
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CASE STUDIES

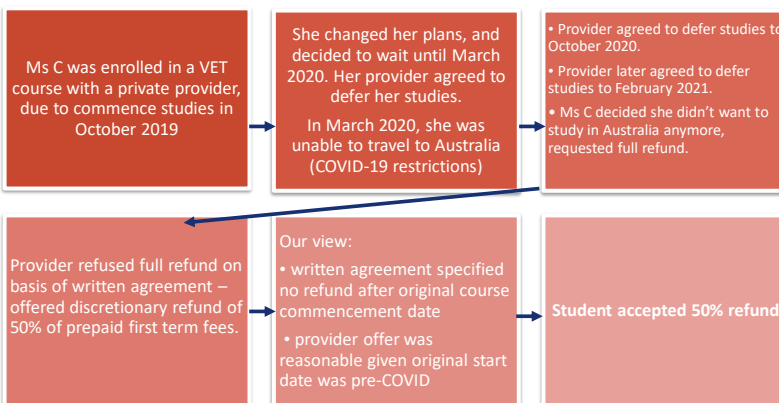
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Refund after course went online



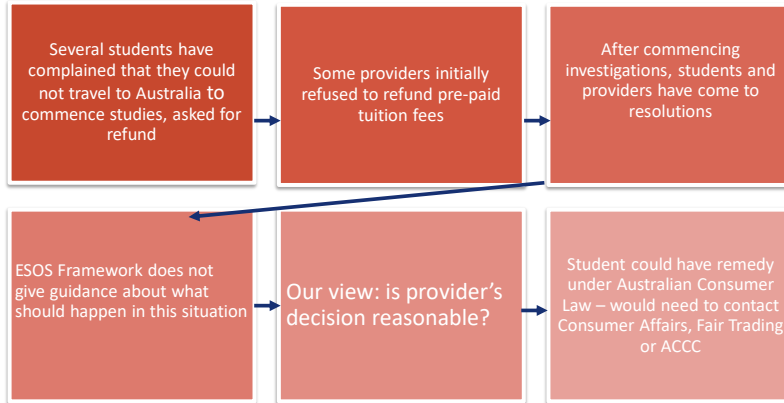
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Refund after deferral - 1



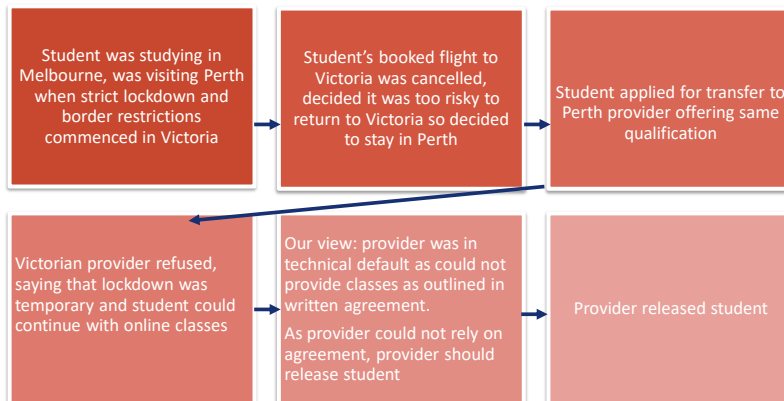
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Refund after deferral - 2

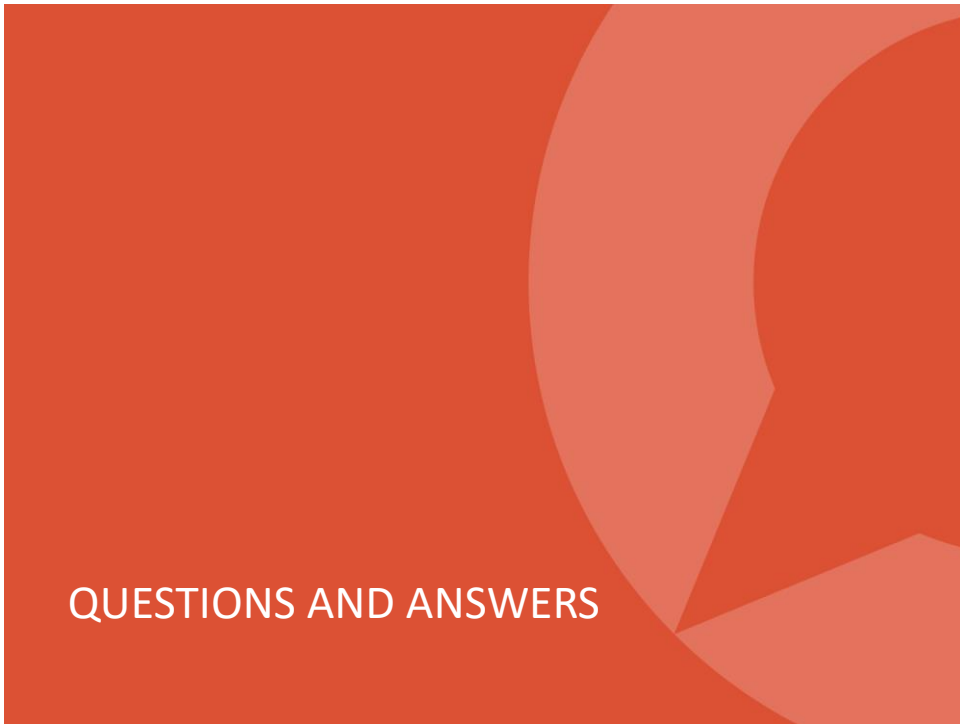


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Transfers



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QUESTIONS AND ANSWERS

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Thank you



For more information visit ombudsman.gov.au



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