

This Information Sheet is for overseas students who are in higher, vocational or school education and on a student visa who wish to make a complaint about their Western Australian education provider (university, college, institute or school).

Making a complaint

If you are an overseas student who has a problem with your 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.

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 Registration Authorities and Providers of Education and Training to Overseas Students 2007 (the national code)* that sets out the standards education providers must follow in delivering education and training courses to overseas students. You can complain or appeal against your education provider's decision or action where you believe these standards have not been followed.

The national code requires your education provider to have an internal complaints handling and appeals process for you to use to make a formal complaint if you cannot resolve the problem another way. You will need to act quickly as there will be a time limit (determined by your education provider) on lodging your complaint to 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 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 education provider should assess your complaint

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

Step 2 - Complain to the Ombudsman (External Review)

What to do if you are unhappy with the decision made by your education provider

If, after receiving the written report, 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.

Overseas students studying with a PRIVATE EDUCATION PROVIDER

The Commonwealth Ombudsman is the Overseas Students Ombudsman with jurisdiction over private education and training providers in Australia. For more information, visit the Overseas Student Ombudsman website at www.oso.gov.au.

Overseas students studying with a PUBLIC EDUCATION PROVIDER

You can ask the Western Australian Ombudsman for an external review by letter, email, facsimile or use 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 it has failed to follow a policy or process; you think it has not followed the standards in the national code; or if you think it has done something which is unfair. If you would like to talk to us before you submit a complaint, please contact us on (08) 9220 7555 or toll free 1800 117 000 on weekdays from 8.30am to 5pm.

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 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, problems with the procedures, and improper behaviour of staff.

What the Western Australian Ombudsman does when he gets your complaint

We will write to you to let you know that we have received your complaint. We will then look at what you have said and contact the provider asking it for a response. We may give it a copy of your complaint. Once we have received a reply and had the opportunity to look at it, we will consider whether the complaint is justified or not and our reasons – we call this a preliminary view.

The Western Australian Ombudsman's decision

If we support your complaint

We send the public education provider a preliminary view and ask for its comments. We consider those comments and then give them our final view which may include recommendations that the provider reconsider its decision or action. Recommendations made under the national code should be implemented by the provider. We will write to you with our final view and give you full reasons for our decision. You will be able to talk to the person at our office who has dealt with your complaint.

If we do not support your complaint

We will write to you with our preliminary view and ask you to tell us if we have understood your issue correctly and give you the opportunity to provide us with further information or comments. We consider those comments and then send you our final view and give you the reasons for our decision. You will be able to talk to the person at our office who has dealt with your complaint if you want to. We will also write to your provider and tell it our final view. If relevant, your provider will then tell you and the Australian Government of your enrolment status as a student in Australia.

How to contact us

The Western Australian Ombudsman's office is open from 8.30 am to 5.00 pm Monday to Friday. We have easy access for people with disabilities.

Telephone: (08) 9220 7555

Freecall: 1800 117 000
(toll free for country callers)

Facsimile: (08) 9220 7500

Email: mail@ombudsman.wa.gov.au

Street Address:

Level 2,
Albert Facey House
469 Wellington Street,
PERTH WA 6000

Postal Address:

Ombudsman Western Australia
PO Box Z5386,
St Georges Terrace,
PERTH WA 6831

National Relay Service: TTY or modem users phone 133 677 and quote 9220 7555. Voice-only (speak and listen) users phone 1300 555 727 and quote 9220 7555.

Interpreter Service: Translating and Interpreting Services (TIS) National on 131 450.

Translations: This Information Sheet is available in other languages. Go to 'Publications' on our website at www.ombudsman.wa.gov.au for details.