

(Excerpted and adapted from the Policies and Procedures Handbook Section X: Grievance procedures)

Staff Handbook Version

Grievance procedures

Policy

Institution XYZ believes that we have a responsibility to provide students with a study environment which is physically safe, free from harassment of any kind, and conducive to the achievement of good learning outcomes.

Limitation

Not all situations which cause students distress are the responsibility of the institution. We should be sensitive to and sympathetic with the needs of students in these situations, but they should not become the object of complaint against the institution. This policy is intended to deal with student grievances relating to the following areas:

- (i) inappropriate policies and procedures of our institution,
- (ii) failure to act in accordance with our appropriate policies and procedures, and
- (iii) actions by staff or students which cause upset to others.

Principles

1. Complaints must be dealt with in a sensitive and confidential manner. There may be times when we will need to discuss the issues with the person against whom the complaint is directed in order to help achieve a resolution. If so, this course of action should be discussed with the complainant and agreement should be secured before proceeding.
2. Problems should be dealt with as close to the source as possible. They should be referred to a higher level only after attempts to resolve them at the lower level have failed.
3. The person being complained about has a much right to a fair hearing as the complainant does. We need to listen to both sides without prejudice.
4. Our focus is on solving problems, not on laying blame or holding grudges. However, where disciplinary action becomes necessary we accept the need to pursue this.

Procedure

We can deal with a complaint formally or informally.

Informal complaints

Informal complaints are suitable for minor issues which can be resolved with the minimum of difficulty, in keeping with the principle of dealing with problems at the lowest level.

Examples of informal complaints might include the following:

- minor classroom irritations (other students break concentration by always talking in class, teacher fails to keep order)
- concerns arising from miscommunication or misunderstanding

- minor disagreements over academic matters (teacher didn't accept my late assignment, when I felt I had a good excuse)
- resource difficulties (e.g. internet connection keeps crashing)

Informal complaints are usually made verbally. If a student brings an informal complaint to you as a staff member you should direct them to the person best able to address their complaint and facilitate a speedy resolution, i.e. a facilitator. Resolution will be determined when the complainant expresses satisfaction with the outcome, or at least verbally accepts the decision reached by the facilitator. If a student cannot accept the outcome, they may lodge an appeal. It then becomes a formal matter which needs to be recorded in the Complaints Register. The Complaints Register is kept by (staff member).

Formal complaints

Formal complaints are suited to more serious issues. If a student brings a complaint to you as a staff member, you should ask them to put it in writing and refer them to an appropriate facilitator. Sometimes students may need help to do this, especially if they are international students. The complaint is recorded in the Complaints Register, and the facilitator is charged with trying to bring about a satisfactory resolution. The facilitator will keep notes to assist follow-up. At the end of the process the facilitator will produce an outcome statement which should be signed by the complainant and the facilitator. The outcome statement will be filed and referenced in the Complaints Register.

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

- * NB Most institutions have a list of contact people for harassment, and may choose to have a designated facilitator for dealing with referrals under their anti-harassment policy.

Appeals

If complainants are not satisfied with the outcome, they may appeal the decision to the Appeals Committee.

Should they want to pursue the matter outside the institution they may lodge an appeal with the Quality Commissioner of the New Zealand Association of Private Education Providers (NZAPEP) (provided the provider is a signatory to the NZAPEP Quality Commission Scheme). **This appeal must be notified to the Quality Commissioner within 6 months of the date of the act or omission giving rise to the complaint.**

If complainants are still not satisfied, their final recourse is to the NZQA Student Complaints Process (<http://www.nzqa.govt.nz>). **This appeal must be notified to NZQA within 6 months of the date of the act or omission giving rise to the complaint.**