

Management and Administration		
Policy Purpose	To provide a timely, fair, respectful, transparent and consistent process for resolving complaints from students and other stakeholders regarding KiwiClass and its services.	
Scope	This policy and related procedures applies to: <ul style="list-style-type: none"> • all members of the Board • all permanent and fixed term employees of KiwiClass • all volunteers of KiwiClass • any person seconded to KiwiClass; and • any person engaged or contracted under a contract for service to do work for KiwiClass. • Students and clients of KiwiClass • External stakeholders or parties to KiwiClass Note: This procedure does not apply to any employment or contractual matters, which are covered by Individual/Collective Employment Agreements (including Volunteer Agreement) or respective contract.	
Responsibility	CEO	
References	Education (Pastoral Care of Tertiary and International Learners) Code of Practice, Education and Training Act. Human Rights Act	
Forms	N/A	
Authorised by	Sally Chapman	Date: December 2022
Review Date	December 2024	

Policy

KiwiClass is strongly committed to improving its services and feedback from students and other stakeholders is important in helping us to improve. KiwiClass wants to hear concerns and problems and will support students in bringing these to its attention and work to address these in a respectful and timely manner.

Anyone raising an issue or complaint should do so in good faith based on evidence that the complainant believes to be true. No action will be taken on anonymous complaints but if circumstances require, the identity of those involved may not be disclosed. In making a complaint the complainant may choose to have a support person accompany them or to speak on their behalf at any stage of the process.

Issues or complaints may be either written or verbal and where appropriate or necessary use interpreters and/or translators to ensure that language is not a barrier to raising an issue or making a complaint. KiwiClass will document all formal complaints.

This policy will be made known to all students at the start of their studies and included in the learner handbook.

Process

The first step, if you have a complaint or concern, is to raise it with the person(s) concerned as it may be possible to resolve the situation without resorting to going through an official complaints procedure.

If the issue is not resolved or the complainant is uncomfortable raising the issue directly with the person they should raise the issue with their Teacher or a member of the KiwiClass staff.

If the issue is not resolved, the complainant is uncomfortable raising the issue with a KiwiClass staff member or is a generic issue with organisational implications they should raise the issue with the ESOL Programmes Manager.

The ESOL Programmes Manager will discuss the concern informally. It may be possible to resolve the situation without resorting to going through an official complaint's procedure.

So that an informed decision can be made, the ESOL Programmes Manager will provide a copy of the Students Complaints policy and process to ensure they are clear about the options going forward.

To avoid any ambiguity regarding the status of a concern the ESOL Programmes Manager will clarify whether the concern or statement received (written or verbal) is intended as a formal complaint, as this involves a more complex process.

When an issue or complaint is received by a Teacher or KiwiClass Staff member, the following immediate steps will be taken to address it.

- Acknowledgement to the person that the issue has been raised.
- Advise the person of the options for seeking immediate resolution, this may informal actions or making a formal complaint.
- If the matter cannot be resolved immediately, discuss the matter with the ESOL Programmes Manager and/or direct the person to the ESOL Programmes Manager.
- Depending on the nature of the issue, record the issue and its outcome in the ROLT or using the Incident Report Form, and provide to the reporting Manager, who will report to the Board on the number and nature of issues and complaints received.

Formal Complaint

It is possible to make a formal complaint either in writing, in person or by phone (where the complaint is recorded in writing for you by a designated member of staff). Where the complaint is received in person or by phone the complaint will be written down and read back to you to ensure it is accurate. Where required interpreters and/or translators can be used to ensure the details of the complaint are accurate.

Formal complainants should be forwarded to the Chief Executive Officer, who will acknowledge the written complaint within five days of receipt. A complaint should, if possible be made within 60 days of the triggered incident. If there are reasonable ground for not complaining within this time limit, KiwiClass may, at the discretion of the CEO, accept late complaints.

If the complaint is in relation to the Chief Executive Officer the complainant should forward the written complaint to the Chairperson of the Board.

Investigation and Decision

On receiving a formal complaint;

- The Chief Executive Officer will appoint an investigation committee. The members of the committee will be dictated by the nature of the complaint and the composition of the investigating committee will eliminate any possible conflict of interest or perception of such conflict.
- The investigating committee meets with any parties and with any other person named by either party or other people as it feels as having information relevant to the situation.
- The investigating committee will ensure that all parties information is understood and where appropriate and deemed necessary interpreters and/or translators used to support the gathering and conveying of information relating to the complaint.
- Anyone being interviewed is welcome to have a support present during any interviews or meetings. And where appropriate interpreters will be arranged.
- The committee considers all information and assess the evidence and will make recommendations to the Chief Executive Officer who then make a final decision.
- Invariable there is a great deal of discussion and enormous care is taken to achieve the best possible decision.
- Complainants will be kept informed of the process and the outcome.

Outcome

The outcome will depend upon the nature of the complaint and the evidence gathered by the investigation committee. Following a thorough investigation, the team will recommend appropriate outcomes to the Chief Executive Officer, who will evaluate the information provided and make the final decision.

- If both parties accept the recommendations, the complaint is resolved.
- If no resolution is reached, the complainant may choose to appeal to the KiwiClass Board

Where you are unable to resolve a learner complaint, you must advise the learner on how to raise their concerns externally. The New Zealand Qualifications Authority's [website](#) provides useful information about the avenues available to learners.

Information storage

All information relating to informal and formal complaints is held in a secure, confidential folder by the Management team on the KiwiClass Server (k Drive)

External Complaint Process

The complainant, with assistance, from a support person if desired, make a written complaint to the New Zealand Qualifications Authority (NZQA) (helpdesk@nzqa.govt.nz or 0800697 296), Human Rights Commission or other agency as appropriate, depending on the nature of the complaint.

Training

New staff will be trained in the use of this policy by their Manager during their induction period. Training and professional development will be undertaken with existing staff on an ongoing basis as identified through supervision and the yearly strategic review and planning process.

Monitoring

This policy will be monitored by the CEO and leadership team on an as-needs basis. As a minimum, it will be monitored bi-annually as part of the yearly strategic review and planning process.

Revision History

Date	Revision	Description of Revision	Revised By
Dec 2022	V1	New document created (separating the student process from staff complaints procedure)	Sally Chapman