

Complaints and Appeal Policy

Policy Type	Operational	Department	HR
Approval Authority	CEO of SureSafety	Document owner	Nadine Lightfoot
Approval date	26/02/2024	Date effective	
Last review Date	26/02/2024	New review date	

Purpose

This policy provides a clear process for resolving complaints and appeals in a fair and timely manner whilst applying the principles of natural justice.

Responsibilities

The owners are responsible for ensuring that this policy is available on the website and that every staff member and student is aware of this policy during inductions.

Definitions

Academic Appeal - A request by a complainant to change any academic decision or complaint outcome.

Concerns – The matter is best resolved by direct or informal contact with the person/people involved.

Complaint - Notification received in writing of a situation where the complainant considers that they have been directly or significantly adversely impacted; requires a more formal process of resolution.

Dispute - A dispute between a student (or former or prospective student) and a provider

Complaint and Appeal Procedure

Suresafety reserves the right not to proceed with a complaint if:

- The complaint is anonymous.
- The complaint is malicious and based on hearsay.
- If the complaint is made two months (60 days) after the alleged incident or event.

All complaints will be dealt with according to the individual merit of the complaint. SureSafety will take any concern, complaint, or appeal seriously and make every effort to resolve them to the satisfaction of all parties.

There are three stages to the complaint's procedure:

- Stage One - Informal
- Stage Two – Formal
- Stage Three - Appeal

Stage One – Informal Stage

It is recognised that some concerns are raised informally. A concern should be raised directly with the relevant staff person, trainer, or assessor. Any such concerns should then be raised promptly and directly with the individual against whom there is a concern where relevant. We aim to resolve informal concerns quickly and effectively.

A response should be made to a concern within ten working days by the staff member receiving the concern or the staff member the concern was referred to. If concerns are not satisfactorily resolved, the complainants should follow the next step of lodging a formal complaint in writing.

Stage Two – Formal Complaint

All formal complaints should be lodged within sixty days (60 days) of the event occurring. Complete the complaint form: See Appendix 1 (also available on our website or can be requested from our admin office)

Formal complaints can be submitted in the following ways;

- Sending an email to info@suresafety.co.nz with complaints form attached.
- Calling us on 021 176 0919 and providing us details about the complaint.
- Completing the complaint form and submitting it in person at our training or admin office.

Receipt of the complaint will be acknowledged within writing 5 (five) working days from when the formal complaint is received.

The Quality Assurance Assistant will deal with the complaint and a full investigation will be carried out. This may include further discussions, clarifications or meetings with the complainant.

We will reply within 15 (Fifteen) working days with a full response outlining the outcomes of the investigation in writing. If it is not possible to respond within this time, for example, because a detailed enquiry is still taking place, or staff is absent - we will issue an interim response, explaining what is being done to deal with the complaint and when a full reply can be expected.

Notify you within 10 working days if the complaint is not upheld, reasons will be given as to why. Results will be documented and provided to both parties.

Stage Three – Appeal Process

All appeals must be in writing and can be lodged in the following ways

- With any staff member at SureSafety and then completing the appeal form.
- Send an email to info@suresafety.co.nz with the appeal form attached or provide an email explaining your reason for appeal.

(The appeal form will be available on our website or at our admin office)

All non-academic or academic appeals will be investigated and where possible resolved within 28 days.

Non-Academic Appeal:

All appeals should be lodged within seven days (one week) if the complainant is not satisfied with the outcome.

Appeals will be handled by an independent third person who has no involvement in the complaint process or complaint investigation. Ensure that steps towards the resolution of appeals are undertaken within twenty (20) working days from the date the Appeal letter/form was received.

The independently appointed person for SureSafety could be another staff member or our Quality Assurance Assistant.

Notify you within 10 working days if the appeal is not upheld, and reasons will be given as to why. Results will be documented and provided to both parties.

Academic Appeal

Learners must be informed of their rights to appeal after receiving their results and disagree with the award/academic decision.

An academic appeal must be lodged within ten (10) working days of being advised of the academic decision.

In order for us to effectively investigate the appeal we need the following information:

- A Copy of the learner's enrolment form
- A Copy of the learner assessment results including evidence collected
- Learners' Reason for the appeal

Investigation of the appeal will involve the Quality Assurance Assistant to ensure third-party participation and use of any external expertise depending on the type of academic appeal to resolve the matter. **The external expertise will be related to the CMR requirements for the unit standards being assessed.**

After reviewing the documentation, the final decision would be notified to the student within 10 working days:

- Uphold the assessor's original decision or
- Overturn the assessor's decision or
- Arrange for a reassessment with a different assessor.

Results will be documented and provided to both parties.

If you don't agree with the appeal "appeal not upheld" you (students) can appeal to any of the following independent resolution scheme providers.

INDEPENDENT RESOLUTION SCHEME PROVIDERS:

The following link is available: NZQA Complaint Code of Pastoral Care in connection with:

Complaints to NZQA about the PTE breaching the Code of Pastoral Care.

Non-compliance relating to SureSafety duty as a PTE complying with the Code to resolve the complaint or the process was not open, fair and non-discriminative they may choose to contact The New Zealand Qualifications Office by phone: 0800697296 or by email: risk@nzqa.govt.nz

You can also post it all to:

Risk Management, NZQA

PO Box 160

Wellington, 6140

Financial and contractual disputes

Domestic tertiary and international learners with a financial or contractual dispute against an education provider should contact Study Complaints www.studycomplaints.org.nz

Records and Review of complaints and appeals

The admin manager will record all formal complaints and appeals in the complaint and appeals register.

Complaints and appeals will be reviewed during management monthly meetings.

References:

Related Policies:

Student rights and responsibility Policy

Assessment and Moderation Policy

Related procedures, guidelines or forms:

Website information

Complaints Form

Appeal Form

Complaint and Appeal Register

Regulatory Compliance

Education and Training Act 2020

Human Rights Act 1993

The Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021

Meeting information: Date: Meeting method: Face to face / Telephonically / Via zoom or other platform _____

Outcomes of meeting:

Final Results: Resolved / Unresolved

Closure date:

Signatures: SureSafety investigator: Complainant:

APPEALS FORM

Appeal date:
Reported to:
Type of Appeal (Circle correct one): Academic Appeal or Complaint Appeal
Name of Student seeking an appeal:
Contact details:
Description of appeal: <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Signature of student:
Investigator: Name and Surname
Date received:
Investigation notes: Findings and comments <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
Possible outcomes/resolutions: <hr/> <hr/>

FEEDBACK Date: Meeting method: Face to face / Telephonically / Via zoom or other platform _____
--

Outcomes of meeting:

Final Results: Resolved / Unresolved

Closure date:

Signatures: SureSafety investigator: Students seeking the appeal:
