



## CONCERNS, COMPLAINTS AND ACADEMIC APPEALS POLICY AND PROCEDURES (G2, H1)

### Table of Contents

1	DOCUMENT MANAGEMENT .....	1
2	PURPOSE.....	1
3	POLICY.....	2
4	PROCEDURES .....	2
4.1	Concerns .....	2
4.2	Complaints.....	2
5	ASSOCIATED POLICIES AND PROCEDURES .....	3

### 1 DOCUMENT MANAGEMENT

Version control	Effective date	Created/reviewed by October 2022	Reason for review
Version 2	March 2023	Soon Yin	Reviewed
Version 3	2024	Ricky Versteeg	Annual review

### 2 PURPOSE

The Concerns, Complaints and Academic Appeals Policy and Procedures provide a clear process for resolving concerns, complaints, and academic appeals in a timely manner, whilst applying the principles of natural justice.

The policy was developed to meet, amongst others, the legal requirements to align with:

Human Rights Act 1993

Education and Training Act 2020, section 539

[Education \(Domestic Tertiary Student and International Student Contract Dispute Resolution Scheme\) Rules 2023 \(SL 2023/199\) Contents – New Zealand Legislation](#)

### Glossary

Academic Appeal	A request by a complainant to change any academic decision, action or omission.
-----------------	---



Complaint	Notification received in writing of a situation where the complainant considers that they have been directly or significantly adversely impacted; requires a formal process of resolution.
Concern	Matter best resolved by direct or informal contact with the person/people involved
Dispute	A dispute between a student (or former or prospective student) and a provider
Serious Misconduct	Fraudulent or gross negligence or breach of any applicable legislation or the code.

### 3 POLICY

Kiwi College shall receive, acknowledge, register, and act upon student concerns, complaints and academic appeals and make every effort to resolve them to the satisfaction of all parties. Opportunities will be provided that support person or people can guide and support the student through the complaints process.

### 4 PROCEDURES

Complainants should follow relevant Kiwi College policies and procedures in the first instance. If the matter is not resolved after following Kiwi College policies and procedures the complainant should contact NZQA by e-mailing [risk@nzqa.ac.nz](mailto:risk@nzqa.ac.nz) or **Study Complaints Ngā Amuamu Tauria** ([www.studycomplaints.org.nz](http://www.studycomplaints.org.nz)) (e-mail [help@studycomplaints.org.nz](mailto:help@studycomplaints.org.nz))

#### 4.1 Concerns

- Complainants are strongly encouraged to discuss their concerns directly with the relevant staff member.
- If the concern is not resolved, the complainant or staff member, with the complainant's consent, may raise it with a relevant manager.
- A response should be made to a concern within ten working days by the staff member receiving the concern or the staff member the concern was referred to.
- If the concern is not resolved, complainants are advised of the complaints procedures and may make a written complaint.

#### 4.2 Complaints

- Where the concern cannot be resolved through discussions between the individuals concerned, the aggrieved person can file a formal complaint/appeal.
- To ensure that complaints/appeals can be resolved effectively:
  - The complainant submits a written statement to the Administration Manager, summarising the complaint.
  - A complaint must be lodged within ninety (90) days of the event occurring;



- An academic appeal must be lodged within ten (10) working days of being advised of the academic decision.
- Kiwi College reserves the right not to proceed with a complaint:
  - Which is anonymous.
  - Which is made more than ninety (90) days after the alleged incident/issue.
  - Where no response is received from the complainant within ninety (90) days of the college communicating with the complainant.
- Complaints or Academic Appeals are submitted to the Administration Manager.
  - On receipt of a written complaint or appeal, the Administration Manager directs the complaint to the appropriate Manager for investigation.
  - The complainant will receive notification of the process from the Administration Manager within three working days of receipt of the complaint.
- The Manager, or nominee will:
  - Coordinate the response to the complaint.
  - Endeavour to resolve the complaint either through separate discussions with the complainant and other parties, or if necessary, with the complainant and other parties brought together.
  - Ensure that steps towards the resolution of a concern/complaint are undertaken within ten (10) working days and the complainant is notified immediately.
  - Where possible, the complaint will be resolved within 28 working days;
- The Administration Manager will record complaints in a centralised complaint and appeal register and will report a summary of complaint and appeal activities to the senior management team at the end of each year.

## **OFF-SITE SUPPORT SERVICES**

### **Human Rights Act 1993**

Human Rights Commission: [Human Rights in Aotearoa \(tikatangata.org.nz\)](https://www.hrc.co.nz/)

Freephone: 0800 496 877

E-mail: [infoline@hrc.co.nz](mailto:infoline@hrc.co.nz)

**NZQA:** <https://www.nzqa.govt.nz/about-us/make-a-complaint/make-a-complaint-about-a-provider/#heading2-0>

**Study Complaints Ngā Amuamu Tauira :** [Helping domestic tertiary learners and international students resolve disputes with their education provider | Study Complaints](#)

### **Ombudsmen Act 1975**

Freephone: 0800 802 602

Email: [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz)

### **Dispute Tribunal**

E-mail: [disputes\\_akmetro@justice.govt.nz](mailto:disputes_akmetro@justice.govt.nz)

## **5 ASSOCIATED POLICIES AND PROCEDURES**

Complaint and Appeal Register

Assessment Policy and Procedures (H1)



## Student Complaints Flow Chart

