



Annual Report

2019 | 2020





iStudent Complaints

Year in review

1 July 2019 – 30 June 2020



102

Enquiries



39% of enquiries were made online and 36% by email



37

Facilitations & Mediations



37% of accepted claims this year came from Chinese students, followed closely by students from India at 31%

276%

increase in
Facebook followers



172,090
Facebook likes,
comments & shares!



5

decisions
made

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Welcome

Tēnā koutou katoa

Welcome to the iStudent Complaints Annual Report for 2019/20, our fourth year as the international student dispute resolution scheme.

During this last year, we have had to navigate through a global pandemic which had a huge impact on International Students being able to come back into the country to study. This also required close monitoring of the Government advice around COVID-19 and enhanced measures being put in place in early 2020.

When the lockdown was introduced, we were able to quickly move to a working from home environment, to ensure we could continue to support both international students and education providers through a very challenging time.

Overall it has been another great year for the team, with the number of enquiries increasing by 8.5%, and our social media presence growing by 276% in Facebook followers and 238% in FB impressions or views.

We have seen an increase in the number of enquiries that are accepted as claims, rising from 23 last year to 54 this year. We also received a higher number of enquiries during and post the COVID-19 lockdown. We believe this is because more students were able to participate in the process, as classes were withdrawn or cancelled and as there was more at stake financially, during this time.

Almost half of the enquiries we received were resolved or closed directly between the education provider and student, after initial assistance and referral by iStudent Complaints. Only **51% of enquiries** required formal assistance, and of the 42 complaints resolved through the iStudent Complaints formal processes **64% were resolved by facilitation, 24% by mediation and 12% by adjudication.**

I'd like to thank to the iStudent Complaints team for their hard work and dedication. In the year ahead we have some great plans, including updating our website, so watch this space!

Ngā mihi



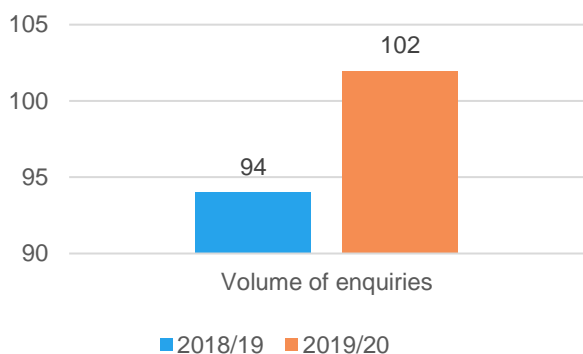
Liz Hogan

Liz Hogan is Head of Commercial Services at FairWay Resolution Limited. As part of this role, Liz provides leadership within FairWay and has oversight of iStudent Complaints.

Overview of enquiries

Volume of enquiries

Our focus is on early resolution. Many enquiries are resolved or closed directly between the education provider and student, after initial assistance and referral by iStudent Complaints.



There was a total of 102 enquiries in 2019/20 (an increase of 8 on last year's total of 94).

Only 51%* of enquiries required more formal assistance (facilitation / mediation / adjudication).

* Includes enquiries carried over from 2018/19

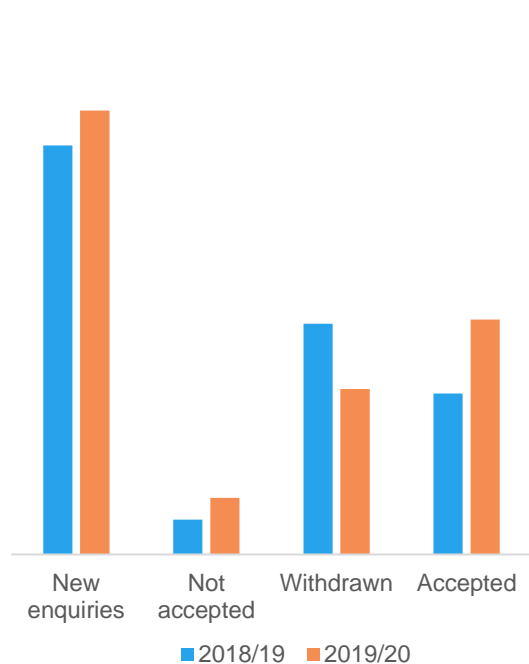
How enquiries were received

Digital communication channels continue to be most popular method of communication for international students seeking to contact iStudent Complaints.

39% of enquiries were made online and 36% were received by email.

	Last Year (2018/19)		This Year (2019/20)	
	#	%	#	%
NZQA referral	1	1%	0	0
Email	30	32%	37	36%
Online form	34	36%	40	39%
Post	0	0	0	0
Verbal	29	31%	25	25%

Enquiry analysis



	Last Year (2018/19)	This Year (2019/20)
Brought forward (Balance at 1 July)	4	10
New enquiries	94	102
Not accepted	8	13
Withdrawn / not proceeding*	53	38
Accepted claims	23	54
Carried forward (Balance at 30 June)	10	7

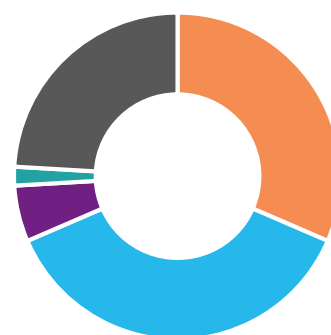
* Enquiries resolved or closed directly between the education provider and student, after initial assistance and referral by iStudent Complaints are noted as withdrawn/not proceeding below.

Overview of claims

Ethnicity

Ethnicity	Last Year (2018/19)		This Year (2019/20)	
	#	%	#	%
China	6	26%	20	37%
India	10	43%	17	31%
Other	1	4%	13	24%
Brazil	1	4%	3	6%
Italy	2	9%	1	2%
Russia	3	13%	0	0%
Total claims	23		54	

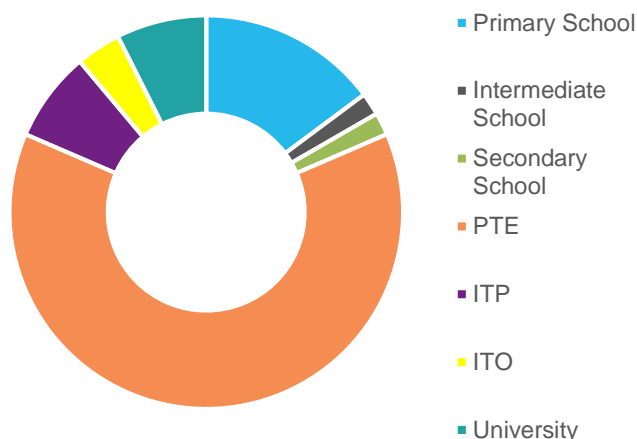
37% of accepted claims this year came from Chinese students, followed closely by students from India at 31%.



■ India ■ China ■ Brazil ■ Italy ■ Other

Education providers

iStudent Complaints received complaints from a broader selection of providers this year, as well as an increase in complaints involving Primary Schools.

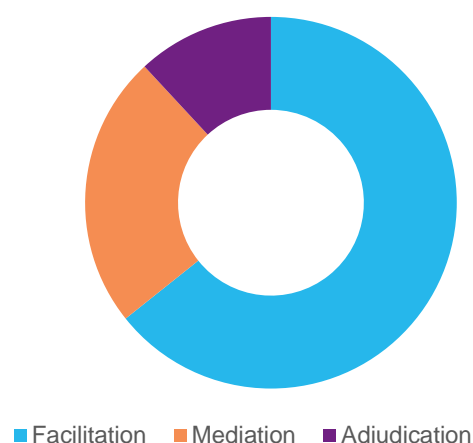


	Last Year (2018/19)		This Year (2019/20)	
	#	%	#	%
Primary	0	0%	8	15%
Intermediate	0	0%	1	2%
Secondary	0	0%	1	2%
PTE	21	91%	34	63%
ITP	0	0%	4	7%
ITO	0	0%	2	4%
University	2	9%	4	7%
Total	23	100%	54	100%

How claims were resolved

	Last Year (2018/19)	This Year (2019/20)
Brought forward (Balance at 1 July)	3	7
Resolved at facilitation	30	27
Resolved at negotiation	0	0
Resolved at mediation	3	10
Resolved at adjudication	7	5
Total claims resolved	40	42
Carried forward (Balance at 30 June)	7	17
Total	47	59

In most cases communication is key, and students and providers work things out between themselves with some independent assistance from iStudent Complaints (88%).



In the small number of cases where an agreement cannot be reached collaboratively (12%), we can make an independent decision on the matter.

Nature of the claims

iStudent Complaints resolves contractual and financial complaints between international students and their education providers. Most commonly, we are asked to assist in complaints that involve refund requests, for example if a student returns home before the end of their course or if they decide to switch programmes.

The top complaint categories in 2019/2020 were:

1. Refund – withdrawal (24%)
2. Refund – quality of academic provision (20%)
3. Other - (15%)

All 8 cases in the “Other” category for 2019/2020 related to the COVID-19 pandemic.

	Last Year (2018/19)	This Year (2019/20)
Total	23	54
Refund – Withdrawal	10	13
Refund – Quality of provision (academic)	2	11
Other *	3	8
Compensation		6
Incorrect fee	1	6
Misrepresentation	2	6
Refund – Termination	0	3
Refund – Visa declined	0	2
Refund – course closure	5	1
Termination **	0	1

* In 2018/19 “Other” cases related to Retake-Fee and Fee – Non-Attendance.
In 2019/20 “Other” cases related to COVID-19.

** Relates to claim about incorrect termination as opposed to claim regarding amount of refund.



Case studies

The assessment is not fair!

About this case

The student had completed a Level 4 course successfully with the provider and returned the following semester to complete the Level 5 course. A few months into the new course, the student felt that they were unfairly assessed in some of their individual and group assessments, which also affected the relationship between them, their fellow students and their tutor. The education provider felt that they had provided constructive feedback following the student's assessments, offered them support to achieve the standard, and provided opportunities for reassessments.

Communication between the student and education provider staff had become strained. The student was feeling frustrated and disappointed that they were likely to not achieve their Level 5 qualification. The education provider's staff had become anxious when they interacted with the student as the student spoke loudly and appeared angry when they came into the administrative offices.

How we helped

iStudent Complaints reviewed correspondence and talked to the parties separately about the problem. The use of an interpreter assisted us to fully understand the information the student wanted to share. We then discussed in separate confidential telephone calls the options each party had developed individually for resolving the dispute, and reality tested those options with them.

We offered encouragement for them both to meet, to discuss possible options and find a mutually agreeable resolution between themselves. We checked in with the student and the provider following the meeting to keep the momentum of their discussions going and offer further encouragement.

Outcome

The student and education provider came to an agreement on how the student would be able to proceed to complete their level 5 course.



Why are you paying the Agent part of my fees?

About this case

The student was concerned about a payment to a non-authorized Agent who they said was never formally 'engaged' and therefore the education provider had no right nor obligation to pay any Agent fee to.

The student came to iStudent Complaints to resolve this issue as they were of the view that the education provider was favouring their Agent and thereby breaching their obligations under The Education (Pastoral Care of International Students) Code of Practice.

How we helped

Following deeper conversations with both the student and education provider, and after collecting further information, both parties agreed to mediation.

iStudent Complaints held a joint mediation session to allow the parties to discuss their perspective about the issue in dispute. The mediation highlighted strongly opposed views, with both sides discussing some of the behaviours that they had perceived.

Agreement was reached to halt such behaviours in order to preserve the ongoing reputation of the student and the education provider.

During the mediation, the student and education provider agreed to close the mediation and proceed to adjudication, where iStudent Complaints can make a decision on the matter.

During the information gathering process for adjudication, the international student made an admission that the Agent was 'involved in my application to the [education provider].' Through the submission of paper work, the international student admitted to signing "the offer of place from the [education provider]" which outlined the education provider's mandate to deduct the appropriate fee to pay to the Agent who supported the international student's application to enrol.

Outcome

The adjudicated final decision found in favour of the education provider.



Refund delay



About this case

A South American student was unable to return to NZ and commence their new course at a Private Training Enterprise due to the COVID-19 pandemic. They had made a request to the education provider for a full refund of their fees, which the provider had agreed to, minus an administration fee. The provider's response had taken longer than the student felt that it

should have and the situation in their home country meant that a timely refund was a high priority for them.

How we helped

The student made an enquiry to iStudent Complaints expressing their frustration. iStudent Complaints contacted the provider and facilitated the communication between the parties through individual Zoom meetings, telephone calls and emails. The refund process had been delayed due to an issue with the student's agent.

Outcome

The refund was made to the student, and they looked forward to one day returning to New Zealand to recommence their study.

Kids can't attend due to COVID-19



About this case

A group of Chinese primary school students were due to travel to NZ to enjoy a term at a Primary school. Unfortunately, due to border closures and the subsequent lockdown, the students were unable to travel. Parents and agents of the students contacted the school and enquired about receiving a refund due to the students being unable to attend. The school's response was not acceptable to many of the parents.

How we helped

iStudent Complaints received several enquiries. iStudent Complaints contacted the school and assisted the parties involved by monitoring and prompting communication as well as clarifying queries and answers when meaning was lost in translation.

Outcome

All the complaints were resolved by either iStudent Complaints Resolution Coordinator facilitating discussions or via mediation with a Resolution Practitioner.

Systemic issues

Due to the coronavirus pandemic, New Zealand entered COVID-19 Alert Level 4 (lockdown) on 25 March 2020. iStudent Complaints facilitators efficiently transitioned to work from home environments, allowing the service to remain operational and available to students during this period.

Before Alert Level 4 lockdown, the iStudent Complaints team discussed a possible increase in enquiries and made plans around the process to be able to respond. As at 30 June 2020, we had received five COVID-19 related enquiries. Four have been from PTE students for English Language courses. These students came to New Zealand for a face to face learning environment and had to shift swiftly, along with their education providers to a fully online environment.

The issues that students have described to us in situation such as these included:

- Internet reliability
- Inadequate hardware e.g. laptop broken and not able to be fixed, no laptop and having to use their cell phone
- Student's living situations not being conducive to online learning due to others in their bubble, neighbours and ergonomics
- Online interaction with other student's living situations e.g. pets and other family members
- The difficulty of online learning e.g. many people talking at the same time, prolonged periods of time using digital devices
- The disappointment of not having the face to face experience they that they paid and travelled to New Zealand for
- The limited options of resolution with their provider – withdraw or continue with the online course as this had been made available, if deferment was offered – the financial cost of that.

Some students had not raised a complaint with their provider. We simultaneously notified the provider of the student's enquiry as well as suggesting that the student contact their provider. We continued to assist the parties' communication during this time.

Complaints regarding iStudent Complaints

No formal complaints were received concerning iStudent Complaints during the reporting period.

Performance measures

iStudent Complaints is committed to delivering a quality and efficient service to the students and education providers who need our services.

Performance Measure	Target	Achieved	Additional comments
Initial response to claim within 1 working Day	95%	95%	Target Achieved.
Triage Decision (accept and allocate practitioner, request further information or decline) within 15 working days of claim	95%	100%	Target Achieved.
Negotiation - Disputes managed by negotiation completed within 10 working days of triage decision)	90%	Not applicable	Zero cases were resolved through negotiation this reporting period.
Mediation – Disputes completed within 30 working days of triage decision. Disputes completed within 35 working days of triage.	85% 95%	70% 70%	Targets not achieved.* The average time for matters to resolve at mediation was within 31.5 days of the triage decision.
Adjudication – Disputes completed within 30 working days of decision to involve an adjudicator Disputes completed within 60 working days of the decision to involve an adjudicator	85% 95%	0% 60%	Targets not achieved.** The average length of adjudication was 67 working days. All five cases resolved at adjudication exceeded the 30-working day timeframe. Two of the five cases resolved at adjudication exceeded the 60 working day measure.
Service Quality - At least 75% of disputes are resolved by Consensual measures Less than 10% of adjudication decisions are modified by the District Court under section 238L(3)	75% or more Less than 10%	88% No modifications	Targets achieved. An increase on last year's performance was achieved, with 88% of disputes resolved by consensual means.

* Targets were not achieved as some parties required additional time to prepare and engage in the mediation process.

** Targets were not achieved as parties required additional time to prepare submissions and respond as part of the adjudication process.

Feedback

Here are some examples of feedback received:

From students

“I would like to thank you for all your help. I know that without your help we could not have solved this problem.”

“I just want to say a lot of thanks to all of you. Best wishes.”

“Thanks for your support throughout the case.”

“I would personally like to thank you for the action you took to provide me the refund and thank everyone who helped me in this matter.”

“If I hadn't known about iStudent, I would have lost good experience. You gave me an opportunity to study face to face. I can't thank you enough for everything.”

From providers

“Thanks for your patience.”

“Our thanks to [facilitator] for facilitating this mediation.”

Raising awareness of iStudent Complaints

Through our communications and marketing activities, we are creating awareness of iStudent Complaints amongst our core audience groups. We are seeing particularly strong results from our digital engagement with international students. Highlights from the year include:

Email newsletters

Education providers who are signatories to the Education (Pastoral Care of International Students) Code of Practice 2016 are a key audience for iStudent Complaints. Throughout the year, we released email updates which were tailored for this sector.



Topics included:

- Who we are, what we do and how much we cost
- 2018/19 by numbers
- About the complaints received
- Tips for taking complaints
- Case studies
- A Christmas card.

COVID-19 communications

During the pandemic, iStudent Complaints issued several updates to advise students, education providers and others that our service remained open.



Communications included:

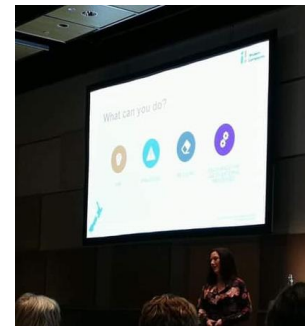
- Statements for each COVID-19 Alert Level
- Social media posts – on Facebook and Instagram
- FairWay email mailout to community groups referencing iStudent Complaints.

In addition, the iStudent Complaints blog has focussed on ways for international students to continue enjoying their New Zealand experience from within their bubbles. Examples include:

- A Guide to Making the Most of New Zealand in Lockdown for International Students
- Another 5 Kiwi Things to Do in Lockdown for International Students
- 7 Tips for Online Learners and International Students.

Events

2019 NZIEC Conference



iStudent Complaints was a sponsor of the New Zealand International Education Conference (NZIEC) which was held in Auckland.

Between our trade stand, our presentation and attending events, we were able to promote and discuss the role of iStudent Complaints with education providers and others working in the international education sector.

Porirua Waitangi Day Festival



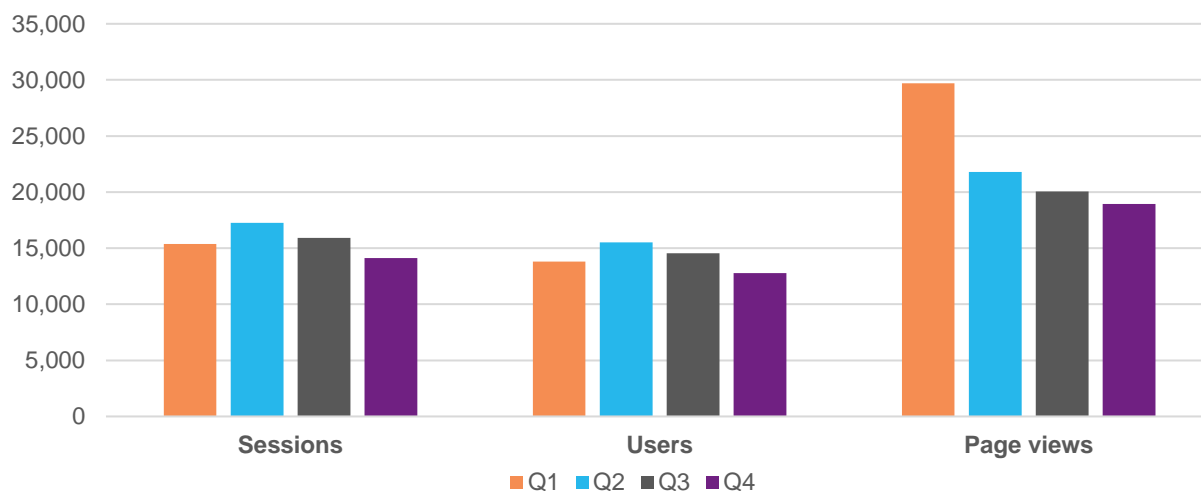
In early February, FairWay hosted a stall at the annual Porirua Waitangi Day Festival.

At the event, we shared information with other organisations and engaged with individuals from the wider Wellington community.

The iStudent Complaints flag was a great way to prompt conversations with international students, education providers and host families who attended the event.

iStudent Complaints website

The iStudent Complaints website continues to be a popular source of information.



Our website page views have grown considerably from last year:

	Q1	Q2	Q3	Q4	Totals
2017/18	4038	5019	5394	4731	19,182
2018/19	4770	10790	20,115	28,444	64,119
2019/20	29,710	21,798	20,067	18,941	90,516

The weekly iStudent Complaints blog drives regular traffic to the website. In addition, some older blogs remain popular and continue to generate traffic.

Our top ten pages last year were:

- **The Top 12 Best NZ Gifts and Souvenirs to Take Home or Give to Family/Friends**
- **Home page visits**
- **The Best 10 Kiwi Slang Words, Phrases and Kiwi-isms for International Students to Understand**
- **20 Legendary Kiwi Bands and Musicians International Students Should Hear**
- **Making a complaint**
- **About**
- **Top 8 Universities for International Students to Attend in NZ and Our Highlights of Each One**
- **Top 10 Iconic Kiwi Advertisements for International Students to See (Part 1 of 2)**
- **25 Iconic Kiwi Songs International Students Should Listen To – Part Two**
- **Resources/Publications.**

Social media

Facebook

iStudent Complaints strong social media presence anchors on a weekly blog series that is tailored for international students. Over the past year we have had a great reaction to our Facebook page, which now has over 60,000 followers!

<https://www.facebook.com/istudent.complaints/>



+40,039
new followers



1,630,340
impressions/
views!

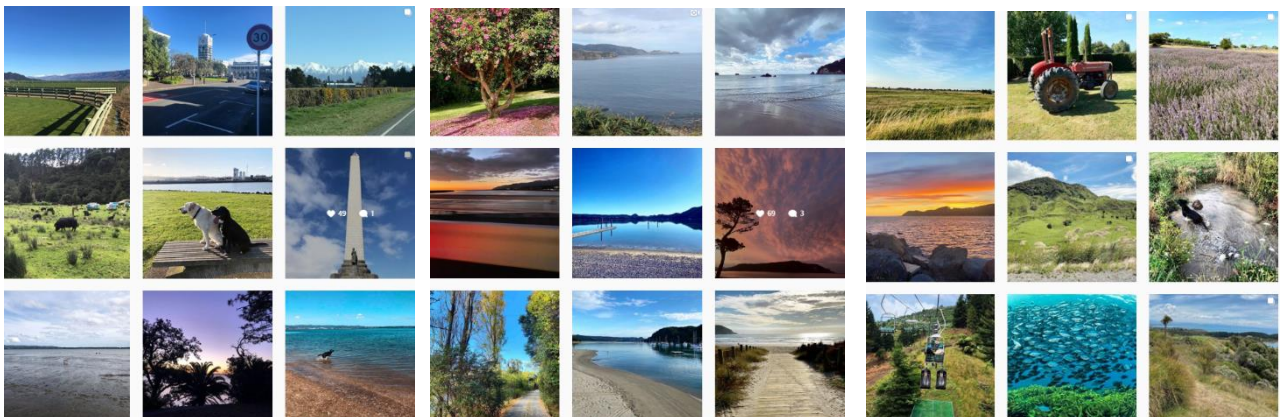


172,090
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Instagram

Our iStudent Complaints Instagram page has maintained followers and we continue to share imagery of New Zealand.

<https://www.instagram.com/istudentnz/>



Financial performance

For the year ended 30 June *

	2020	2019
	\$000	\$000
Income	231	222
Depreciation and Amortisation	0	7
Personnel	62	51
Other **	151	89
Operating costs	213	147
Operating surplus	18	75

* Presented as an extract from financial statements prepared for FairWay Resolution Holdings Limited.

** Other includes: Interpreters, Occupancy, ICT, Finance, HR Support, and Travel.