



Grievance Procedure

It is the responsibility of Animation College to provide a study environment for students and work environment for staff which is physically safe, free from harassment of any kind and conducive to the achievement of good learning outcomes. This procedure outlines the College's response to inappropriate policies and procedures of the College, failure to act in accordance with appropriate policies and procedures, and actions taken by staff or students which cause upset to others.

Terminology

Complaint - expression of dissatisfaction. Complainant - person making the complaint.

Object - matter about which complaint is made.

Respondent - person(s) alleged to have committed the action giving rise to the complaint.

Facilitator - person receiving the complaint who has the responsibility to facilitate resolution.

Principles

The following principles are important in dealing with grievances:

- Staff and students are given full information about the process through induction and orientation procedures (staff handbooks, student handbooks).
- Staff and students can raise issues of concern in an environment free from fear of retribution or breach of confidentiality.

Note: There will be times when the only way to deal with a complaint involves identifying the complainant to the respondent. Where this is deemed to be the case, the facilitator should secure the agreement of the complainant beforehand.

- Attempts to solve problems should be focused at the level closest to the problem itself and should only be referred to a higher level if this fails.
- The respondent has as much right to fair and just treatment as the complainant during the process.
- Solutions should focus primarily on conflict resolution or solving the problem rather than taking punitive action.
- Possible outcomes may include: mediation, referral to counselling, taking disciplinary action, revising policies, referral to the Police, providing compensation, etc.

Procedures

Complaints may be dealt with either informally or formally.

Informal Complaints

Examples of informal complaints might include the following:

- minor classroom irritations (other students break concentration by always talking in class, lecturer fails to keep order);
- concerns arising from miscommunication or misunderstanding;
- minor disagreements over academic matters (lecturer did not accept my late assignment, when I felt I had a good excuse);
- resource difficulties (e.g. Internet connection keeps crashing).

The complainant should be directed to the person best situated to address the complaint and facilitate a speedy resolution (i.e. facilitator). The facilitator should ensure that the complainant understands and is comfortable with the process. The following points are helpful in reaching a resolution:

- Ask the person to express their concerns.
- Restate the problem as you have understood it and seek confirmation that your understanding is correct. Try to encourage the complainant to focus on the object rather than the respondent (unless the object is the behaviour of the respondent).
- Ask them what they would regard as a satisfactory resolution.
- If they are unsure, suggest a satisfactory outcome which you feel is achievable.
- Agree on a plan for resolution.
- Facilitate the implementation of the plan.
- If their expectations are unreasonable, naïve or based on misunderstanding of a College policy, help them to understand this in a tactful manner.
- If they wish to pursue the complaint against advice to the contrary, then explain the possible consequences of proceeding, but help them to understand the next step.

Resolution of an informal complaint is achieved by complainant verbally expressing satisfaction with the outcome, or at least verbally accepting the decision reached by the facilitator.

Informal complaints will normally be able to be dealt with at the lowest operational level relevant to the situation and result in a satisfactory outcome, or at least one which is acknowledged to be fair. If the outcome is unsatisfactory, the complainant is entitled to appeal the decision, at which time it should be put in writing and submitted to the internal appeals process of the college. It then becomes a formal matter which needs to be recorded in the complaints register.

Formal Complaints

Examples of formal complaints might include the following:

- Harassment by staff or other students
- Inappropriate treatment by staff or other students
- Unfairness in a formal assessment situation
- Unfairness of institutional policies
- Unsafe learning situation.

Contact people who may act as a designated facilitator for dealing with referrals under the anti-harassment policy are:

- Programme Leader;
- Director of Quality Assurance.

The complainant should be directed to the person best situated to address their complaint and facilitate a speedy resolution. The person receiving the complaint should ensure that the complainant understands and is comfortable with the process. The following points are helpful in reaching a resolution:

- Formal complaints should be made in writing.
- If necessary, the facilitator may need to help the complainant in articulating their complaint in written form and in a manner which is helpful to its satisfactory resolution. Where such help is given the complainant should sign the complaint to indicate agreement with its final form.
- When formal complaints are received they should be entered into a Complaints Register and progress towards resolution should be tracked.
- If complainants are uneasy about discussing a complaint with someone whom they see as an authority figure, they should be given reassurances about the integrity of the process and offered the opportunity to bring a friend or colleague in support. Options for alternative facilitators may also be given if appropriate.
- Meet with complainant and discuss nature of complaint.
- Ask the person to explain their concerns.
- Restate the problem as you have understood it and seek confirmation that your understanding is correct. If necessary, and appropriate seek corroborating evidence.
- Ask them what they would regard as a satisfactory resolution.
- If they are unsure, suggest a satisfactory outcome which you feel is achievable.
- Explain what further steps you must take in order to reach a decision. (This may often result in adjournment until the respondent has an opportunity to give their side, or until further evidence can be gathered.)
- Agree on a plan for resolution.
- Facilitate the implementation of the plan.
- If their expectations are unreasonable, naïve or based on misunderstanding of College policies, help them to understand this in a tactful manner.
- Prepare an outcome statement which is communicated to both complainant and respondent outlining the resolution.
- If they wish to pursue the complaint against advice to the contrary, then explain the possible consequences of proceeding, but help them to understand the next step.
- Resolution of a formal complaint is achieved by an outcome statement being prepared by the facilitator which the complainant signs expressing satisfaction with the outcome, or at least accepting the decision reached by the facilitator. Notes should be kept by the facilitator throughout the process to facilitate effective follow-up. Once the outcome statement has been completed and signed, these should be destroyed. The outcome statement is the only documentation that needs to remain on file.

Appeals

Where a facilitator has reached a decision which is not agreed to or accepted by the complainant (or the respondent) the facilitator should explain that they are closing the file but, if dissatisfied, the complainant or the respondent have the right to an appeal. The appeal will be heard by a senior manager as deemed appropriate and who has not been a party to the original facilitation/decision-making process. Where an appeal is expected, the notes taken during the facilitation should be retained until the appeal process has run its course.

The appeals facilitator has the authority to investigate the process and the outcome and if they consider the complainant has been treated unfairly or inappropriately, to overturn or modify the decision. The appeal process is a formal one and requires the same level of documentation as a formal complaint process.

If a student complainant is still not satisfied, their final recourse is to the NZQA Student Complaints Process (www.nzqa.govt.nz), and for staff they may discuss this and take advice from the Department of Labour (www.dol.govt.nz/) or Citizens Advice Bureau (www.cab.org.nz). International students can also contact the International Education Appeal Authority (IEAA) www.justice.govt.nz/tribunals/international-education-appeal-authority.

Documentation

The College will maintain a complaints register, held by the Programme Leader. All formal complaints will be entered in the register. For each complaint the register will include such information as is necessary to allow for the easy identification of the documents relating to the complaint and should be cross-referenced to the original document containing the written formal complaint and the outcome statement.