

[REDACTED]

20 January 2025

Ms Marlo Baragwanath

Level 2, 570 Bourke Street
Melbourne Victoria 3000

[REDACTED]

Dear Ms Baragwanath

**Managing National Student Ombudsman (NSO) – Victorian Ombudsman
(VIC 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 the primary escalated complaints handling mechanism for students within the higher education sector.

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

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 VIC Ombudsman agree to:

- 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
- 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 VIC Ombudsman's jurisdiction to promote best practice complaints handling the higher education sector
- consult with each other where necessary and, with the consent of the complainant, appropriately refer complaints that may amount to improper conduct within the meaning of the *Public Interest Disclosure Act 2012* (Vic) to the Independent Broad-based Anti-Corruption Commission (IBAC)
- manage complaints concerning TEQSA-registered dual providers¹ so complaints by VET students are handled by the VIC Ombudsman and complaints by higher education students may be referred to the NSO
- 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
- ensure that students may complain about breaches of the *Charter of Human Rights and Responsibilities Act 2006* (VIC) by consulting with each other where necessary and, with the consent of the complainant, appropriately referring complaints with significant Charter implications to the VIC Ombudsman.

¹ A dual provider is an entity that can confer both higher education awards and Vocational Educational Training qualifications.

I propose that if the above is acceptable to the VIC Ombudsman, this letter and your letter of 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.

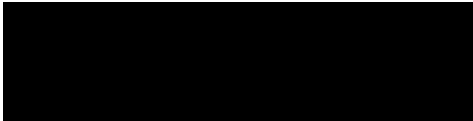
I further propose that this Exchange of Letters does not create any enforceable legal rights or obligations between our organisations.

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 VIC 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