

Student Complaints and Discipline Policy

Version	Approval Date	Review Period	Approved by	Last Review Date	Next Review Date
1	4 November 2024	3 years	Board of Trustees	4 November 2024	4 November 2027

Policy	Process (as relevant)
<p>1. Policy Purpose</p> <p>The Teachers' Institute (TTI) is committed to providing a positive and inclusive learning environment for all its trainees. This policy outlines the procedures and principles that govern the handling of student complaints and disciplinary matters within the institution.</p>	
<p>2. Definitions</p> <p>1.1. 'TTI' refers to the the The Teachers' Institute</p> <p>1.2. 'Trainee' refers to any student enrolled in a programme at TTI</p> <p>1.3. 'Trainee', 'Student' or 'Individual' may refer to one individual or a group of individuals who make or are subject to a complaint</p> <p>1.4. 'Concern' refers to any dissatisfaction with TTI staff or TTI, which may include feedback, day-to-day concerns, or the pointing out of inconsistencies or inaccuracies. It is expected that concerns can be resolved without a formal complaint submission and the associated processes</p> <p>1.5. 'Complaint' refers to any dissatisfaction with TTI staff or TTI that is submitted as a formally written complaint. It is expected that complaints will require investigation by TTI's Management or Governance.</p> <p>1.6. 'Failing to meet expectations' in relation to trainee conduct refers to a situation in which a person does not meet all, some or one part of the expectations or requirements that have been communicated to them for the completion of their Programme. Examples include, but are not limited to: not meeting objectives/ expectations; not addressing situations in which expectations or objectives have not been met after feedback; performing poorly; evidence of not performing according to TTI's values. This can also include issues of speed, quality, quantity, or how activities are delivered and situations in which</p>	

<p>a student has not met the academic requirements to continue with their programme because they</p> <p>1.7. 'Misconduct' refers to a situation in which a person does something wrong either by: doing something; not doing something; or through their behaviour. Examples include, but are not limited to: Using inappropriate language; Internet misuse; Minor instances of failing to follow TTI's reasonable and lawful instructions; Lateness; Failure to meet the expectations of the programme</p> <p>1.8. 'Serious misconduct' refers to a situation in which a person's misconduct has the effect of undermining or destroying the relationship of trust and confidence between the trainee and TTI. Examples include but are not limited to: Violent behaviour; Bullying; Harassment; Theft or fraud; Behaviour that endangers the health and safety of the trainee or others; Use of illegal drugs on TTI or school premises; Dishonesty; acting in such a way as to bring TTI or its partners, funders, or clients into disrepute.</p>	
<p>3. Principles</p> <p>TTI will use the following principles when dealing with trainee complaints or discipline issues.</p> <p>3.1. Provide a fair and transparent process for addressing trainee complaints</p> <p>3.2. Define the standards of student conduct and the disciplinary process</p> <p>3.3. Promote a safe and respectful learning environment for all trainees</p> <p>3.4. Sensitivity and responsiveness to the situation and lived experience of all learners</p> <p>3.5. To address concerns or complaints in a way that prevents recurrence and provides fair resolutions. Where possible, outcomes will not be punitive</p> <p>3.6. Ensure compliance with relevant New Zealand laws and regulations, including the Tertiary and International Learners Code of Practice</p>	
<p>4. Communication</p> <p>All staff and trainees will be provided with information about the complaints process during induction and ongoing, including how to access it, who to contact about it, its scope, and possible outcomes.</p>	<p>Complaints policy, process and resources made available via TTI's website and LMS.</p> <p>Staff have training regarding how to deal with complaints if received.</p>

5. Trainee Complaints Procedure

5.1. It is for the individual or group of individuals to determine whether an informal resolution or formal complaint process is appropriate for the concern or complaint they wish to address, and the below outlines the approach to addressing and resolving this in either case.

5.2. Informal Resolution

5.2.1. Trainees are encouraged to resolve issues at the level at which they have occurred whenever possible, by discussing concerns or complaints with the relevant faculty member, staff, supervisor or student

5.2.2. Trainees will have access to guidance on how to navigate informal resolution of concerns or complaints, and mechanisms will be in place to allow ongoing feedback of concerns as well as positive feedback

5.2.3. If the concern or complaint is not resolved through informal resolution, or if the trainee feels uncomfortable seeking informal resolution, the trainee may seek guidance and support from Student Support Services.

5.3. Formal Complaint Process

5.3.1. A complaint should only occur when either a concern or complaint remains unresolved after informal resolution, the trainee is uncomfortable with such resolution, or if the complaint is of a serious nature either as defined in this policy or in the view of the student

5.3.2. A student wishing to make a formal complaint can use the process outlined below, or seek advice and support from any member of staff regarding addressing the complaint and/ or initiating the formal complaint process in an alternative way

5.3.3. To initiate the formal complaint process a written complaint must be submitted to the Executive Leadership Team, specifying:

- the nature of the complaint
- relevant details (inc. relevant parties, dates etc.)
- resolution already sought, and
- the desired resolution or outcome

5.3.4. TTI will acknowledge receipt of the complaint as soon as practicable and within 24 hours

5.3.5. An Executive Leadership Team member, Trustee or external party will be designated as the Complaints Officer who will conduct an impartial investigation and

	<p>communicate findings and process to the involved parties</p> <p>5.3.6. All parties to a complaint will be kept informed of the progress and outcome and will be treated in a respectful manner. Where possible, early resolution will be sought.</p> <p>5.3.7. The complaints process will ensure protection of the rights of all parties involved both during and after the process. This includes the right to have a support person and confidentiality. This also includes having practices that are appropriate to the level of complexity or sensitivity of the complaint, considering the issues from a cultural perspective, including the provision of culturally responsive approaches that consider traditional processes for raising and resolving issues (for example, restorative justice), and comply with the principles of natural justice</p> <p>5.3.8. If the student is dissatisfied with the outcome, they may appeal to the Chair of the Board of Trustees within 7 days</p> <p>5.3.9. If students have been through the above internal formal complaints process and are dissatisfied with the outcome, they will be advised to contact: Tertiary Education Dispute Resolution; iStudent Complaints; NZQA. Information regarding external resolution will be made available to students.</p> <p>5.3.10. Any action agreed with regard to resolving a student concern or complaint will be completed as soon as practicable.</p> <p>5.3.11. As required by the Tertiary and International Learners Code of Practice 2021, the general nature of complaints and resolutions will be recorded, and the complaints process will be reviewed. The self-review report will be made available. No personal identifying information will be disclosed in the published report</p> <p>5.3.12. If, after investigation, it is judged that a complaint has been made falsely or maliciously, this will be considered to be misconduct and a disciplinary process may be initiated</p> <p>5.3.13. TTI prohibits any form of retaliation against individuals who make a complaint of any kind</p>	
<p>6. Standards of Conduct</p>	<p>6.1. All trainees are expected to adhere to the values of TTI at all times whilst enrolled as students, including when they are representing TTI in other settings. For the avoidance of doubt,</p>	

<p>for field-based programmes, this includes when students are on placement</p> <p>6.2. Students will be provided with written expectations regarding:</p> <p>6.2.1. Clearly defined expected standards of conduct in academic and non-academic settings</p> <p>6.2.2. Prohibited behaviours, including but not limited to plagiarism, harassment, cheating, and disruptive behaviour</p> <p>6.2.3. The disciplinary process that will be used should they fall short of these expectations</p>	
<p>7. Harassment</p> <p>7.1. TTI is committed to maintaining a safe and respectful learning environment that promotes equal opportunities and prohibits all forms of harassment.</p> <p>7.2. TTI prohibits all forms of harassment, including but not limited to:</p> <ul style="list-style-type: none"> ● Verbal harassment, such as offensive jokes or comments. ● Physical harassment, including unwelcome touching or gestures. ● Visual harassment, such as displaying offensive images or materials. ● Cyberbullying or online harassment. <p>Reporting Procedures</p> <p>7.3. Any individual who believes they have experienced or witnessed harassment is encouraged to report the incident promptly</p> <p>7.4. Reports can be made to any member of the Senior Leadership team, a line manager, or Trustee who will handle the matter with sensitivity and confidentiality</p> <p>7.5. Reports may be submitted in writing, in person, or through an anonymous reporting mechanism</p> <p>Investigation and Resolution</p> <p>7.6. TTI will promptly and thoroughly investigate all reports of harassment following the complaints procedure</p> <p>Support and Resources</p> <p>7.7. TTI will provide support and resources to individuals who have experienced harassment, including access to counselling services</p> <p>7.8. Educational programs will be implemented to raise awareness about harassment, prevention, and reporting procedures.</p>	

<p>8. Disciplinary Process</p> <p>8.1. This Disciplinary Policy outlines how TTI provides support to students who have fallen short of the outlined expectations, including but not limited to, in situations::</p> <p>8.1.1. not meeting expectations,</p> <p>8.1.2. repeated misconduct</p> <p>8.1.3. serious misconduct</p> <p>8.2. TTI is committed to supporting all students to achieve success, and will only take formal disciplinary action with good reason and respecting the rights of the student(s) concerned</p> <p>8.3. The disciplinary process will always be applied fairly and in good faith by TTI, and, where possible, will support the trainee to address the concerns and continue with their learning</p> <p>8.4. TTI will seek to respond sensitively to every trainee's situation and lived experience, including supporting trainee's learning needs as a result of health or wellbeing difficulties, including where the trainee has displayed threatening or disruptive behaviour</p> <p>8.5. Allegations of a trainee not meeting the standards of conduct will be reported to the Programme Director and escalated from there as necessary</p> <p>8.6. An Executive Leadership Team member, Trustee or external party will be designated to lead the disciplinary process. Where necessary, a third party mediator may be engaged</p> <p>8.7. The relevant trainee(s) will be provided with written notice of the alleged behaviour for which the process has been initiated, and will have the opportunity to respond</p> <p>8.8. The outcome of the disciplinary process will not be predetermined, and any decision will be based upon the facts of the situation and outcome of any action plan or informal process. Likely outcomes may include:</p> <p>8.8.1. A verbal warning</p> <p>8.8.2. A written warning</p> <p>8.8.3. Successful completion of an action plan</p> <p>8.8.4. Suspension from the programme</p> <p>8.8.5. Dismissal from the programme</p> <p>8.9. All processes and decisions will meet the requirements of relevant legislation, guidance and policies, including the Tertiary and International Learners Code of Practice 2021</p> <p>8.10. As standard, a student will receive three formal warnings (at least two of which should be 'written', and all must be recorded) before notice of dismissal from a programme is given. However, it is not a requirement in all cases as long as a fair process has been followed in good faith, dismissal has been clearly communicated as a potential outcome of the process, and the</p>	<p>See statement on student rights in New Zealand HERE.</p>
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<p>Academic Board or Board of Trustees consider there to be reasonable grounds for dismissal</p> <p>8.11. In cases of serious misconduct the student may be immediately dismissed without the need to implement any other outcomes</p> <p>8.12. In cases of failing to meet expectations, a relevant teaching member of staff will likely address the issue informally in the first instance. A formal process will be initiated if the trainee does not address the issue or improve their performance to the level required and communicated to them.</p> <p>8.13. A disciplinary hearing, conducted by a Disciplinary Committee, may be scheduled if appropriate given the complexity, uniqueness or severity of the case. The Disciplinary Committee will determine appropriate sanctions, which may include warnings, probation, suspension, or expulsion.</p> <p>8.14. The trainee has the right to appeal the disciplinary decision to the appeals committee within 7 days</p>	
<p>9. Termination of enrolment</p> <p>9.1. Termination of a trainee’s enrolment can only occur according to the Disciplinary Policy</p> <p>9.2. Notice of termination of a trainee’s enrolment will be made in writing</p> <p>9.3. TTI may seek reparations of costs from the trainee to reflect the level of investment that has been made to the point of their dismissal</p> <p>9.4. On termination of enrolment, a trainee is entitled to a refund of all or part of their student fee according to the relevant policy</p> <p>9.5. In cases of termination due to academic performance, the trainee can appeal to the Academic Board</p>	
<p>10. Confidentiality:</p> <p>10.1. All information related to trainee complaints and disciplinary matters will be treated with utmost confidentiality, in compliance with privacy laws</p> <p>10.2. TTI may disclose information at any point to the person nominated by the student as part of the enrolment process where TTI has reasonable grounds for believing that the disclosure is necessary to prevent or lessen a serious threat to the student’s life or health</p> <p>10.3. This will be communicated to the student</p>	
<p>11. Appeals against outcomes of a disciplinary process</p>	

<p>11.1. A trainee who has been subject to a disciplinary decision and/or had their enrolment terminated can appeal the decision within 14 days of notification of the decision by writing to the CEO requesting that the decision be reviewed</p> <p>11.2. Acceptance of an appeal is at the discretion of TTI, and a review of a disciplinary decision and/or termination of enrolment will only be considered on the basis of: new information becoming available; irregularities in the disciplinary process; a claim that any sanction/termination is disproportionate</p> <p>11.3. An appeals committee consisting of staff, members of the Academic Board or Board of Trustees, and independent third parties may be established</p> <p>11.4. The appellant will be required to provide evidence of the grounds upon which they are appealing. The decision will be reviewed according to the relevant complaints and disciplinary policies</p> <p>11.5. Outcomes from a review may be to: uphold the original sanction/termination; modify the sanction/termination in whole or part; reverse the sanction/termination</p> <p>Escalating Appeals</p> <p>11.6. In the event that a student who has appealed against the outcome of a disciplinary process does not consider TTI's process to have been sufficiently fair, delivered in good faith, or completed in a timely manner, or for any other reasons, they can raise the complaint with NZQA using the 'Complaints kit for formal complaints about providers'</p>	
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Amendment Log

Amended section	New Policy Version #	Effective date	Details of amendment