

[REDACTED]

5 December 2024

Mr Peter Shoyer

Level 6, NT House
22 Mitchel Street
Darwin NT 0800
[REDACTED]

Dear Mr Shoyer

Managing National Student Ombudsman (NSO) – Northern Territory Ombudsman (NT Ombudsman) Relations

This letter is to establish arrangements to manage relations between our organisations within the higher education sector.

Legislative changes with the passing of the *Universities Accord (National Student Ombudsman) Act 2024* established the NSO as an escalated complaints handling mechanism for students within the higher education sector, allowing my Office to deal with, and investigate complaints, about any action taken by a higher education provider other than an excluded action.

I understand that the NT Ombudsman has existing responsibilities within this sector, including receiving complaints from students concerning their higher education provider.

In light of my Office's expanded role, I would like to establish arrangements which will focus on coordination, cooperation and information sharing between our two organisations for the effective oversight of the higher education sector.

I propose that the NSO and the NT Ombudsman agree to:

- work together to better the student experience within the higher education sector

- facilitate trauma informed referrals between our organisations where appropriate
- ensure all complaint referrals between our organisations are done with the express informed consent of the complainant
- share information, policy and guidance documents, including complaint assessment matrices, to ensure our organisations have the information required to accurately communicate complaints pathways to students
- the NT Ombudsman to share de-identified complaint data to enable the NSO to report on the volume of student complaints across Australia, and to consider national complaint trends among the higher education sector
- establish regular formal engagement and maintain contact lists of relevant officers to resolve any jurisdictional or administrative matters between our organisations
- partner together on stakeholder engagement initiatives within the NT Ombudsman's jurisdiction to promote best practice complaints handling and to improve the student experience within the higher education sector
- the NT Ombudsman to manage enquiries and complaints received by it where the NSO has jurisdiction, by discussing the potential for referral to the NSO with each complainant and referring the matter to the NSO if the complainant seeks to have the matter referred
- the NSO to manage enquiries and complaints received by it where the NSO does not have jurisdiction but the NT Ombudsman may have, by discussing the potential for referral to the NT Ombudsman with each complainant and referring the complaint to the NT Ombudsman if the complainant seeks to have the matter referred
- the NT Ombudsman to manage complaints which may involve an allegation of improper conduct under the *Independent Commissioner Against Corruption Act 2017* on a case by case basis and in consultation with the ICAC as required

- the NT Ombudsman to manage complaints which may involve an allegation of discrimination under the *Anti-Discrimination Act 1992* on a case by case basis and in consultation with the ADC as required
- manage complaints concerning controlled entities of higher education providers on a case-by-case basis, noting that our understanding of these entities shall develop over time.

I propose that if the above is acceptable to the NT Ombudsman, that this letter and your letter of confirmation in reply shall together constitute an Exchange of Letters between our two agencies and that a copy of this Exchange of Letters be published to our respective websites.

I further propose that this Exchange of Letters does not create any enforceable legal rights or obligations between our organisations.

Nonetheless, we agree to act reasonably and cooperate in good faith in accordance with the terms of this Exchange of Letters.

Additionally, if a dispute cannot be resolved at the contact officer level, the dispute will be escalated to the Deputies of each organisation, or to officers nominated by the contact officer for each organisation, for resolution.

This Exchange of Letters shall commence on the date the NT Ombudsman provides the letter of confirmation and will continue until either organisation provides notice to vary or terminate the arrangement.

Yours sincerely

Sarah Bendall



**First Assistant Ombudsman
National Student Ombudsman**