

### General Warning

The purpose of this fact sheet is to give general introductory information about the complaints process. It does not contain legal advice.

**WARNING:** Alternative legal action should be considered before making a complaint. What is included in a complaint may be relevant to any current or future legal proceedings. If you are involved in legal action you should immediately see a lawyer and not proceed with a complaint.

If you (or the complainant, if you are complaining on their behalf) want financial compensation, support or money you should see a lawyer before making a complaint.

### General complaint information

Complaints are rarely about just one thing. When you have a problem, it may be that a number of things have gone wrong. Below are some of the common areas where issues may arise that could lead to a complaint.

Discrimination	Disability and NDIS services	Policing, Custody and Detention
Seniors and Aged Care supports and services	Consumer and Business disputes	Phone and Internet services
Banking, Insurance and Superannuation	Energy and Water services	Housing and Real Estate
Health Care services	Employment issues	Education and Training providers
Government Agencies and Departments	Child Safety and Protection	State Fines and Debts
Corruption	Privacy and Access to Information	Media and Publications

There are different complaint bodies to handle different types of complaints. You should consider the different pathways available to decide the most appropriate pathway for your circumstances. One event could lead to multiple complaints. That means you may need to lodge more than one complaint to have all of your concerns addressed.

[The online triage tool on this website can help you to identify the different complaint bodies that may be able to assist you.]

It is usually quickest and easiest to try to resolve a complaint directly with the person or body you are having a problem with. Many complaint handling bodies will not act on a complaint unless you to have tried to resolve your complaint directly. If you do not feel it is safe or appropriate to complain directly, you should contact the relevant complaint body to discuss your situation.

### Complaints involving discrimination

There are state and federal complaints bodies that handle complaints that about discrimination. If your situation involves discrimination, you should consider making a discrimination complaint in addition to any other complaints. Discrimination may occur when someone is treated less favourably on the basis of: race; sex; gender; disability; age; sexuality; relationship status; pregnancy; caring responsibilities; or having or being thought to have an infectious disease.

**WARNING:** The state and federal bodies that handle discrimination complaints have different rules, including time limits. You can make a complaint to both the state and federal complaint bodies, but they may decide not to address your concerns if you have already complained elsewhere. For example, if you have already lodged a discrimination complaint to anti-discrimination NSW, it is likely that Australian Human Rights Commission will decide not to act on your complaint. Please carefully review the discrimination factsheets for information about your options before making a discrimination complaint.

## National Student Ombudsman

In this fact sheet, we introduce the National Student Ombudsman ('NSO'). We outline how complaints can be made by higher education students, or on behalf of higher education students, to the National Student Ombudsman.

The NSO is a free, independent federal complaints body within the Office of the Commonwealth Ombudsman. It deals with complaints about actions of higher education providers, including issues such as student safety and wellbeing, admissions, enrolment, exclusion, special consideration, reasonable adjustments, course administration, complaints and appeals processes, and provider-operated student accommodation.

It does not deal with academic judgement, VET course matters, employment matters, or providers that are not TEQSA-registered higher education providers.

## Legislation and Key Terms

### Relevant Legislation:

- [Ombudsman Act 1976 \(Cth\)](#)
- [Universities Accord \(National Student Ombudsman\) Act 2024 \(Cth\)](#)

### Key terms:

**Academic judgement:** A decision involving academic assessment or academic opinion, such as marking, grades, or academic merit. Complaints about academic judgement are excluded from the NSO's role.

**Alternative dispute resolution:** A process the NSO can use to help resolve a complaint without a formal investigation. The NSO may refer to this as conciliation.

**Complainant:** A person who makes a complaint to the NSO, or a person on whose behalf a complaint is made.

**Complaint:** A complaint to the NSO is a complaint about an action taken by a higher education provider, unless the action is excluded by law.

**Excluded action:** A type of action the NSO cannot deal with, such as academic judgement, VET matters, employment-related action, or appointments to office.

**Higher education provider:** A provider within the NSO's remit. In practice, the NSO's official guidance says this means a provider registered with TEQSA.

**Higher education student:** A person who can complain to the NSO. Official guidance says this includes current, former and prospective students of higher education providers, including international students.

**Provider-operated student accommodation:** Student accommodation that is owned or operated by a higher education provider. The NSO can deal with complaints about this type of accommodation where the complaint can be made to the provider.

**Restorative engagement:** A voluntary process the NSO can use in some matters, including some historical or gender-based violence matters, to allow a student's experience and harm to be heard and acknowledged.

**TEQSA:** The Tertiary Education Quality and Standards Agency, the national regulator for higher education providers. The NSO's public guidance uses TEQSA registration to explain which providers fall within its remit.

**VET course:** A vocational education and training course. Complaints about VET courses are outside the NSO's role.

**Step 1:** What type of Complaints can be made to this body?

**The NSO can deal with a wide range of complaints about higher education providers. Its role is defined more by what it cannot deal with than by a closed list of what it can deal with (*Ombudsman Act 1976 (Cth) s21AD(2)*). The complaint types below are common examples of matters the NSO can look at, but they are not the only types of complaints it may consider.**

Sub-category	Example
Student safety and wellbeing	<p><b>You should make a complaint if your higher education provider's action, inaction, or response about your safety or wellbeing as a student was wrong, unfair, inadequate, or not handled properly.</b> This includes issues such as gender-based violence, discrimination, racism, antisemitism and islamophobia.</p> <p><i>Example:</i></p> <ul style="list-style-type: none"> <li>• <i>Zara reports sexual violence connected to her student experience and says the university's response was unsafe and did not properly support her.</i></li> <li>• <i>Bilal reports repeated racist and Islamophobic abuse in a university setting and says the provider did not respond appropriately or protect him.</i></li> <li>• <i>Eva says her provider knew about a serious student safety risk but failed to take reasonable steps to address it.</i></li> </ul>
Admissions, enrolment and exclusion	<p><b>You should make a complaint if your problem is about getting into a course, enrolling, staying enrolled, re-enrolling, or being excluded, and you say the provider handled it wrongly or unfairly.</b> This applies to prospective, current and former students.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>Linh says her university mishandled her enrolment into a compulsory subject and she could not continue her course on time.</i></li> <li>• <i>Marcus is excluded from his degree and says the provider did not handle the decision properly.</i></li> <li>• <i>A prospective student, Nia, says her application process was mishandled while she was trying to enrol.</i></li> </ul>
Special consideration, reasonable adjustments and disability or special-circumstances support	<p><b>You should make a complaint if your provider did not properly deal with special consideration, disability adjustments, a learning access plan, or support needed because of illness, disability, or special circumstances.</b></p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>Emma has a learning access plan, but her provider does not implement the agreed adjustments and rejects extension requests without properly addressing her support needs.</i></li> <li>• <i>Noor applies for special consideration after being hospitalised and says the provider handled the application inconsistently and without properly considering her evidence.</i></li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Dylan says his disability-related adjustments were delayed or refused in a way that affected his ability to study.</i></li> </ul>
Course administration and information	<p><b>You should make a complaint if your problem is about course administration, records, processing, or the timeliness or accuracy of information your provider gave you, and that problem affected your study.</b></p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>Daniel is given incorrect advice about course requirements and misses a compulsory subject, delaying graduation.</i></li> <li>• <i>Priya says her provider took too long to correct an enrolment or record error and she could not progress in her studies.</i></li> <li>• <i>Mei says key course information was communicated late or inaccurately and she suffered academic or administrative consequences.</i></li> </ul>
Teaching provision and facilities	<p><b>You should make a complaint if your provider handled teaching delivery, staffing, or student facilities badly and that affected your student experience.</b> Areas such as teaching provision, facilities, sufficiency of staffing, and provider changes to course structures are matters the NSO may consider.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>A cohort says the provider did not arrange enough teaching staff and important classes were not properly delivered.</i></li> <li>• <i>Yusuf says essential teaching facilities were not adequately available and this seriously affected his studies.</i></li> </ul>
Course structure changes	<p><b>You should make a complaint if your provider changed the structure of your course and handled that change unfairly, unclearly, or without proper transition arrangements.</b></p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>Hannah says her provider made a major change to the course structure mid-degree and did not give students clear transition information.</i></li> <li>• <i>Leah says a restructuring of her program created unexpected progression problems and the provider did not explain the changes properly.</i></li> </ul>
Complaints and appeal procedures	<p><b>You should make a complaint if your provider's complaint or appeal process was unfair, confusing, delayed, or did not deal properly with the issues you raised.</b> Administrative complaints about how a grade appeal was handled may be considered, even though the NSO cannot review academic judgment itself.</p> <p><i>Examples:</i></p>

	<ul style="list-style-type: none"> <li>• <i>Aisha makes a formal complaint and says the provider's process was confusing, delayed and did not address her main concerns.</i></li> <li>• <i>Sofia appeals a decision and says the provider did not explain why the appeal failed.</i></li> <li>• <i>Ben says his grade appeal process was mishandled, even though he understands the NSO cannot re-mark his work.</i></li> </ul>
Failure to clearly explain a decision	<p><b>You should make a complaint if your provider made a decision affecting you but did not clearly explain the reasons for it.</b></p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>Sofia receives an outcome that affects her enrolment, but the provider does not explain the basis for the decision.</i></li> <li>• <i>Omar is refused an internal request and says the reasons given were too vague to understand or challenge.</i></li> </ul>
Student accommodation run by the provider	<p><b>You should make a complaint if your issue is about student accommodation run by your university or higher education provider, and the complaint is really about the provider's action, inaction, or complaint handling.</b></p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> <li>• <i>Aarav lives in university-run accommodation and says serious safety issues were not handled properly.</i></li> <li>• <i>Chloe makes a complaint about accommodation managed by her provider and says the complaint process failed to deal properly with her concerns.</i></li> </ul>
Exclusions  <i>Ombudsman Act 1976 (Cth) s21AD(3)</i>	<p>The National Student Ombudsman cannot deal with:</p> <ul style="list-style-type: none"> <li>• complaints about employment with a higher education provider</li> <li>• complaints about appointments to office at a higher education provider</li> <li>• complaints about academic judgement</li> <li>• complaints about VET courses</li> <li>• complaints about students who are not higher education students of the provider</li> <li>• any other excluded action set out in the National Student Ombudsman Rules.</li> </ul>

## Step 2: What is the Jurisdiction of the complaints body?

Jurisdiction	Description
Federal	The NSO is a federal complaint body. A complaint may be made by or on behalf of a higher education student about any action of a higher education provider unless it is an excluded action. This means the legal scope is broad, but it is still limited to higher education provider

<i>Ombudsman Act 1976 (Cth) Part IIF, specifically s21AD</i>	actions, not every problem a student may experience.
Geographical Scope  <i>Ombudsman Act 1976 (Cth) s21AD</i>	The NSO handles complaints about TEQSA-registered higher education providers.
Time Limitations	There is no time limit for matters you want to raise with the NSO. They can consider complaints that have happened recently or in the past.
Exercise of discretion  <i>Ombudsman Act 1976 (Cth) s21AJ</i>	The NSO may choose not to deal with, or not continue to deal with, a complaint in some circumstances. This includes where the complaint is frivolous, vexatious, not made in good faith, where the complainant does not have a sufficient interest, where the issue has not first been raised with the provider, where another body or a court or tribunal is dealing with the matter, or where the NSO considers that dealing with the complaint is not warranted in all the circumstances.

### Step 3: Who can you make a complaint against?

Respondent	Description
Higher education provider  <i>Ombudsman Act 1976 (Cth) s21AD</i>	A complaint to the NSO is made against a higher education provider, not against an individual staff member personally. This means a provider that is registered with TEQSA and listed on the national register. This includes public and private universities, Australian branches of overseas universities, university colleges and institutes of higher education.
Actions treated as provider actions  <i>Ombudsman Act 1976 (Cth) s3(6E)</i>	Action taken by a person can be treated as action by the provider if the person acted because they were the provider's principal executive officer or a higher education officer of the provider. This means complaints can still be about what staff or others acting for the provider did, but legally the complaint is against the provider.
Exclusions	The NSO cannot deal with complaints against providers that are not within its jurisdiction, including providers that are not TEQSA-registered higher education providers. It also cannot deal with matters that are really only about a VET course.

### Step 4: Are you eligible to make a complaint?

Eligibility	Description
Who can make a complaint?  <i>Ombudsman Act 1976 (Cth) s21AD(1)</i>	A complaint can be made by, or on behalf of, a current, former or prospective higher education student of the provider. This includes domestic and international students.
Complaints made on behalf of a student	A complaint can be made on behalf of a student. If another person is acting for the student and is not the student's legal guardian or legal

<i>Ombudsman Act 1976 (Cth) s21AD(1)(b)</i>	representative, the NSO requires the student's consent using its permission form.
Do you need to complain to the provider first?  <i>Ombudsman Act 1976 (Cth) s21AJ</i>	No. The NSO encourages students to raise the issue with the provider first where it is safe and practical, but it is not a strict legal requirement. If you have not done that, the NSO may ask why and decide the most suitable next step.
Anonymous complaints	The NSO can accept anonymous complaints. These can be made by phone or by using a pseudonym on the online form. But anonymity may limit what the NSO can do to resolve the matter for you personally.

**Step 5:** What remedies are available at this body?

<b>Power</b>	<b>Description</b>
Referral, ADR, restorative engagement, investigation  <i>Ombudsman Act 1976 (Cth) ss21AG, 21AK–21AT</i>	The NSO can deal with a complaint in several ways. It may refer the complaint to the provider for investigation and report, use alternative dispute resolution, use a restorative engagement process, or investigate the complaint itself.
Recommendations after referral or investigation  <i>Ombudsman Act 1976 (Cth) ss21AL, 21AV</i>	The NSO can make recommendations to the provider. These may include recommending that the provider reconsider a decision, explain its reasons properly, take practical steps to address the student's situation, or change a policy or practice. These are examples of recommendations, not guaranteed remedies in every case.
Reports and escalation  <i>Ombudsman Act 1976 (Cth) ss21AV–21AW</i>	After an investigation, the NSO can give a report to the provider. If the NSO thinks the provider has not taken adequate and appropriate action within a reasonable time, it can give the report to the Higher Education Minister and request that it be tabled in Parliament.
Information gathering powers  <i>Ombudsman Act 1976 (Cth) ss21AZ–21AZA, 21AZC</i>	The NSO has information-gathering powers. It can make inquiries and issue written notices requiring information, documents, records, or attendance to answer questions, and can seek Federal Court orders for non-compliance.
Procedural fairness and confidentiality  <i>Ombudsman Act 1976 (Cth) ss21AZD, 21AY</i>	The NSO must accord procedural fairness where required, and it must not identify a complainant in its reports without consent. The NSO also says privacy and confidentiality are very important, although it may be unable to progress or resolve a complaint if you do not consent to necessary information sharing.
Exclusions	The NSO does not remake the provider's decision and does not have enforcement powers. It can assess whether the provider's decision or

action was unreasonable, unjust, oppressive, discriminatory or otherwise wrong, and can make recommendations.

### Step 6: Preparing your complaint. What should it include?

Requirement	Description
Format	<p>You can make a complaint to NSO via their <a href="#">online form</a>, phone, in person or mail.</p> <p>First Nations people can contact NSO on 1800 060 789.</p> <p>If you are Deaf/deaf, hard of hearing or have a speech difficulty, you can use the National Relay Service.</p> <p>If English is not your first language, the Translating and Interpreting Service (TIS) is a free-of-charge service available on 131 450.</p>
Personal Details	<p>If you would like to make the complaint anonymously, you must call their phone service on 1300 362 072. The phone service is available Monday to Friday, 10:00 am to 4:00 pm AEST, or AEDT during daylight savings.</p> <p>Otherwise, you must include your:</p> <ul style="list-style-type: none"> <li>• Name</li> <li>• Date of birth</li> <li>• Passport nationality</li> </ul>
Respondent's Details	<p>You must include:</p> <ul style="list-style-type: none"> <li>• The respondent's name</li> <li>• Whether you have complained to the provider</li> </ul>
Relevant Facts	<p>You must include:</p> <ul style="list-style-type: none"> <li>• The details of your complaint</li> <li>• What contact you have had with the provider about the issue</li> <li>• What outcome you are hoping for</li> </ul> <p>It is encouraged to provide supporting documentation, noting there is a maximum upload size of 20 MB.</p>
If someone is acting for you	<p>If another person is making the complaint for you or communicating with the NSO for you, the NSO says you need to complete its permission form before it can discuss the complaint with that person.</p>
Additional information you need to know	<p>When using the online form, you will need to select "University or Higher Education Provider" from the first drop down "What is your contact about".</p> <p>You will need to provide enough information for us to understand your complaint and decide on how to proceed.</p>

If you would like to give permission for someone to make a complaint on your behalf, or communicate with the NSO on your behalf, you need to complete the [Permission for another person to act on my behalf form](#).

### Step 7: Lodging your complaint and next steps.

Step	Description
Where to lodge your complaint	<p><b>Online form:</b> <a href="#">Here</a></p> <p><b>Post:</b> Sent to:</p> <p style="padding-left: 40px;">National Student Ombudsman, GPO Box 442, Canberra ACT 2601</p> <p style="padding-left: 40px;">Include your phone number so NSO can contact you.</p> <p><b>Telephone:</b> To make a complaint by phone, call 1300 395 775.</p> <p>They are available during the following hours:</p> <ul style="list-style-type: none"> <li>• Monday 10:00 am – 4:00 pm</li> <li>• Tuesday 10:00 am – 4:00 pm</li> <li>• Wednesday 10:00 am – 2:00 pm</li> <li>• Thursday 10:00 am – 4:00 pm</li> <li>• Friday 10:00 am – 4:00 pm</li> </ul> <p><b>In person:</b> You can make a complaint in person at the following Commonwealth Ombudsman office locations between 10am and 4pm Monday – Friday.</p> <ul style="list-style-type: none"> <li>• Adelaide - Level 11, 25 Grenfell Street</li> <li>• Canberra - Level 5, 7 London Circuit</li> <li>• Brisbane - Level 22, 215 Adelaide Street</li> <li>• Sydney - Level 20, 60 Castlereagh Street</li> <li>• Melbourne – Level 2, 452 Flinders Street</li> </ul> <p><b>Note:</b> Appointments are not required but NSO encourages you to call ahead to ensure a staff member is available to discuss your complaint.</p> <p>Please call ahead on 1300 395 775 if you would like to make an in-person appointment.</p> <p><b>Regional:</b> If you are in a regional location and want to talk in person with a complaints officer, you must email <a href="mailto:nsooutreach@ombudsman.gov.au">mailto:nsooutreach@ombudsman.gov.au</a>.</p>

What happens next	<p>If you lodge online, the NSO says you will receive an automatic acknowledgement email with a reference number.</p> <p>If you complain by phone or in person, you will receive the reference number verbally.</p> <p>The NSO then considers the information you provided, may ask for more information, discusses next steps with you, and says it will provide progress updates and explain the outcome.</p>
-------------------	---

### Step 8: Post-complaint – what if you are not happy with the outcome of your complaint?

Avenue	Description
Review of an NSO complaint decision	If you think the NSO's decision about your complaint was wrong, you can ask for a review. The request should be made in writing within 3 months of the date the NSO advised you of its decision. You should explain why you say the decision was wrong and include any relevant supporting information. Not every review request is accepted. If accepted, it is handled by an officer with no prior involvement in the case. The NSO aims to complete most reviews within 60 days.
Complaint about the NSO's service delivery	If your problem is about the way the NSO treated you or delivered its service, rather than the substance of the decision, you can complain about service delivery. The NSO assesses these complaints against the Commonwealth Ombudsman Service Charter and aims to respond within 30 days.
Reprisals after making a complaint  <i>Ombudsman Act 1976 (Cth) ss35D–35F</i>	It is illegal for a provider to take, or threaten to take, reprisal action against a student because the student has made, is considering making, or may be able to make an NSO complaint. Students can apply for civil remedies, and reprisals can also amount to a criminal offence. The NSO says students should notify it if reprisals happen or are threatened.

### Step 9: Other bodies that handle complaints about

Complaint body	Description
Tertiary Education Quality and Standards Agency (TEQSA)	TEQSA is the national higher education regulator. It can receive concerns and complaints about registered higher education providers, but its role is mainly regulatory: it uses complaint information to assess whether a provider is meeting its legal and quality obligations, rather than primarily resolving an individual student's dispute.
Australian Human Rights Commission (AHRC)	The AHRC may overlap where the issue involves discrimination, harassment, or other human rights concerns in education. It is a national body that helps resolve complaints about discrimination under federal law, so it may sit alongside or instead of the NSO where the complaint is really about discriminatory treatment.
State or territory anti-discrimination /	These bodies may also overlap where the complaint is about discrimination, sexual harassment, vilification, or victimisation under state or territory law. In practice, that means a student's issue might

equal opportunity bodies	potentially fit both the NSO and a local discrimination body, depending on the facts and the legal pathway they want to use.
Office of the Australian Information Commissioner (OAIC)	The OAIC may overlap where the issue is about privacy, data handling, access to personal information, or misuse of student records. It handles privacy complaints about organisations and agencies covered by the Privacy Act, so it is the more specific body where the main issue is information privacy rather than broader student treatment.
State or territory Ombudsman bodies	These may overlap in some cases involving public institutions or state/territory government actions, although the NSO is now the specialist body for higher education student complaints. They are more relevant where the issue is tied to a state or territory government function, or where another education complaint pathway sits outside the NSO's scope.

### Need help to preparing or pursuing your complaint?

Below are organisations that may be able to help you to make your complaint, provide support or advocacy during the complaint process or give you more information.

Organisation	Contact Details	How they can help
Tertiary Education Quality and Standards Agency	<a href="#">Online enquiry form</a> Website: <a href="http://www.teqsa.gov.au">www.teqsa.gov.au</a> Telephone: 1300 739 585 Email: <a href="mailto:enquiries@teqsa.gov.au">enquiries@teqsa.gov.au</a>	General enquiries can be made using the online form, telephone or via email.  To report academic cheating, you can use this <a href="#">online form</a> .  To raise a complaint or concern about a provider, you can go to this <a href="#">webpage</a> .
<b>Translating and Interpreter Service</b>	Website: <a href="http://www.tisnational.gov.au">www.tisnational.gov.au</a> Telephone: 131 450	Provide support to people if English is not their first language.
<b>National Relay Service</b>	Website: <a href="http://www.accesshub.gov.au">www.accesshub.gov.au</a>	Provides a range of services to support people who are deaf or have a hearing or speech impairment to communicate.

### Self-help tools and additional resources

Resource	How this helps
<a href="#">StudyAssist</a>	Guidance for students on how to submit complaints about higher education providers
<a href="#">How to make a complaint</a>	Guidance on how to make a complaint from the NSW Ombudsman
<a href="#">Where to make a complaint</a>	A list of complaint services depending on your complaint type from the NSW Ombudsman.
<a href="#">Call It Out</a>	Online register for racism/discrimination experienced or witnessed towards First Nations Australians. Not an official complaints body.
<a href="#">Law Society: Know Your Rights</a>	Guidance for individuals who are uncertain about where to start when seeking legal advice.