

Overseas students who are in higher, vocational or school education and on a student visa who have a problem they cannot fix with their Western Australian education provider (university, college, institute or school) can make a complaint to:

- The **Western Australian Ombudsman** if it is about **Western Australian public education providers**. This Information Sheet provides further information for complaints to the Western Australian Ombudsman; or
- The **Overseas Students Ombudsman** about **private education providers**. The Commonwealth Ombudsman is the Overseas Students Ombudsman. For more information, visit the Overseas Student Ombudsman website at www.ombudsman.gov.au.

MAKING A COMPLAINT TO THE WESTERN AUSTRALIAN OMBUDSMAN

If you are an overseas student who has a problem with your Western Australian public education provider or your enrolment has been suspended or cancelled, you can complain if you feel you have been treated unfairly or wrongly. All students can ask for an internal and external review of the matter.

Before you complain to the Western Australian Ombudsman for an external review you must first exhaust all internal review options with your public education provider. The Western Australian Ombudsman's website at www.ombudsman.wa.gov.au/Complaints/Overseas_Student_Complaints.htm has contact details for Western Australian public education providers.

Step 1 - Complain to your public education provider (Internal Review)

What you can complain about

You can make a complaint about a decision made by your education provider that has affected you and which you believe is unfair or wrong.

The Australian Government has put in place the *National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code)* that sets out the standards all education providers must follow in delivering education and training courses to overseas students. You can complain or appeal against an education provider's decision or action where you believe these standards have not been followed. You can view the National Code 2018 Factsheets at <https://internationaleducation.gov.au/Regulatory-Information/Pages/National-Code-2018-Factsheets-.aspx>.

The National Code requires all education providers to have an internal complaints handling and appeals process that you can use to make a formal complaint if you are unable to resolve a problem informally. You will need to act quickly as there will be a time limit (determined by education providers) to lodge your complaint and have it considered under the National Code.

Contact the international student advisor for advice

If you do not know what to write in your complaint, who to complain to or what the deadline is, contact the international student advisor at your public education provider for advice and help. It is important that when you make a complaint that you attach all the information and documents or evidence you have about the issue.

Your public education provider should assess your complaint

Once your complaint has been received, your public education provider should look at the information provided to decide if the issue you have raised has been dealt with properly. Once the public education provider has finished looking at your complaint, it should advise you in writing of its decision and reasons.

Step 2 - Complain to the Western Australian Ombudsman (External Review)

If, after completing the internal review process, you are still unhappy with the original decision and you believe that something went wrong in making that decision, you can ask the Ombudsman for an independent external review. You can make a complaint by letter, email, facsimile or using the complaint form available on our website at www.ombudsman.wa.gov.au.

When you complain to us, you need to tell us what you think your public education provider has done wrong - it would help if you could tell us if you think your public education provider has:

- Failed to follow a policy or process;
- Not followed the standards in the National Code; or
- Done something which is unfair.

You may like to talk to us before you submit a complaint. Please see our contact details below.

What the Western Australian Ombudsman can do

Under the *Parliamentary Commissioner Act 1971*, we can look at whether the public education provider followed a fair and reasonable process when making its decision about you and your enrolment and whether the decision was reasonable under the circumstances.

This can include checking if the public education provider has followed the standards in the National Code and any policies or processes that relate to the issues you told us about in your complaint. The types of issues we look at include delays, not following policy, unfair procedures and improper behaviour of staff.

What happens when you make a complaint

We will write to you to let you know that we have received your complaint. We are impartial and do not act for either party and our processes are informal and as timely as possible. We will contact the public education provider to get more information about your concerns. We may also contact you for more information and will listen to both you and your public education provider.

The length of time it takes to investigate can vary. For more complex matters, it can take some time for us to collect all the relevant information. Once we have received a response from the public education provider and had the opportunity to consider all the information, we will determine the outcome of your complaint.

Outcome of your complaint

We will advise you and the public education provider of the outcome of your complaint in writing. If warranted, we may recommend that the public education provider take some action to remedy the situation such as a review of the decision, changes to administrative practices or an apology. The Ombudsman can only make recommendations to public education providers. We cannot direct action to be taken. However, public education providers generally accept and implement our recommendations.

Contact Ombudsman Western Australia

Call us 08 9220 7555 or Freecall 1800 117 000 (free from landlines)



Interpreter 131 450



National Relay Service Quote 08 9220 7555

TTY 133 677 Voice-only (speak and listen) 1300 555 727 SMS Relay Text 0423 677 767

Email us at mail@ombudsman.wa.gov.au Website www.ombudsman.wa.gov.au

Visit us at Level 2, Albert Facey House, 469 Wellington Street Perth WA 6000

Write to us at PO Box Z5386 St Georges Terrace Perth WA 6831

Translations This Information Sheet is available in other languages on our website.