



# Advice for international students

## Brighton Pacific Pty Ltd

This fact sheet provides information for international students enrolled with Brighton Pacific Pty Ltd (Brighton Pacific), which trades as the Australian Institute of Business and Technology. It brings together advice from a number of Australian Government agencies and other sources.

**27 September 2019**

## Key messages for students

In February 2019, the Australian Skills Quality Authority (ASQA) made a decision to cancel Brighton Pacific's registration as a training provider for domestic and international students.

Brighton Pacific sought a review of ASQA's decision and made an application to the Administrative Appeals Tribunal (AAT). A hearing of this matter was conducted in July 2019, in which Brighton Pacific had the opportunity to provide further evidence.

The AAT's decision was made based on consideration of all information, including the new information provided during the hearing. As a result, the AAT made a decision on 19 September to set aside ASQA's decision to cancel Brighton Pacific's registration and determined that the provider's registration can be renewed for a period of three years, subject to conditions that address areas of past non-compliance.

These conditions include:

- improving PRISMS compliance
- reviewing the assessment system to reduce occurrence of alleged plagiarism
- arranging for independent validation of assessment system.

Brighton Pacific's compliance with these conditions will be monitored by ASQA.

None of these conditions will affect Brighton Pacific's ability to recruit students and current students should continue with their studies as planned.

Both ASQA and Brighton Pacific have 28 days from the date of the decision to decide whether they will lodge an appeal.

If student have concerns or complaints about their experience with Brighton Pacific, they are able to raise these with the relevant authorities. Details of how to do this are below.

## **Australian Institute of Business and Technology - International**

Brighton Pacific has a related entity, the Australia Institute of Business and Technology – International (AIBT-I). The providers operate under the same trading name and share resources, facilities, staff, and a website. The AAT decision is only for Brighton Pacific.

On 2 September 2019 ASQA informed AIBT-I that it had made the decision to cancel its registration as a training provider for domestic and international students. The decision will come into effect from 7 October 2019. AIBT-I can seek a review and stay of this decision in the AAT.

Current or prospective students with AIBT-I should:

- continue attending classes and meeting other obligations in line with their student agreement with AIBT-I; and
- ensure that they maintain legal visa status.

If AIBT-I does close, students will be covered by Australia's Tuition Protection Service (the TPS). The TPS is aware of ASQA's decision to cancel. We encourage students to monitor the Department of Education website for information updates. <https://internationaleducation.gov.au/Pages/default.aspx>

## **Australian Government protection for international students**

The Australian Government takes its responsibilities to international students very seriously. There are a number of protections in place to support students. Some of the most important are mentioned here.

### ***What is the Tuition Protection Service?***

The Tuition Protection Service (TPS) supports students in the case of their provider is unable to provide courses for students. This is called a “provider default”.

In the case of provider default, the provider is required to either place the student in an equivalent course, or refund unspent tuition fees to the student. If the provider fails in its obligations, TPS steps in and assists the students.

Unspent tuition fees are monies paid by a student to the provider in advance of having received the tuition/teaching: e.g. if a student pays \$1000 for a 10 week course and only receives 7 weeks of tuition, they would be entitled to a refund of \$300.

### ***What is the Australian Skills Quality Authority?***

The Australian Skills Quality Authority (ASQA) is the national regulator for Australia’s vocational education and training sector.

ASQA regulates courses and training providers to ensure nationally approved quality standards are met.

### ***What is the Commonwealth Ombudsman?***

The Commonwealth Ombudsman has a special role in considering complaints from international students.

International students in Australia have the right to complain to their education provider about problems that they are having with that provider or an education agent.

If after using Brighton Pacific's internal complaints and appeals process students are not happy with the outcome, students have the right to make an external complaint to the Commonwealth Ombudsman.

The sorts of complaints that we commonly consider include:

- complaints about tuition fees and refunds
- complaints about provider decisions not to release a student for study with another provider
- complaints about statements of attainment and academic transcripts
- complaints about education agents
- complaints about provider monitoring of attendance and course progress.

## **How to make a complaint**

As an international student, there are steps you should take if you wish to make a complaint about your provider. The National Code of Practice for Providers of Education and Training for Overseas Students 2018 (National Code 2018) sets out obligation to education providers to deal with student complaints.

### **Internal complaints and appeal process:**

First, if you wish to make a complaint about your provider or the services provided to you, you are entitled to lodge a complaint through your provider's internal appeal process. Providers must have a process for you to lodge a formal complaint if it cannot be resolved informally, and must respond to any complaint you have regarding:

- your dealings with the registered provider
- the registered provider's education agents
- any related party the registered provider has an arrangement with to deliver the overseas student's course or related services.

If you have not already made a formal complaint to your provider about your grievances, you should do so as soon as possible to allow your provider to address your concerns. Your provider is required to address your complaint in accordance with the requirements of the National Code 2018.

### **External complaints and appeals process**

After you have accessed the internal complaints handling and appeals process, and if you are not satisfied with the outcome of the internal appeals process, you can follow up your complaint to an external body. Your provider must advise you of your rights to seek an external complaints and appeals process at minimal or no cost within 10 working days of the completion of the internal complaints handling and appeals process. The appropriate external complaints body will be the Commonwealth Ombudsman. You can make a complaint to the Commonwealth Ombudsman using the online complaint form at [www.ombudsman.gov.au](http://www.ombudsman.gov.au). If you are unable to complete the online form, you can contact them on 1300 362 072. In some cases, the Commonwealth Ombudsman may decide not to investigate your complaint if you have not made a complaint or appeal to your provider first.

## **Support for overseas students**

### ***Where can I go for support?***

**Find a doctor/accessing mental health support through OSHC**

Allianz: <https://allianzassistancehealth.com.au/en/find-doctor>

Bupa: [www.bupa.com.au/health-insurance/oshc/members-help-guide/find-a-doctor](http://www.bupa.com.au/health-insurance/oshc/members-help-guide/find-a-doctor)

Refer to your provider and policy for mental health coverage

### **Redfern Legal Centre**

Email: <https://rlc.org.au>

Social media: [www.facebook.com/redfernlegalinternational](http://www.facebook.com/redfernlegalinternational)

Phone number: (02) 9698 7277

### **Beyond Blue**

Website: [www.beyondblue.org.au](http://www.beyondblue.org.au)

Phone number: 1300 224 636

### **Lifeline**

Website: [www.lifeline.org.au](http://www.lifeline.org.au)

Phone number: 13 11 14

### **Kids Helpline (age 5-25)**

Website: <https://kidshelpline.com.au>

Phone number: 1800 551800

## **For more information**

### **Tuition Protection Service**

Website: [www.tps.gov.au](http://www.tps.gov.au)

Contact: [Administrator@A.TPS.gov.au](mailto:Administrator@A.TPS.gov.au)

### **Commonwealth Ombudsman**

Website and contact: [www.ombudsman.gov.au/How-we-can-help/overseas-students](http://www.ombudsman.gov.au/How-we-can-help/overseas-students)

### **Australian Skills Quality Agency**

Website and contact: [www.asqa.gov.au/complaints](http://www.asqa.gov.au/complaints)

