

# Formal Complaint Procedure

<b>Head Policy</b>	<a href="#">Student Complaints Policy</a>
<b>Code and Category</b>	PR_AC_002 Academic
<b>Document Owner</b>	Vice President, Governance, Strategy and Student Administration
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<b>Related documents</b>	<a href="#">Resolving a Complaint Informally</a> <a href="#">Formal Complaint Form (forthcoming)</a> <a href="#">Internal Appeal Procedure</a> <a href="#">External Review Procedure</a> <a href="#">Privacy Policy</a> <a href="#">Student Charter</a>

## 1. Introduction

The Media Design School (MDS) encourages students and staff to create a positive communication process that both benefits MDS and the classroom. MDS wishes to foster an environment of continuous improvement and expects both staff and students to raise concerns early to allow preventative measures to be put into effect.

This document should be read in conjunction with the MDS 'Student Complaints Policy' for full policy context and definitions.

## 2. Scope

These procedures apply to:

- students with complaints which have not been resolved informally,
- students with complaints who wish to have these resolved formally, or
- students who wish to request a review of a decision (e.g. rejection of refund requests).

These procedures do not apply to students who wish to appeal a determination made under the *Student Charter* (refer to the *Internal Appeal Procedure*).

### 3. Purpose

The purpose of this process is to provide a mechanism for escalating and addressing an unresolved issue to a formal complaint.

## 4. Media Design School’s approach to complaint management

- 4.1. Informal discussion
- 4.2. Formal complaint
- 4.3. Internal appeal
- 4.4. External review

Media Design School (MDS) strongly encourages that parties involved in a complaint attempt to resolve the issue informally. Please refer to *Resolving a Complaint Informally* for information on the procedure. However, students may seek to have their complaints addressed formally in the following instances:

- where the issue has not been resolved informally, or
- where the student does not feel comfortable raising the complaint directly with the person involved.

## 5. Process for lodging a formal complaint or requesting a decision reviewed

	Steps
<b>Step 1</b>	<p>If the issue is not resolved informally, then the student may choose to complete the <i>Formal Complaint Form</i>. This should indicate whether the complaint or concern is related to an academic or non-academic matter.</p> <p>The <i>Formal Complaint Form</i> can be downloaded from the Hive. <b>Adequate</b> and <b>appropriate</b> supporting documents should be attached to the form. Failure to do so may result in delays in processing or rejection of the complaint.</p> <p><b>NOTE:</b> If there was no attempt to resolve the issue informally, MDS staff may suggest that this is completed prior to submitting a formal complaint.</p>
<b>Step 2</b>	<p>The student must submit the completed form to Student Services (online or at the campus) who will review the form and supporting documents, and enter the details into the <i>Student Records Management System</i>. Student Services will acknowledge receipt of the formal complaint or review usually within five working days.</p> <p><b>NOTE:</b> Students must ensure that they provide all the necessary information and supporting documentation to facilitate the resolution process.</p>

	<b>Steps</b>
<b>Step 3</b>	<p>The Programme Director or Academic Programme Leader will assess academic complaints, and the Campus Director will do the same for non-academic matters. However, if the complaint directly involves, or where there is conflict of interest with, the:</p> <ul style="list-style-type: none"> <li>• Programme Director, the complaint will be escalated to the MDS Academic Coordinator, or</li> <li>• Campus Director, the complaint will be escalated to the Country Director.</li> </ul> <p>The Programme Director or Academic Programme Leader (or MDS Academic Coordinator) or Campus Director (or Country Director) will investigate the complaint requested, and interview key people where necessary (which may include the student).</p> <p><b>Note:</b> Students have the right to have a support person present at any interview or proceeding.</p>
<b>Step 4</b>	<p>If the complaint relates to the review of a decision, and if after investigation:</p> <ul style="list-style-type: none"> <li>• the decision under review is upheld, the student will be advised in writing of the outcome as well as the rationale for the decision.</li> <li>• the decision under review is overturned, the Programme Director (or MDS Academic Director) if conflict of interest exists) or Campus Director (or Country Director if conflict of interest exists) will: <ul style="list-style-type: none"> <li>○ record the changes in the <i>Student Records Management System</i></li> <li>○ implement the changes or recommend changes to the relevant staff or department</li> <li>○ advise, through Student Services, the student in writing of the outcome, the reasons for the decision and further avenues for appeals internally and externally.</li> </ul> </li> </ul> <p><b>For all other complaints</b> and if after investigation:</p> <ul style="list-style-type: none"> <li>• the complaint is unsubstantiated, the student will be advised in writing that the formal complaint has been rejected outlining the outcome, rationale for the decision and further avenues for appeal or complaints internally and externally</li> <li>• the complaint is substantiated, the Programme Director and/or Academic Programme Leader (or MDS Academic Coordinator if conflict of interest exists) or Campus Director (or Country Director if conflict of interest exists) will: <ul style="list-style-type: none"> <li>○ record the changes in the <i>Student Records Management System</i></li> <li>○ implement the changes or recommend changes to the relevant staff or department</li> <li>○ advise, through Student Services, the student in writing of the outcome, the reasons for the decision and further avenues for appeals or complaints internally and externally.</li> </ul> </li> </ul>

	Steps
<b>Step 5</b>	<p>Student Services or the decision-maker (Programme Director or Campus Director or delegate) will notify the student of the outcome in writing within 10 working days of their formal complaint being lodged. In instances when the formal complaint is rejected, the outcome will also include instructions how to appeal the decision.</p> <p>Student Services will notify the student of any delay that may occur during the process.</p>
<b>Step 6</b>	<p>If the student is dissatisfied with the outcome, the student may request an internal appeal (<i>Internal Appeal Procedure</i>) or file a complaint externally (<i>External Review Procedure</i>).</p>
<b>Step 7</b>	<p>If the complaint is submitted directly to the Student Complaints Team before the process above has been undertaken, the Student Complaints Manager or Officer will usually refer it to Student Services. The student will be advised that it will be submitted as a formal complaint or review request.</p>
<b>Step 8</b>	<p>Depending on the outcome, MDS will implement the action as a result of the formal complaint or review.</p>

Students may contact Student Services at any stage during the process if they would like further clarity on the process or updates on the progress of their complaint or request for review.

## 6. Important notes

A student who lodges a complaint or requests a review must remain enrolled during the process and is encouraged to continue attending classes and working towards their qualification unless otherwise advised.

At any point, the student may decide to refer the matter to an external agency (e.g. a student may lodge their complaint with the [New Zealand Qualifications Authority](#)). However, MDS strongly encourages students to exhaust all internal processes before they lodge a complaint externally. For information on how to make an external complaint, refer to the *External Review Procedure*.

## 7. Record keeping and confidentiality

Records of all complaints and reviews handled under this procedure and their outcomes will be recorded in the Student Records Management System and will be maintained for at least five years. This is to allow all parties to the complaint or review appropriate access to these records upon written request to the Vice President, Governance, Strategy and Student Administration.

All records relating to complaints will be treated as confidential and will be covered by the *Privacy Policy*.