



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.
- n) be free from discrimination on the grounds of sex, gender, sexual orientation, marital status, religious or ethical beliefs, race, ethnicity, disability, age, political opinion, or any other prohibited ground of discrimination under the Human Rights Act 1993.

3) Support and Advocacy

The following support services are available to assist students with providing advice and support during the complaints process:

- a) [Student Support Advisors](#)
- b) [International Student Support Services](#)
- c) [Student Advocate](#)
- d) [Student Council](#)

4) Resolving a concern informally

In many circumstances using informal channels such as raising the issue with the other relevant party directly or asking a staff member for assistance, may lead to a satisfactory outcome sooner. Refer to the [Guidelines for resolving complaints informally](#) for further information.

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
- 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
- c) To raise a formal complaint related to Te Puna Waioira 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.

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 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 **within 3 working days**. For international students making a formal complaint, their Notice of Complaint may be sent to the Director **Student 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

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. **The investigator may share the Notice of Complaint with the support person if requested on the proviso that it remains confidential with the support person.**
- 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 20 working days of the Notice of Complaint being sent by 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 recommendation for resolution to the Executive or relevant manager who received the Notice of Complaint. Human Resources Business Partner must be consulted before any recommendations are made that affect staff are documented to ensure the complaint is dealt in accordance with Unitec HR policies.
- b) The Executive or relevant manager must decide 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 Investigation and Decision Report form and email it to 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.

10) Further information

a) The Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021

The [Education \(Pastoral Care of Tertiary and International Learners\) Code of Practice 2021](#) confirms the government's expectations of tertiary and international education providers to support the wellbeing and safety of its learners.

b) Student complaints about Unitec's compliance with the Code of Practice

If a domestic or an international student has a complaint about Unitec's compliance with the Code 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 Code 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, which was set up to resolve financial and contractual disputes for international learners. Code signatories are required to comply with the [International Student Contract Dispute Resolution Scheme Rules 2016](#).

Tertiary Education Dispute Resolution (domestic)

[Tertiary Education Dispute Resolution](#) is the appointed operator of the [Education \(Domestic Tertiary Student](#)

[Contract Dispute Resolution Scheme](#), which was set up to resolve financial and contractual disputes for domestic tertiary learners.

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"> • If the complaint is about academic matters (other than academic grade decisions) it is the relevant Head of School (HoS) • If the complaint is about a service it is the relevant Service Group manager • If the complaint is about another Student, it is the HoS of the programme in which the Respondent is enrolled • If the complaint is about a staff member it is the staff member's HoS or relevant manager
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 (studentcomplaint@unitec.ac.nz), Respondent, Investigator, International Student Support Services, Human Resources Business Partner, and the Executive or relevant manager
Student Complaints Administrator	<ul style="list-style-type: none"> • Monitors the Student Complaints email inbox and acknowledges receipt • Manages and updates the register <p>(Note: currently this role is carried out by the Student Connections & Engagement Co-ordinator)</p>
Working days	Working days means Monday to Friday

12) Reference Documents

a) Forms and related procedure:

i) [Notice of Complaint form](#)

ii) Student Complaint [Investigation and](#) Decision Report [form](#) (staff – see the forms page on the staff intranet)

iii) [Student Appeals Procedure](#)

iv) [Notice of Appeal](#)

b) Guidance:

i) [Guidelines for resolving complaints informally](#)ii) [Formal complaints guidance for students](#)iii) [Formal complaints guidance for staff](#)**13) Approval Details**

Version number	1 (to be changed to version 2)	Issue Date	June 2018 (review date change once approved)
Version History	Date of amendment/s: July 2004 - May 2018	Description of Amendment/s: See Amendment History for the Student Complaints Resolution Policy	
Approval authority:	ELT	Date of Approval	5 June 2018
Procedure Sponsor (Has authority to approve minor amendments)	DCE - Learner Experience and Success	Procedure Owner:	Director Student Success
Contact Person	Director Student Success	Date of Next Review	May 2021 (date change once approved)

14) Amendment History

Version	Issue date	Reason for revision	Approved by
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
2	January 2022	Periodic review: <i>section number changes to be added here once approved?</i>	ELT