



# Student Complaints Resolution Procedures

## 1) Purpose

The purpose of this procedure is to outline the processes to raise, investigate and resolve complaints at Unitec in accordance with the [Student Complaints Resolution Policy](#).

## 2) Principles

Parties to a Student complaint have the right and responsibility to:

- a) seek support and advice;
- b) bring a support person to any meetings;
- c) be treated with courtesy and respect at all times;
- d) a fair and timely investigation;
- e) express their points of view without fear of recrimination;
- f) receive full information at all stages of the complaint process;
- g) be advised in writing of all decisions made in relation to the complaint subject to any Privacy Act and/or any confidentiality agreements;
- h) appeal the outcome within the scope of the Appeals procedure;
- i) respect the points of view of others;
- j) respect the rights of All Parties to the complaint with respect to confidentiality;
- k) in the case of the Complainant, ensure that the complaint is made in good faith;
- l) provide full and accurate information to the person investigating the complaint; and
- m) not take any action that may prejudice the situation or be regarded as an act of recrimination against any other party.

## 3) Resolving a concern informally

In many circumstances using informal channels may lead to a satisfactory outcome sooner.

- a) Before a formal complaint is made students are encouraged to attempt to resolve a concern informally (where appropriate) as follows:
  - i) Students may discuss their concerns directly with a relevant party such as a Lecturer, Academic Leader, Head of School (HoS), Manager or Director.
  - ii) If the concern is regarding an academic decision, the student should refer to the Academic Complaint Procedure.
- b) In all cases students are encouraged to seek support from the [Student Support Advisors](#) to resolve a concern informally.
- c) Any staff member with whom a concern is raised is expected to deal with the matter in an open and professional manner and take reasonable and prompt action to resolve the concern informally. The aim should be to resolve the concern at the earliest possible stage.
- d) Te Puna Waiora Medical Centre related complaints must be addressed with the Complaints Officer at the Medical Centre.

## 4) Support and Advocacy

### a) Student Support Advisors

[Student Support Advisors](#) are available to provide guidance and support around informal and formal complaints.

### b) More advice and support

Other people or services at Unitec who offer advice and support to students include: International Student Support Services, our Pae Arahi, Marae team and Kaiāwhina, the Pacific Centre. See the Unitec [complaints web page](#) for links to these support people and services.

### c) Advocacy

[Student Advocates](#) are available to help students with the formal complaints process.

### d) Students are also able to choose an alternative external agency/support service that can assist them through the complaint process.

## 5) Formal complaints procedure

Where a concern cannot be resolved informally Unitec has the following formal complaints procedures:

- a) To raise a formal Academic Complaint refer to the [Academic Complaint Procedure](#) and complete the Academic Complaint form and email it to [resolutions@unitec.ac.nz](mailto:resolutions@unitec.ac.nz)
- b) To formally appeal student disciplinary decision refer to the [Student Appeals Procedure](#), and complete the [Notice of Appeal](#) form and email it to [resolutions@unitec.ac.nz](mailto:resolutions@unitec.ac.nz)
- c) To raise a formal complaint related to Te Puna Waiora Medical Centre refer to the Medical Centre's Complaint Management Policy.
- d) For all other concerns, the formal complaints procedure is as outlined in the sections below. The following procedure is for all students. International students also have additional options which are outlined in section 10 below.

## 6) Raising and receiving a formal complaint

- a) To make a complaint the student must complete a "[Notice of Complaint](#)" form. Email the completed form to [studentcomplaint@unitec.ac.nz](mailto:studentcomplaint@unitec.ac.nz) and cc any people supporting you in the process.
- b) Upon receipt the Notice of Complaint will be registered on the central Student Complaints Register and forwarded to the relevant Executive member or manager. For international students making a formal complaint, their Notice of Complaint may be sent to the Director International Success to support an effective process.
- c) Acknowledgement of receipt of the complaint will be sent to the person making the complaint (the Complainant) and any support person(s) within 3 working days of receipt.
- d) The Executive or relevant manager receiving the complaint must consider if they are sufficiently without bias to investigate the complaint. If they are not, they must delegate the responsibility to another suitable person. They may also choose to delegate the responsibility for other reasons. The person so delegated will become the Investigator. Delegation must be decided within 3 working days of receipt and notice of delegation must be emailed to [studentcomplaint@unitec.ac.nz](mailto:studentcomplaint@unitec.ac.nz)

## 7) Investigating a complaint

- a) The Investigator upon receiving a Notice of Complaint must within 3 working days introduce themselves via email or other means to All Parties as the primary investigator for the investigation and begin the investigation, and from then on provide weekly updates to All Parties. At the time of introduction, the Investigator must provide a copy of the Notice of Complaint to the Respondent and any other staff member or Student named in the Notice of Complaint.
- b) Where the Respondent is a staff member the Investigator must liaise with the relevant Human Resources Business Partner.

- c) The Investigator must act in accordance with other relevant policies listed in section 7 of the Student Complaints Resolution Policy and liaise with the appropriate people as required, including Unitec's Senior Legal Counsel (regarding student misconduct).
- d) Where possible, the Investigator will arrange to meet with the Complainant, the Respondent and any witnesses separately and will advise them that they may bring a support person to any meetings. Any person making a statement needs to verify the accuracy of their statement. This may be done by signing and dating the statement in front of a witness.
- e) The investigator will document each step of their investigation, including dates, who was present, what was discussed and what resolution, if any, was reached.
- f) Unitec will endeavor to resolve complaints within 25 working days of the Notice of Complaint being sent by [studentcomplaint@unitec.ac.nz](mailto:studentcomplaint@unitec.ac.nz) to the Executive or relevant manager, and the Investigator will notify All Parties if a longer timeframe is required with reasons before the complaint due date.
- g) Where no response is received from a Complainant within 30 days of Unitec sending the Complainant any correspondence requiring a response, Unitec may decide not to proceed with the complaint process.

## 8) Resolving a complaint

- a) Following the investigation, the Investigator will provide a report together with all relevant documentation and his or her recommendation for resolution to the Executive or relevant manager who received the Notice of Complaint.
- b) The Executive or relevant manager must make a decision in relation to the complaint and notify that decision to all the parties, in writing (via email or letter), within the time period specified in 7(f) above. This includes notification about any appeal or other rights. If there is a likelihood of bias the decision maker should seek advice from another member of the Executive or another manager to ensure their decision is bias free.
- c) The Executive or relevant manager must also complete the Student Complaint Decision Report and email it to [studentcomplaint@unitec.ac.nz](mailto:studentcomplaint@unitec.ac.nz).

## 9) Appealing a decision made under section 8

- a) For grounds and process to appeal a decision made under section 8 refer to the [Student Appeals Procedure](#).
- b) Where the complainant is not satisfied with the outcome they may take legal action or make a complaint to NZQA, the Commerce Commission, the Privacy commission, the Ombudsman or other relevant external agencies.
- c) International students may also raise financial or contractual matters with [iStudent Complaints](#) who are the appointed operator of the International Student Contract Dispute Resolution Scheme (DRS)

## 10) Further information

### a) Domestic Students

#### **The Education (Pastoral Care of Domestic Tertiary Students) Interim Code of Practice 2019**

[The Education \(Pastoral Care of Domestic Tertiary Students\) Interim Code of Practice 2019](#) was introduced with effect from 1 January 2020 (Domestic Code of Practice). The Domestic Code of Practice specifies the role of organisations such as Unitec in ensuring the organised and formal provision of pastoral care and assistance for domestic tertiary students.

### b) International Students

#### **The Education (Pastoral Care of International Students) Code of Practice 2016**

When students come to study in New Zealand, education providers have an important responsibility to ensure that those students are well informed, safe and properly cared for. To support this, the New Zealand government has developed the [Education \(Pastoral Care of International Students\) Code of Practice 2016](#).

c) **Student complaints about Unitec's compliance with the Domestic and International Codes of Practice**

If a domestic or an international student has a complaint about Unitec's compliance with the Codes of Practice, they should try and resolve it by using the above process in the first instance. If their complaint is not resolved, they can take their complaint to one of the following agencies:

**NZQA (domestic and international)**

[NZQA](#) handles all complaints about alleged non-compliance with the Codes of Practice, other than financial and contractual disputes.

**iStudent Complaints (international)**

[iStudent Complaints](#) is the appointed operator of the International Student Contract Dispute Resolution Scheme (DRS), which was set up to resolve financial and contractual disputes. Code signatories are required to comply with the [International Student Contract Dispute Resolution Scheme Rules 2016](#).

## 11) Definitions

Term	Means
Complainant	Student making a formal complaint. Where a group of Students lodges a complaint, the group must nominate one member of the group as the Complainant who will receive all communications on behalf of the group
Respondent	The person or corporate entity who or which is the subject of the formal complaint
Student	Person enrolled for one or more Courses at Unitec
Executive or relevant manager	<p>The person who receives the Notice of Complaint, delegates to an Investigator and makes a decision in relation to the complaint.</p> <ul style="list-style-type: none"> <li>• If the complaint is about academic matters (other than academic grade decisions) it is the relevant Head of School (HoS)</li> <li>• If the complaint is about a service it is the relevant Service Group manager</li> <li>• If the complaint is about another Student, it is the HoS of the programme in which the Respondent is enrolled</li> <li>• If the complaint is about a staff member it is the staff member's HoS or relevant manager</li> </ul>
Investigator	The relevant member of staff designated to investigate the complaint and provide the findings of the investigation to the Executive or manager to make a decision.
All Parties	All parties involved in the complaint such as the Complainant, Student Advocates, Student President, Legal Counsel, Student Complaints Administrator ( <a href="mailto:studentcomplaint@unitec.ac.nz">studentcomplaint@unitec.ac.nz</a> ), Respondent, Investigator, International Student Support Services, Human Resources Business Partner, and the Executive or relevant manager

Term	Means
Student Complaints Administrator	<ul style="list-style-type: none"> <li>Monitors the Student Complaints email inbox and acknowledges receipt</li> <li>Manages and updates the register</li> </ul> (Note: currently this role is carried out by the Student Connections & Engagement Co-ordinator)
Working days	Working days means Monday to Friday

## 12) Reference Documents

### a) Forms and related procedure:

- i) [Notice of Complaint](#)
- ii) Student Complaint Decision Report (staff – see the forms page on the staff intranet)
- iii) [Student Appeals Procedure](#)
- iv) [Notice of Appeal](#)

### b) Guidance:

- i) [Guidance for students](#)
- ii) [Guidance for staff](#)

## 13) Approval Details

<b>Version number</b>	1	<b>Issue Date</b>	June 2018
<b>Version History</b>	Date of amendment/s: July 2004 - May 2018	Description of Amendment/s: See Amendment History for the Student Complaints Resolution Policy	
<b>Approval authority:</b>	ELT or Unitec Council	<b>Date of Approval</b>	5 June 2018
<b>Procedure Sponsor</b> (Has authority to approve minor amendments)	Te Tumu/Executive Director, Student Success	<b>Procedure Owner:</b>	Director Student Success
<b>Contact Person</b>	Director Student Success	<b>Date of Next Review</b>	May 2021

**14) Amendment History**

<b>Version</b>	<b>Issue date</b>	<b>Reason for revision</b>	<b>Approved by</b>
1	June 2018	New procedure	Academic Board
1.1	August 2018	Time limit in 6(d) to ensure prompt response. Mismatch between 7(f) and 8(b). Defined working days in 11. Job title of Document owner changed in 13 from GM Student Experience to Director Student Success.	Tumu Tauwhirowhiro Māori, Executive Director, Student Experience
1.2	January 2019	Changes made to reflect the new organisational structure for sections 3(a)(i), 4(b), 7(c), 11.	Tumu Tauwhirowhiro Māori, Executive Director, Student Experience
1.3	March 2019	Changes made to reflect recent changes at Unitec for sections 3(a)(ii), 3(b), 4, 4(a)(c)(d), 5(a), 6(a), 9(c), 11 and job title change in section 13.	Te Tumu/Executive Director Student Success
1.3.1	August 2019	Education (Pastoral Care of International Students) Code of Practice 2016 link correction to the latest reprint as at 1 July 2019	Director Student Success
1.4	November 2019	Changes made to the following sections 5, 6(b), 7(f), 8(b), 9(b), 9 (d) to provide clarity.	Academic Board
1.5	February 2020	Sections 2(h), 3(a)(ii), 5, 5(a), 9, & 11 - aligning the Student Complaints Resolution Procedures with the revised Student Appeals Procedure and new Academic Complaint Procedure.	Academic Board
1.6	March 2020	Change of document in section 5 (b) to align with introduction of the Academic Complaints Procedure and the revised Student Appeals Procedure. Further Options under section 10(a) amended to include references to Unitec's obligations under section 17(d) of the new Education (Pastoral Care of Domestic Tertiary Students) Interim Code of Practice 2019 & NZQA webpage link correction.	Te Tumu/Executive Director Student Success
1.7	November 2020	Te Puna Waiora Medical Centre complaints process included sections 3(d) and 5(c). Added iStudent Complaints to section 9(c) to make DRS more prominent. Simplified & removed repetition to the 'further information' section 10	Te Tumu/Executive Director Student Success