



## **Academic Policy 8**

# **Resolution of Student Complaints Policy**

*NB: This policy should be read in conjunction with relevant programme regulations, **Animation College policies and procedures**, the **1993 Privacy Act** and any relevant New Zealand legislation.*

### **1. Purpose**

The purpose of this policy is to:

1.1 Assist students and staff of Animation College in the prompt and constructive resolution of formal complaints by students;

1.2 ensure that there are clear pathways for students to lodge and formalise complaints and have their complaints resolved;

1.3 ensure that complaints are promptly and properly investigated, and decisions are based on sound evidence;

1.4 ensure that there is a system to register and monitor formal complaints, and the actions taken by Animation College to resolve them.

### **2. Scope**

2.1 This policy covers any formal complaint made by students enrolled at Animation College, or students who were enrolled at the time of the alleged incident to which the complaint refers.

2.2 This policy does not cover formal complaints about academic decisions. Complaints about academic decisions (such as grade appeals) shall be dealt with by programme committees in accordance with relevant programme regulations.

2.3 Animation College reserves the right not to proceed with a complaint, if:

- 2.3.1 the complaint is anonymous, malicious or based on hearsay

- 2.3.2 the complaint is made more than 90 days after the alleged incident.

- 2.3.3 no response is received from the complainant within 30 days of Animation College sending the complainant any correspondence to an address on file and provided by the student.

### **3. Definitions**

Complainant refers to a 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. This person will receive all communication on behalf of the group.

Formal Complaint is a signed, written statement made on the prescribed *Student Complaint form* (see *Appendix 1*) and submitted by a student, or a documented verbal complaint made on the

*Student Complaint Form* and verified and signed by a student regarding a matter that is determined by the complainant to require formal consideration and resolution by Animation College.

Investigator is the staff member, being either the Dean or the Director of Quality Assurance, so designated to investigate the complaint and provide the findings of this investigation to either the Dean or the Director of Quality Assurance (the deciding manager), being whichever manager has not been the investigator.

Respondent refers to the person or department or business unit who or which is the subject of the formal complaint.

Deciding Manager is the person who makes a decision in regards to a formal student complaint, which in this case shall either be the Dean or the Director of Quality Assurance, but being the manager who has not been the investigator.

Student means a person enrolled at Animation College.

#### **4. Policy Principles**

4.1 Nothing in this policy shall prevent any person from taking any action allowable under New Zealand law.

4.2 All parties to a formal student complaint shall be treated and shall treat others with courtesy and respect.

4.3 All complaints shall be dealt with fairly and in a timely fashion.

4.4 All parties to a formal student complaint shall be able to express their views without fear of recrimination.

4.5 All parties to a formal student complaint shall receive full information at all stages of the process.

4.6 All parties to a formal student complaint shall be advised in writing of all decisions made in relation to the complaint subject to any Privacy Act and/or any confidentiality agreements according to current New Zealand legislation.

4.7 All complainants have the right to appeal the outcome of a formal complaint.

4.8 All parties to a formal student complaint shall respect the principle of confidentiality.

**5. Policy** 5.1 Complainants are encouraged to use internal Animation College mechanisms for resolving their complaint in the first instance where possible.

5.2 All formal complaints must be dealt with in accordance with the process outlined in the Procedures section of this policy.

5.3 All respondents must be informed of any formal complaint made against them, and should be given an opportunity to respond to such complaints before any decision that affects them is made.

5.4 Any decision made in resolving a formal complaint must be based on all the information provided, and after consideration of all relevant issues.

5.5 Animation College shall keep all information on formal complaints for a period of no less than ten years.

## **6. Procedure**

### **6.1 Lodging a Complaint**

6.1.1 Where a concern cannot be resolved informally or where the matter is too serious to resolve informally, the procedure outlined below should be followed.

6.1.2 The Complainant should complete a Student Complaint Form and mail it or give it to the Registrar, who shall escalate it to the Dean or the Director of Quality Assurance (who shall act as the investigator), unless the complaint is about either manager, in which case the complaint should be mailed or given to The Director who will appoint an investigator.

6.1.3 Upon receiving a 'Student Complaint Form' the investigator must, within 3 working days, acknowledge receipt of the complaint in writing to the complainant with a copy kept of the acknowledgement on file.

6.1.4 The investigation into the complaint will commence immediately after it has been lodged. Where possible Animation College will resolve complaints within 20 working days of the 'Student Complaint Form' being received, and will notify the complainant if a longer timeframe is required.

6.1.5 The Investigator must ensure that the respondent and any other staff member or Student named in the Student Complaint Form receives a copy of the Student Complaint Form as soon as possible.

6.1.6 Wherever possible, the investigator shall meet with the complainant, the respondent and any witnesses separately where any person from which a statement is taken is asked to verify (sign and date) the accurateness of the details captured in their statement.

6.1.7 The investigator shall maintain a file of all documentation in consideration of the complaint

6.1.8 The investigator shall provide the 'Student Complaints Form' together with all relevant documentation and his or her recommendation for resolution to the deciding manager.

6.1.9 Following the investigation the deciding manager must make a decision in relation to the complaint, and notify their decision to all the parties, in writing and, where possible, within 20 working days of receiving the Student Complaint Form.

6.1.10 The deciding manager shall ensure that the notification of their decision addresses all complaints, issues and matters raised by the complainant, clearly states the outcome of the complaint resolution process and identifies any action that has or will be taken as a result. However, if the action to be taken is disciplinary action then there is a requirement to respect confidentiality.

6.1.11 All parties to a formal complaint shall be notified where a complaint cannot be resolved within 20 working days of the 'Student Complaints Form' being received. From that time, weekly updates on progress towards resolution must be provided to all parties by the investigator.

### **6.2 Lodging an Appeal**

6.2.1 Any application to appeal by a complainant must be submitted in writing within 15 working days of the date of the letter sent to the complainant notifying them of the outcome.

6.2.2 There shall be two grounds of appeal only. These grounds are: 6.2.2.1 that additional information has become available which was not available and could not have reasonably been made available at the time the original decision was made; and/or

6.2.2.2 that there was material irregularity in the process followed in reaching the outcome.

6.2.3 On receiving an application to appeal the manager who had dealt with the complaint must refer the appeal application together with all materials gathered during the investigation of the complaint to the Director.

6.2.4 The Director shall determine if the summary of facts in the application to appeal meets either of the grounds of appeal set out in section 6.2.2 above.

6.2.5 if neither ground for appeal is met, the Director shall notify the complainant that their application for appeal is not being progressed together with the reasons for this decision.

6.2.6 if either of the grounds for appeal are met, the Director shall consider all the materials gathered during the investigation of the complaint and may, at their discretion, consult the staff member who made the decision, and interview any parties to the complaint;

6.2.7 The Director shall decide on the outcome of the appeal and shall communicate the outcome of the appeal to the complainant and all interested parties (subject to any Privacy Act considerations) within 20 working days of receiving the application to appeal.

6.2.8 The decision of the Director in relation to any application to appeal is final.

## **7. Potential Resolutions for Formal Complaints**

Action decided on by a deciding manager (or a Director on appeal) to resolve a formal complaint shall depend on the nature of the complaint and could include, but may not be limited to, any of the following:

7.1 reviewing, revising or rescinding a prior decision;

7.2 taking action on a request previously not followed up;

7.3 offering an apology and/or a commitment to ensure the action/behaviour is not continued;

7.4 taking action to make an improvement to a process or service or facility;

7.5 refunding fees/charges associated with the complaint, or part of these;

7.6 advising the complainant and respondent that the concern/complaint has been noted on the respondent's file (except in the case of disciplinary action and only in accordance with New Zealand legislation including The Privacy Act 1993).

Date policy approved:	16 April 2014 (updated for title changes, 11 February 2016)
Policy approved by:	Academic Board
Policy:	Research and Curriculum Manager

## Appendix 1

# Student Complaint form

Before making a formal complaint, students are encouraged to read the 'Student Complaints' section of their **Student Handbook** and the **Resolution of Student Complaints Policy** and to first attempt a direct or informal approach to the concern wherever possible.

If a complaint includes any allegations pertaining to another individual, that person will be notified and provided with copies of all relevant documentation, including a copy of section two of this complaint form.

Please note that appeals against assessment are not dealt with in this form, and should be submitted separately.

All applicable sections of this form must be completed in order for a complaint to be formally valid, and should be presented to the Registrar in a sealed envelope marked "Student Complaint: Confidential".

You will receive a written acknowledgement that your complaint has been received within 3 working days, a copy of which will be kept on file.

Where possible, Animation College attempts to resolve complaints within 20 working days of the Student Complaint Form being received, and will notify the complainant if a longer timeframe is required.

Upon resolution, you will be sent a written notification of resolution, detailing the outcome of the complaint process.

## SECTION ONE: PERSONAL DETAILS

Student Name:

Student ID:

Date of Birth:

Course of Study:

### Preferred Contact Details

All correspondence related to this complaint will be directed to the contact details specified below.

Postal Address:

Postcode:

E-Mail:

Daytime Phone:

Mobile:

What is your preferred contact method?

Physical mail (Postal service)

Phone (Mobile)

E-Mail

Phone (Daytime)

## SECTION TWO: COMPLAINT DETAILS

Complainant Name:

Incident Date:

What is your complaint regarding?

Student Behaviour

College Services/Administration

Facilities

Academic Matters (other than appeal)

Other

Provide a detailed description of your complaint, including relevant dates and times (attach additional pages if required):

Detail the preliminary steps you have taken to resolve this complaint:

Describe your desired outcome:

Complainant Signature:

Date:

OFFICE USE ONLY

Date Received:

Resolved (Y/N):

Investigator Name:

Date Resolved: