

## Student Concerns, Complaints and Appeals Procedures

### Audience and scope

Students, and staff working with students to resolve concerns, complaints or appeals.

**N.B.** This document uses the terms Delegated Authority and Designated Contact. In each instance staff member should refer to the current version of the *MIT&Unitec Delegations Register* available on the intranet for the role assigned to the matter.

### Table of contents

Audience and scope .....	1
Table of contents .....	1
Purpose .....	1
Procedures .....	1
Definitions .....	5
Related documents .....	5
Document management and control .....	5
Amendment history .....	5

### Purpose

This document outlines the procedures for handling student concerns, complaints, and appeals at MIT&Unitec. The aim is to ensure that all matters are managed in a timely manner, and in line with the principles of natural justice.

These procedures should be read in conjunction with the *Student Regulations*, particularly section 14 Student Concerns and Complaints, section 16 MIT&Unitec Investigation Procedure, section 17 Appeals and the Glossary. See also the appendix for a flow-chart of these procedures.

### Procedures

#### 1. Concerns (section 14 of the *Student Regulations*)

- 1.1. Students must first raise their concern directly with the person involved, if they feel safe and comfortable doing so. If they need assistance, or if the matter is not resolved, they are encouraged to approach a trusted staff member, *[Designated Contact]*, or staff from the *[Designated Contact]* office.
- 1.2. Staff members who are approached to assist to resolve a concern should:

- Listen respectfully
  - Maintain privacy and confidentiality
  - Assist students to determine what next steps might be
  - Provide guidance and/or refer to appropriate support team
  - Assist with documentation if required
  - Follow up to support students through the situation
- 1.3. If the matter cannot be resolved informally, a complaint may be submitted in writing (see section 2).

## 2. Complaints (section 14 of the *Student Regulations*)

- 2.1. Complaints will be submitted in writing, online using the *Student Complaints* form available on the MIT&Unitec website.
- 2.2. Where requested, the *[Designated Contact]* will assist students in documenting a complaint.
- 2.3. A complaint must include relevant details of the issue (including evidence), any steps taken to resolve it, and the resolution sought.
- 2.4. Complaints must be submitted within the following timeframes:
- a. Academic Decisions: within ten (10) working days of notification of the decision
  - b. All other complaints: within 20 working days of the incident giving rise to the complaint.
- In exceptional circumstances these timeframes may be extended by the *[Delegated Authority]*.
- 2.5. Complaints will be managed by the *[Designated Contact]* Office.
- 2.6. The *[Designated Contact]* will acknowledge the complaint within five (5) working days of receipt. The acknowledgement will state:
- a. who the complaint has been assigned to, and
  - b. advise the expected timeframe within which it will be investigated and an outcome determined.
- 2.7. Complaints will usually be assigned to the *[Delegated Authority]* or Head of Service Centre in the first instance, unless the complaint involves them. Should this be the case, the *[Designated Contact]* will consult the *[Delegated Authority]* for the name of an alternative investigator.
- 2.8. Complaint investigations must be completed and the outcome advised in writing within thirty (30) working days of the complaint being submitted. If this timeframe cannot be met Students will be advised by the appointed investigator.
- 2.9. Investigations are to be conducted as per section 16 of the *Student Regulations*.

### 3. Appeals (section 17 of the *Student Regulations*)

#### 3.1. Right of appeal

Students may apply to appeal the outcome of a complaint investigation, only if one or more of the following grounds exist:

- a. There was a procedural flaw in the original investigation that could materially affect the outcome;
- b. New or previously unavailable information (which could not reasonably have been obtained earlier) has come to light that could materially affect the outcome;
- c. The decision reached is manifestly (clearly) at odds with the evidence provided (for misconduct decisions); and/or
- d. The penalty imposed is out of proportion to the nature of the misconduct and the circumstances of the case (for misconduct decisions).

Appeals will be managed by the *[Designated Contact]* Office.

#### 3.2. Submitting an Appeal

- a. Appeals must be submitted within seven (7) working days of being notified of the appealable decision.
  - An extension of five (5) additional working days may be granted by the [delegated authority] on written request.
  - Submission beyond 12 working days: in exceptional circumstances the Deputy Chief Executive Academic or *[Delegated Authority]* may approve the late submission of an appeal at their discretion.
- b. Appeal applications must be submitted using the Notice of Appeals form available on the MIT&Unitec website. Assistance in completing the *Notice of Appeal* will be provided by the *[Designated Contact]* Office.
- c. Accompanying the *Notice of Appeal* must be:
  - a copy of the appealable outcome decision, and
  - any relevant evidence for consideration.

#### 3.3. Appeal process

- a. The *[Delegated Authority]* will review the Appeal to determine whether grounds exist.
- b. If grounds exist, students will be notified that the Appeal will proceed and will be informed of the next steps.

If grounds do not exist, students will be informed in writing of the decision as soon as practicable. This decision is final.
- c. The *[Delegated Authority]* will assign the appeal to a suitable investigator for consideration.
- d. As part of the investigation, students may be asked to appear in person at an appeal hearing, with the support of a support person or *[Designated Contact]*.
- e. Decisions will be communicated in writing as soon as practicable.

### 3.4. Second and final right of appeal

- a. Students may submit a second appeal within seven (7) working days of the original appeal decision.
- b. The only grounds that will be considered for a second appeal are that there has been a procedural flaw in the first appeal decision.
- c. A second appeal must be submitted on the *Notice of Appeal* form available on the MIT&Unitec website, along with a copy of the original appeal outcome letter and any relevant evidence for consideration. Assistance in completing the Notice of Appeal will be provided by the *[Designated Contact]* Office.
- d. The second appeal will be reviewed by a separate delegated authority, following the appeal process in 3.3.
- e. The decision from the second appeal is final.

### 3.5. External avenues of appeal

- a. Students must be advised that they may raise unresolved concerns with the New Zealand Qualifications Authority (NZQA); the Disputes Tribunal of New Zealand; the Human Rights Commission or Office of the Ombudsman depending on the nature of the matter.
- b. MIT&Unitec encourages students to use internal resolution procedures before escalating externally.

## 4. Reporting

- 4.1. The *[Designated Contact]* will maintain a record of all complaints and appeals, for the purpose of reporting to the Academic Board in quarterly in April, July and October, and annually in February for the full academic year just gone.
- 4.2. Quarterly reports will focus on volumes of complaints and appeals, noting trends by school, qualification type and level, and outcome.
- 4.3. Annual reports will provide a consolidated view of the year just gone, noting trends by school, qualification type and level, and outcome and proposing improvements to the *Student Regulations* and this procedure.

## 5. Delegations

*The delegations set out below must be exercised in accordance with and subject to the provisions of the Education and Training Act 2020, other relevant legislation, Tāmaki statutes, regulations and applicable policies.*

- 5.1. Please refer to the *MIT&Unitec Delegations Register* for the delegations for this set of procedures.

Insert flowchart tbc once procedures are approved

## Definitions

See the *Glossary of MIT&Unitec Academic Policies, Procedures and Associated Documents*

## Related documents

- Student Regulations
- Students Misconduct Procedures
- MIT&Unitec Delegations Register

## Document management and control

<b>Associated policy:</b>	Student Regulations
<b>Approver:</b>	TTG
<b>Latest approval date:</b>	2025-11-27
<b>Effective date:</b>	2026-01-01
<b>Next scheduled review date:</b>	2026-10-01
<b>Policy sponsor:</b>	DCE Academic and DCE Learner Experience & Success
<b>Policy owner:</b>	DCE Academic and DCE Learner Experience & Success

## Amendment history

<b>Document Version</b>	<b>Effective Date</b>	<b>Approver</b>	<b>Amendment details</b>
V1.0	2026-01-01	TTG	New procedures MIT&Unitec