



# Ākonga Complaints Procedure

## Section 1 - Purpose

The purpose of this procedure is to outline how to raise, investigate and resolve complaints at Unitec in accordance with Te Pūkenga Ākonga Concerns and Complaints Policy. The intended audience for this procedure is ākonga (students). The secondary audience is kaimahi (staff) to understand requirements.

## Section 2 - Scope

This process applies to complaints from ākonga (students) relating to:

- a. Their course or programme
- b. An enrolment or admission decision
- c. The actions and behaviour of other [ākonga](#) (students) or kaimahi (staff)
- d. Administrative systems, services, or decisions
- e. Te Pūkenga compliance with the Education ([Pastoral Care of Tertiary and International Learners Code of Practice 2021](#) (the Code))
- f. Access to regulations, policy, or procedures that affect ākonga (students)
- g. Reconsideration of Assessment Decisions or Reconsideration of Course Final Grade

## Section 3 – Support and Advocacy

The following support services are available to assist ākonga (student) by providing advice and support during the complaints process:

- a) Student Support Advisors
- b) International Student Support Services
- c) Student Advocate
- d) Student Council
- e) Pae Arahi
- f) Marae team
- g) The Pacific Centre
- h) External support e.g., Citizens Advice Bureau

## Section 4 – Resolving a concern informally

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

For Reconsideration of Assessment Decisions, ākonga (students) should try to resolve the issue informally with their kaiako (lecturer) or programme coordinator within 5 working days of the mark being published.

For Reconsideration of Course Final Grade, ākonga (students) should try to resolve the issue with their Academic Programme Manager within 5 days of the course final grade.

### **Section 5 – Raising and receiving a non-academic formal complaint**

- a) To make a complaint the ākonga (student) must complete a [Notice of Complaint form](#) within 21 days of the incident or issue, email the completed form to [studentcomplaint@unitec.ac.nz](mailto:studentcomplaint@unitec.ac.nz) and copy (cc) any people supporting them in the process. If a complaint is from a group of students, provide a list of the names, ID numbers and email addresses of all students in the group complaint. Identify the primary contact person and their specific contact details on the Notice of Complaint form.
- b) Upon receipt by the Student Complaints office, the Notice of Complaint will be registered on Unitec's Ākonga Complaints Register and forwarded to the relevant Executive member or manager within 3 working days.
- 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 delegated person will become the Investigator. Delegation must be decided within 3 working days of receipt by the Executive or relevant manager. The notice of delegation must be copied (cc'd via email) to [studentcomplaint@unitec.ac.nz](mailto:studentcomplaint@unitec.ac.nz)
- e) The Executive or relevant manager is responsible for notifying the Respondent (The individual against whom the complaint has been made) of the complaint and the forthcoming investigation. The executive or relevant manager should collaborate with the Human Resources Business Partner, when this is needed, and ensure that the Respondent is reminded of the available guidance and support.

### **Section 6 – Raising and receiving a reconsideration of an assessment decision or course final grade**

- a) To apply for reconsideration of an assessment decision or reconsideration of a course final grade, the ākonga (student) must complete and submit the online Reconsideration of Assessment Decision or Reconsideration of a Course Final Grade form within ten working days of the course final grade. Note: for all Reconsiderations of Course Final Grades, ākonga must identify grounds for the reconsideration. Grounds include but are not limited to an irregularity in the conduct of summative assessment OR in the results reporting and approval process within ten working days of the course final grade.
- b) Upon receipt, the reconsideration of assessment decision or course final grade request will be registered on Unitec's Ākonga Complaints Register and forwarded to the relevant Head of School within 3 working days.
- c) Acknowledgement of receipt of the Reconsideration of Assessment Decision or Course Final Grade will be sent to the ākonga (student) and any support person(s) within 3 working days of receipt.
- d) The Head of School receiving the Reconsideration of Assessment Decision or Course Final Grade must consider if they are sufficiently without bias to investigate the request. If they are not, they must delegate the responsibility to another suitable person. They may also choose to delegate the responsibility for other reasons.
- e) In all Course Final Grade cases, the Executive or relevant manager must determine if the relevant grounds have been met.

- f) Where grounds have been met the Head of School should appoint an Investigator from another School. Delegation to an Investigator must be decided within 3 working days of receipt. The notice of delegation must be copied (cc'd via email) to [studentcomplaint@unitec.ac.nz](mailto:studentcomplaint@unitec.ac.nz). The ākonga (student) will be notified within 5 working days by the Head of School when grounds have not been met to proceed with an investigation.

## **Section 7 – Investigating a formal complaint (including assessment decision or course final grade)**

- a) The Investigator of a 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. From then on weekly updates should be provided to All Parties.
- b) At the time of introduction, the Investigator must provide a copy of the complaint form to the Respondent; and notify any other kaimahi (staff) or ākonga (students) named in the complaint form. The investigator may share the complaint form with the support person if requested, with agreement that it remains confidential. Where the Respondent is a kaimahi (staff member) the Investigator must liaise with the relevant Human Resources Business Partner as per section 3.7 of Te Pūkenga Ākonga Concerns and Complaints Policy if relevant and informed to do so by the Executive or relevant manager.
- c) The Investigator must act in accordance with other relevant policies listed in section 6 of the Te Pūkenga Ākonga Concerns and Complaints Policy and liaise with the appropriate people as required, including Te Korowai Kahurangi or Unitec Legal Counsel.
- d) Where possible, the Investigator will arrange to meet with the ākonga (student), 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. Investigators will confirm via email the accuracy of any notes taken during investigation meetings and provide an opportunity for any further details to be presented.
- 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 endeavour to resolve complaints within 30 days of receipt of the Notice of Complaint, and the Investigator will notify all parties if a longer timeframe is required with reasons.
- g) Reconsideration of Assessment Decision or Course Final Grade will be resolved within 15 working days, if possible.
- h) Where no response is received from a complainant within 30 days of Unitec sending the ākonga (student) any correspondence requiring a response, Unitec may decide not to proceed with the complaint process.
- i) The investigator will give all parties affected by the complaint an opportunity to read interim findings and draft recommendations before finalising the complaint in preparation for the final report to be given to the decision maker (Executive, Head of School, Director).

## **Section 8 - Resolving a complaint including Assessment Decision or Course Final Grade**

- a) Following the investigation, the Investigator will provide a report together with all relevant documentation and recommendation for resolution to the Executive, Head of School, or relevant manager who received the Notice of Complaint, Reconsideration of Assessment Decision or Reconsideration of Course Final Grade. To ensure complaints are dealt with in accordance with Te Pūkenga and Unitec policies, the People and Culture Business Partner

must be consulted before any recommendations that affect kaimahi (staff) are made or documented.

- b) The Executive, Head of School, or relevant manager must make a decision on the complaint, and notify that decision to the Complaints Officer, in writing (via email or letter), within the time period specified in above 7(f) and (g).5.3(d) of this document. If there is a likelihood of bias, the decision maker should seek advice from another member of the Executive or another manager.
- c) The Executive, Head of School, or relevant manager must also complete the Ākonga Complaint Investigation and Decision Report form and email it to [studentcomplaint@unitec.ac.nz](mailto:studentcomplaint@unitec.ac.nz)
- d) The Complaints Officer reports the outcome received from the Executive, Head of School, or relevant manager to All Parties. Alternatively, the Executive, Head of School, or relevant manager may choose to deliver the outcome directly to all parties and copy in the Complaints Officer. This includes notification about any appeal or other rights.

## Section 9 – Appealing a decision

- a) For grounds and process to appeal a decision made under section 8, refer to the [Te Pūkenga Ākonga Appeals Policy](#).
- b) Where the complainant is not satisfied with an appeal made under section 8, they may make a further appeal to Te Ohu Whakahaere Appeals (a subcommittee of Te Poari Akoranga, Te Pūkenga Academic Board), or make a complaint to NZQA, the Commerce Commission, the Privacy commission, the Ombudsman or other relevant external agencies.
- c) To formally appeal an ākonga disciplinary decision, refer to the [Te Pūkenga Ākonga Appeals Policy](#).

## Section 10 – Further Information

- a) **Tertiary and International Learners Code of Practice**  
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 their ākonga.
- b) **Ākonga complaints about Unitec’s compliance with the Code of Practice**  
If ākonga nō Aotearoa | domestic learners or ākonga nō tāwāhi | international learners have 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](#) handles all complaints about alleged non-compliance with the Code of Practice, other than financial and contractual disputes.
  - Dispute Resolution Service – [Study Complaints | Ngā Amuamu Tauira](#) is the appointed operator of Education ([Domestic Tertiary Student and International Student Contract Dispute Resolution Scheme](#)) Rules 2023 set up to resolve financial and contractual matters and claims for redress linked to breaches of the code.

## Section 11 – Definitions

Term	Definition
Ākonga	<p>A (current, past, and future) domestic tertiary learner, international tertiary learner, or industry trainee or apprentice.</p> <p>A person who is involved in learning and/or assessment (at an education and training provider or in the workplace, etc.).</p> <p>Alternatives :</p> <p>Ākonga Māori   Māori learner.</p> <p>Ākonga nō Aotearoa   Domestic learner.</p> <p>Ākonga nō tāwāhi   International learner.</p> <p>Ākonga nō Te Moana-nui-a-Kiwa   Pacific learner.</p> <p>Ākonga Whai Kaha   Disabled learner.</p>
All Parties	All parties involved in a complaint such as the Complainant, Student Advocate, Student President, Legal Counsel, Student Complaints Officer, Respondent, Investigator, International Student Support Services, People and Culture Business Partner, and the Executive or relevant manager
Complainant	Ākonga making a formal complaint. Where a group of ākonga 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
Complaints Officer	<ul style="list-style-type: none"> <li>Monitors the Student Complaints email inbox and acknowledges receipt of complaints</li> <li>Manages and updates the register</li> <li>Supports senior manager (who has overall responsibility for Concerns and Complaints) with reporting requirements</li> </ul> <p>(Note: currently this role is carried out by the Student Connections &amp; Engagement Co-ordinator)</p>
Executive, Head of School or relevant manager	<p>The person who receives the Notice of Complaint, may delegate 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</li> <li>If the complaint is about a service, it is the relevant Service Group manager</li> <li>If the complaint is about another ākonga, it is the HoS of the programme in which the Respondent is enrolled</li> </ul> <p>If the complaint is about a kaimahi it is their Head of School or relevant manager</p>
Investigator	The relevant kaimahi designated to investigate the complaint and provide the findings of the investigation to the Executive or manager to make a decision.
Kaiako	Teacher or facilitator of learning
Kaimahi	Staff member, includes kaiako, learning advisor, ākonga support, and allied services
Respondent	The person or corporate entity who or which is the subject of the formal complaint
Working days	Working days means Monday to Friday (excluding statutory holidays or any days Unitec is closed)

## Section 12 – Reference Documents

- a. Forms and related procedure:
  - i. [Notice of Complaint form](#)
  - ii. [Reconsideration of Assessment Decision or Reconsideration of Course Final Grade](#)
  - iii. Ākonga Complaint Investigation and Decision Report form for kaimahi (staff) – see the Complaints Process page on Te Aka staff intranet
  - iv. [Ākonga Appeals Policy](#)
  - v. [Notice of Appeal](#)
- b. Guidance:
  - i. [Guidelines for resolving complaints informally](#)
  - ii. [Formal complaints guidance for ākonga](#)
  - iii. Formal complaints guidance for kaimahi (staff) – see the Complaints Process page on the kaimahi (staff) intranet

## Section 13 – Approval details

<b>Version number</b>	3	<b>Issue Date</b>	June 2018
<b>Version History</b>	Date of amendment/s: See below amendment history.	<b>Description of Amendment/s:</b>	See below amendment history.
<b>Approval authority:</b>	Te Komiti Mātauranga   Academic Committee	<b>Date of Approval</b>	7 December 2022
<b>Procedure Sponsor (Has authority to approve minor amendments)</b>	DCE - Learner Experience and Success <a href="#">and DCE - Academic</a>	<b>Procedure Owner:</b>	Director Student Success <a href="#">and Director Te Korowai Kahurangi</a>

## Section 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	May 2022	Periodic review: sections 2(n) new step addition, 3 updated support and advocacy section – useful links, 4 improved guidelines for resolving complaints informally, 5 (c) link to medical Centre complaint Management Policy, 5(d), 6(b), 7(a), 8(a)(b)(c), 9(c), 12, 13 minor changes, 7(f) Reduction of days to resolve complaints, 10(a)(b) New Code of Practice for Tertiary and International Learners (removal of retired codes of practice link and information, 10(c) Tertiary Education Dispute Resolution link and information added	Executive Leadership Team
3	December 2022	Review to align with new Te Pūkenga Policies and Te Kawa Maiorooro (v23/01)	Academic Committee
3.1	March 2023	Minor changes to the Ākonga Complaints Procedure as identified to sections 5(b) remove form link as the policy guides how to appeal, 10(a) title updated, 11 clarified Complaints Office role, 12(a) location of the form. Further updated the procedure due to the inconsistencies noticed between actual procedure and the official web version to title and sections 1 rephrase word, 6(b) removal of further step for international complaint, 6(d) rephrased words, 10(b) added Te Reo words, 11 Ākonga defined more specifically, 12(b) location of guidance, and 13 TKM as the approval authority.	Policy Sponsor - DCE Learner Experience and Success
3.2	April 2023	Amendment in view of full operationalisation of formal complaints by Student Success of the scope mentioned in the Ākonga Concerns and Complaints Policy resulting in removal/revoking of Academic Complaints Procedure. Hence updated Ākonga Complaints Procedure sections 2 and 5(a). Added identified Code of Practice obligations related to group complaint section 6(a). Also, updated section 7(b) to be consistent with official	Te Kōmiti Mātauranga – Academic Committee

		web version section and refer to the correct policy.	
3.3	April 2024	<p>Deletion of section 5.c. Unitec operational update announcement (9 Nov) to close Medical Practice at Te Puna Waiora effective 30 November 2023.</p> <p>6(a) update to add email addresses for Unitec to confirm via email an agreement to be part of the group complaint and agree to the nominated point of contact. 7(a) the NoC is shared with the Respondent and the others named are notified for the purposes of investigation. 10(b) Delete TEDR and iStudent Complaints, and bracketed domestic and international next to word NZQA and added the combined Dispute Resolution Scheme which has been effective 1 Jan 2024.</p> <p>Addition 6(e) &amp; 7(b) in relation to People &amp; Culture</p>	Policy Sponsors - DCE Learner Experience and Success
3.4	June 2024	<p>Amendments to the procedure:</p> <ol style="list-style-type: none"> <li>1. Consistent terminology throughout the procedure, including wording on "Reconsideration of Assessment Decision or Reconsideration of Course Final Grade".</li> <li>2. Confirmation that processes and templates will align with changes in the procedure document.</li> <li>3. Advice and wording to managers and investigators about when a matter becomes HR-led rather than complaints-led.</li> <li>4. Instructions on how long complaints-related records need to be retained in accordance with policy.</li> <li>5. A final check by Te Pūkenga legal team of our updated documents.</li> </ol>	DCE - Learner Experience and Success and DCE - Academic
3.5	July 2024	<p>Amendment of wording in 6(b).</p> <p>Addition of 7(i) to reflect NZQA feedback.</p> <p>Procedure Sponsor and Owners - changes made.</p>	DCE - Learner Experience and Success and DCE - Academic