



# Academic Complaint Procedure

## 1. Purpose

The purpose of this procedure is to outline the process that applies when:

- a) A Student wishes to raise an Academic Complaint at Unitec because they believe they have suffered an academic disadvantage; and
- b) Unitec is investigating and coming to a decision in relation to the subject matter of an Academic Complaint

**Note:**

- This procedure must precede any formal Appeal process in relation to an academic matter
- This procedure does not apply where the subject matter is an appeal against Unitec decisions relating to Student Complaints or Student Discipline

The procedures relevant to student complaints and student discipline are set out in the Student Complaints Resolution Procedure and the Student Disciplinary Statute.

## 2. Principles

2.1 The Academic Complaints procedure will follow the principles of natural justice, namely:

- a) Notice of any Academic Complaint received by Unitec shall be given to all relevant party/parties to whom the complaint directly relates as soon as reasonably practicable (subject to application of any "Time Limits" indicated below)
- b) Such persons shall be given an opportunity to respond
- c) The process for resolving the Complaint will be conducted fairly
- d) The avoidance of bias or conflict of interest

2.2 Parties to an Academic Complaint have the right and responsibility to:

- a) Seek support and advice
- b) Bring a support person to any meetings
- c) Be treated with courtesy and respect
- d) A fair and timely investigation
- e) Express their points of view without fear of recrimination
- f) Receive full information at all stages of the Academic Complaint process
- g) Be advised in writing of all decisions made in relation to the Academic Complaint subject to the Privacy Act and/or any confidentiality agreements
- h) Appeal the outcome within the scope of the Appeals Procedure
- i) Respect the points of view of others

- j) Respect the rights of all parties to the Academic Complaint with respect to confidentiality
- k) In the case of the student, ensure the Academic Complaint is made in good faith
- l) Provide full and accurate information to the person investigating the Academic Complaint
- m) Not take any action that may prejudice the situation or be regarded as an act of recrimination against any other party.

### 3. Scope

The procedure applies to any of the following:

- a) The final grade awarded for any Course<sup>1</sup>
- b) The outcome of an Affected Performance Consideration (APC) decision
- c) The award of a Qualification
- d) A decision about enrolment in or admission to a Programme or Course
- e) Progression in a Programme
- f) Exclusion from any coursework or assessment
- g) Insufficient demonstration of clinical competence leading to failure of a course

Complaints in relation to any of the above constitute an Academic Complaint for the purpose of these procedures.

### 4. Requirement to seek informal resolution of an Academic Complaint

In many circumstances using informal channels leads to an early satisfactory outcome. Note that evidence of communication with relevant academic staff and Student Support will be required should the complaint progress to the formal complaint stage.

#### 4.1 Informal process

Students **must** take the following steps to resolve Academic Complaints informally before proceeding to a formal process:

- a) Speak directly to the Lecturer, Programme Co-ordinator, Academic Programme Manager or Head of School; many issues can be resolved this way
- b) Speak to one or more of the Support/Advocacy options listed in section 4.2 below, to discuss options and seek advice on what to do

Any staff member with whom a concern is raised, is expected to deal with the matter in a professional manner and take reasonable and prompt action to resolve the concern informally. The aim should be to resolve the concern at the earliest possible stage.

#### 4.2 Guidance and Advocacy available to students:

<b>Advocacy &amp; Guidance</b>
<b>Student Support Advisor</b> - . Email: <a href="mailto:studentsupport@unitec.ac.nz">studentsupport@unitec.ac.nz</a>
<b>International Student Support</b> - International Student Advisors. Email: <a href="mailto:internationalsupport@unitec.ac.nz">internationalsupport@unitec.ac.nz</a>
<b>Unitec Student Council (Te Kaunihera Akonga o Wairaka)</b>

<b>Student Advocate</b> - Email: <a href="mailto:studentadvocate@unitec.ac.nz">studentadvocate@unitec.ac.nz</a>
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## 5. Formal Academic Complaint Procedure (see Appendix A)

5.1 Where a concern has been addressed informally and is not resolved to the student's satisfaction, the student must :

- a) Seek advice/guidance from Unitec's Support/Advocacy Services before making an Academic Complaint.
- b) Check the Academic Complaints Procedure
- c) Download (<https://www.unitec.ac.nz/current-students/study-support/student-forms>) and
  - complete the Academic Complaint Form stating clearly why they are dissatisfied with the academic decision made and the outcome they are seeking.
  - Email the completed form to [resolutions@unitec.ac.nz](mailto:resolutions@unitec.ac.nz)

An Academic Complaint must be received in the Resolutions inbox within 15 working days of the student being notified of the relevant decision e.g. in the case of a final grade dispute, the Academic Complaint must be received within 15 working days of the publication of the final grade

**Note:** In exceptional circumstances Unitec may extend the timeframe for notification of an Academic Complaint. Students must contact Student Support Services for advice if they have experienced a time delay beyond the 15 working day period. Evidence of the exceptional circumstances must be provided.

Exceptional circumstances are defined to include :

- Severe illness that incapacitates the student for a period of more than 7 days
- Severe injury requiring hospitalisation for more than 7 days
- Bereavement of an immediate family member
- The birth of a child during the 15 day working period

### 5.2 Receiving an Academic Complaint

The Resolutions email inbox is managed by Te Korowai Kahurangi.

- a) Acknowledgement of receipt of the Academic Complaint will be sent from the Resolutions Inbox within 2 working days
- b) Within 2 working days of receipt, the Resolutions Inbox manager will confirm that informal resolution has not been successful and consider whether the complaint is explained clearly and that evidence of communication with relevant academic and support staff is attached. If the complaint is explained clearly and includes all relevant attachments, it will be forwarded for investigation. If the complaint is not explained clearly or there are attachments missing, the matter will be returned to the student with an explanation as to why it has been returned.
- c) Where the matter is forwarded for investigation, an Investigator, who is a Senior Academic outside of the School in which the student is enrolled, will be appointed to investigate the issue. The Academic Complaint, together with any other documents submitted by the student, will be forwarded within 2 working

days of receipt

- d) The Investigator receiving the Academic Complaint must consider if they are sufficiently independent and without bias to investigate it. 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) If the Investigator needs to delegate, this must be decided within 3 working days and notice of delegation must be emailed to Te Korowai Kahurangi.
- f) The Academic Complaint will be registered on the central Student Academic Complaints Register by the Appeals Administrator within Te Korowai Kahurangi.

### **5.3 Investigating an Academic Complaint**

The Investigator must introduce themselves as the Investigator via email to all parties within 2 working days of receiving the Academic Complaint and begin the investigation. From then on, they will provide weekly email updates to all parties.

#### **5.3.1 Investigation Process**

- a) At the time of introduction, the Investigator must provide a copy of the Academic Complaint to any other staff member or student named in the Academic Complaint
- b) The Investigator must act in accordance with other relevant policies and liaise with the appropriate people as required
- c) The Investigator may separately interview all parties involved, advising them that they may bring a support person with them to any meetings, and review any relevant documentation. 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
- d) The investigator will document each step of their investigation, including dates, who was present, what was discussed and what resolution, if any, was reached.
- e) Where no response is received from the student who made the Academic Complaint within 30 calendar days of Unitec sending them any correspondence requiring a response, the Investigator may decide not to proceed with the Investigation
- f) The Investigator must decide to uphold or deny the Academic Complaint within 10 working days of their appointment and notify that decision (via email or letter) to all the parties in a report with a copy to [resolutions@unitec.ac.nz](mailto:resolutions@unitec.ac.nz). The Investigator will notify all parties if a longer timeframe is required to finalise his/her report.
- g) If the Academic Complaint is denied, the student can seek advice as to whether they have grounds to appeal the Investigator's decision. This process is outlined In Unitec's Appeal Procedure.

**Responsibilities**

Role	Responsibilities
Student	<ul style="list-style-type: none"> <li>To seek informal resolution in the first instance</li> <li>To seek independent advice from Unitec Support/Advocacy to ensure their Academic Complaint meets the relevant grounds before submitting the form</li> <li>Provide any additional information requested by the Investigator to support the Academic Complaint</li> </ul>
Te Korowai Kahurangi Resolutions	<ul style="list-style-type: none"> <li>Acknowledge receipt of the Academic Complaint</li> <li>Facilitate the allocation of an Investigator</li> <li>Update Academic Complaints Register</li> <li>Maintain records</li> </ul>
Investigator	<ul style="list-style-type: none"> <li>Acknowledge receipt of Academic Complaint</li> <li>Investigate the matter fully by interviewing all parties and/or researching all relevant documentation</li> <li>Keep all parties informed of progress</li> <li>Reach a decision and notify all parties of the outcome</li> </ul>
Academic staff/Programme Co-ordinator /APM/HoS	<ul style="list-style-type: none"> <li>Meet with student and investigator to resolve the Academic Complaint</li> <li>Provide copies of any documents or evidence required by the Investigator</li> </ul>
Student Support/Advocate	<ul style="list-style-type: none"> <li>Provide support to the student</li> <li>Provide accurate advice based on Unitec policy and procedure</li> <li>Upon request by the student, act as liaison between the student and the academic staff or other staff members involved in the process</li> </ul>

**Definitions**

Term	Means
Appeal hearing	A formal meeting with the student, lecturer(s), student advocate, support persons and the Academic Resolutions Committee, where evidence is presented in relation to a formal appeal
Academic Complaint	Has the meaning set out in paragraph 3 of these procedures.
Academic Complaint Investigator	A senior academic who conducts an investigation, and presents an opinion on whether the Academic Complaint should proceed to a formal Appeal hearing. The Investigator should be independent of the School from which the Academic Complaint is made.
Appeal Resolution Committee	The Committee who considers evidence presented for the purpose of determining whether an Appeal has been sustained and, if so, what remedies and/or actions are to be taken.
Informal process	The process whereby student attempts to resolve an academic concern directly with staff within the School
Procedural Flaw	An error or some other issue in relation to Unitec's conduct of an assessment, that has affected the student's result or a departure from a prescribed rule or regulation.
Working Days	For the purposes of this Procedure working days will mean: <ul style="list-style-type: none"> <li>Monday to Friday (unless one of these days is a public holiday)</li> <li>The exclusion of the days that fall during the Christmas closedown period for Unitec</li> </ul>

**Reference Documents**

- Academic Complaint Form

**Approval Details**

<b>Version number</b>	<b>1.0</b>	<b>Issue date</b>	05/02/2020
Version History	New Procedure		
Approval authority	Academic Board	Date of Approval	05/02/2020
Procedure Sponsor (has authority to approve minor amendments)	Executive Dean - Academic	Procedure Owner	Te Korowai Kahurangi
Contact person	Manager TKK	Date of Next Review	February 2022