Learner Complaint Procedures

If you are a current, prospective, or former learner with a complaint about the Ara Institute of Canterbury (Ara), we want to know so we can work with you to resolve your concerns. If you have a complaint about something that has affected you, this guide tells you what you can do to raise a complaint, and what Ara will do with your complaint.

1 Introduction

1.1 Purpose

The purpose of this document is to explain the Ara complaints procedures, from a learner's perspective. This procedure explains how you (or the person representing you) can make a complaint, how Ara will handle your complaint, timeframes for resolution, and alternative resolution options. Please read this procedure in full before you make a complaint.

1.2 Definitions

a **Academic Decision:** A decision which causes a learner an academic disadvantage.

b **Advocate:** Person(s) who is appointed to speak or act on behalf of the complainant or respondent (e.g., colleague; an appointed associate or professional person; whanau member).

c **Bullying:** repeated and unreasonable behaviour directed towards a person or a group of people that creates a risk to their mental or physical health and safety. Examples of actions that may be regarded as bullying can be found in CPP222b Examples of Bullying.

d **Complaint:** Is an expression of dissatisfaction with the quality of an action taken, decision made, or service provided by Ara.

e **Complainant:** The person(s) raising the problem or making the complaint.

f **Policy and Complaint Lead:** The person delegated by the Chief Executive to manage complaints (other than those involving colleague performance), academic appeals, and appeals against cancellation and/or refusal of enrolment.

g **Formal Complaint:** A complaint made by an Ara learner, or member of the general public. Formal complaints are investigated and substantiated to understand the context of the complaint. These complaints are logged in the complaints register and are provided a reference number.

h **Frivolous, trivial or vexatious Complaint**: A complaint which –

i Is without merit.

ii Has already been considered by Ara and satisfactory measures have been taken to resolve the matter.

iii Is dishonest or contains intentionally misleading information.

iv Is pursued with undue persistence, or

v Is pursued in a manner that threatens, menaces, or harasses an Ara colleague or fellow learner.

i **Harassment:** Unwelcome, unsolicited, and unreciprocated behaviour by a person or group that may reasonably be expected to offend, humiliate, or intimidate another, and may interfere with a person's right to work or study in a non-threatening environment. Examples of actions that may be regarded as harassment can be found in Appendix A.

j **Informal Complaint:** For quick problem solving rather than investigating and substantiating claims. They seek agreement and shared understanding of how to avoid problems in the future. Informal complaints are most appropriate in cases where the allegations are less serious, or the problem is based on miscommunication or a misunderstanding.

k **Natural Justice:** Ara will uphold the principles of fair, ethical, and honest natural justice, ensuring that any complaint or breach of learner code of conduct is fully investigated. Giving all parties involved the right to be heard and the right to respond prior to a decision being reached.

l **Problem:** A situation where a learner considers appropriate standards have not been met. The impact on the learner has not been large and it is likely that resolution can be obtained by direct, informal discussion with the employee(s) concerned.

m **Racial Harassment:** Unwelcome, unsolicited behaviour that denigrates, humiliates, or intimidates a person or group on the basis of their race, colour, ethnic or national origins, culture or ethno-religious background. It is unlawful for any person to use language (whether written or spoken), visual material, or physical behaviour that expresses hostility against, or brings into contempt or ridicule, any other person on the grounds of the colour, race, or ethnic or national origins, of such a significant nature that is has a detrimental effect on that other person's ability to engage in work or study activities.

n **Respondent:** The person(s) about whom the complaint is made or who has responsibility for the course/programme, service or management practice identified in the problem or complaint.

o **Responsible Manager:** A person, to whom a complaint is referred for consideration or investigation on behalf of Ara, typically being a Head of Department, Executive Director, Director or similar.

p **Sexual Harassment:** any form of sexual or gender orientated attention or behaviour that is unwanted and offensive to the recipient and would also be offensive to any other person. Sexual harassment may be intentional or unintentional and is not confined, by definition, to any gender or sexuality. It is unlawful for any person to make a request of any other person for sexual intercourse, sexual contact, or other form of sexual activity which contains an implied or overt promise of preferential treatment or an implied or overt threat of detrimental treatment. It is also unlawful for any person to use language of a sexual nature (whether written or spoken), visual material of a sexual nature, or physical behaviour of a sexual nature to subject any other person to behaviour that is unwelcome or offensive to that person and is either repeated, or of such a significant nature, that it has a detrimental effect on that person's ability to engage in work or study activities.

q **Colleague:** For the purposes of this policy, the definition of "colleague" extends to cover all persons working at, for, or on behalf of, Ara (whether paid or unpaid), including but not limited to, contractors, subcontractors and their employees, adjunct appointees, visitors, consultants, guest lecturers, interns, and volunteers.

r **Learner:** A person who is enrolled in at least one course at Ara, either directly or indirectly or through official arrangements with another organisation. The term learner in this context may include prospective learners or former learners.

s **Support Person:** Person(s) who provides support or advice to the complainant or respondent. A support persons role is to empower the complainant or respondent to

speak for themselves with knowledgeable support. A support person cannot speak on behalf of the complainant or respondent unless the complainant or respondent chooses the support person to move into the role of Advocate.

t **Victimisation:** Treating people worse than others, dismissing them, offering them different terms and conditions of employment, and failing to offer promotion or other benefits because they have honestly and in good faith supported or participated in a complaint of bullying or harassment.

u **Working Day:** A Day of the week in which Ara is fully open, which excludes Saturdays and Sundays, public holidays, relevant regional anniversary days and Ara holidays.

2 Principles

2.1 When handling learner (and public) complaints, Ara and its colleagues will endeavor to –

a Handle complaints in a way that is fair, transparent, timely and effective.

b Work with learners to consider their issues from a cultural perspective.

c Accommodate the involvement of the learner's chosen support people and/or whānau, where requested by the learner and/or the learner is a minor, and

d Provide culturally responsive approaches to resolving complaints, including considering traditional and informal processes for raising and resolving issues.

e To support Ara colleagues and learners in enabling inclusiveness, participation, appreciation, recognition, support, transparency, and sense of belonging. The principles of confidentiality are followed. This is about respecting colleagues and learners' privacy and respecting their wishes. It means Ara won't share personal details about someone with others, unless that person has said they can, or it is necessary.

f Align to the CPP222 Addressing Bullying, Harassment and Discrimination policy.

2.2 When handling learner complaints, Ara and its colleagues will endeavor to uphold Ara's organisational values –

a Hono/Connect

b Hihiri/Inspire

c Aroha/Respect

3 Procedures for Learner Complaints

Contents:

3.1 Seeking Support
3.2 Who can make a Complaint
3.3 Complaints covered by this Procedure
3.4 Complaints not covered by this Procedure
3.5 Informal Resolution Options
3.6 Formal Complaints Submission Process
3.7 Receipt and Assessment
3.8 Assisted Resolution Process
3.9 Investigation
3.10 Bullying, Harassment and Discrimination Prevention
3.11 Right of Appeal
3.12 External Complaint and Appeal options
3.13 Frivolous, Trivial or Vexatious Complaints
3.14 Privacy, Reporting and Record Keeping

3.1 Seeking Support

a If you would like support or assistance in understanding these procedures, or to discuss your circumstances or concerns prior to making a complaint, you can contact the –

i Policy and Complaint Lead – for information regarding the process and to answer any questions: https://www.ara.ac.nz/about-us/complaints/

ii Student Advocate – for confidential and independent advice, advocacy, and support: Student Advocacy and Support

iii Class Representatives

iv Tutor/Programme Manager

v Portfolio Managers

b Those seeking to raise a complaint should attempt to address their concerns at the lowest level appropriate. Over-escalation of concerns can impact on timelines, processes, and outcomes. The Policy and Complaint Lead and/or any other listed party may provide advice on the most appropriate avenue to hear concerns while acknowledging that learners have a right to raise concerns under the relevant complaints policy.

c If you need additional assistance to use these complaints procedures, for example, due to a language barrier or lack of internet access, please contact the Policy and Complaints Lead or the Student Advocate to discuss additional support options.

d Ara's learner complaints procedures are summarised in the CPP117d Learner Complaint Flowchart and discussed in detail below.

e If you wish to raise a concern (but not a formal complaint under these procedures), then please contact complaints@ara.ac.nz

3.2 Who Can Make a Complaint?

a Complaints under these procedures can be made by the following people –

i Current Learner

ii Prospective Learner

iii Former Learner

iv Learner's parents or legal guardians (if learner is under 18 years)

v A group of learners

vi Members of the public

3.3 Complaints Covered by this Procedure

a The procedures detailed in this document apply when a learner or member of the public raises a problem or complaint regarding any of the following –

i Their treatment by Ara or its colleagues

ii Financial or contractual issues with Ara

iii The quality of delivery of a service (including a course or programme) provided by Ara

iv Learner behaviour, connected to APP301a Learner Responsibilities and Rights

v A learner's wellbeing or safety, including issues of racism, discrimination, bullying

vi Physical and/or sexual violence

vii The actions or conduct of an Ara colleague.

b Reasons learners or members of the public may wish to raise a complaint are –

i To have their concerns heard and/or investigated

ii To receive an apology or acknowledgement of wrongdoing

iii To have a decision made, or an action taken in response to the specified circumstances

iv To have a record kept that their complaint has been raised

v To improve existing services and/or processes.

c Ara reserves the right not to take action related to –

i Anonymous or malicious complaints, complaints based in hearsay or if the complainant does not provide sufficient information or does not respond within **thirty (30)** calendar days (CPP117 Raising Problems or Complaints).

ii Issues raised more than 30 calendar days after an alleged incident/problem occurred (if being raised by a member of the general public) or more than **ninety (90)** calendar days (if being raised by an Ara learner).

3.4 Complaints Not Covered by this Procedure

a The procedures detailed in this document when a learner wishes to raise a complaint about –

i An academic decision (refer to APP506 Learner Behaviour Management and APP512 Suspension and Refusal/Cancellation of Enrolment)

ii A breach of privacy (refer to CPP109 Disclosing Personal Information about Learners and Colleagues)

iii Intellectual property (refer to CPP106 Intellectual Property)

iv Serious wrongdoing, corruption, or a serious and substantial waste of public money (refer to CPP116 Protected Disclosures). If you wish to make an anonymous disclosure you can do so through the https://informus.ara.ac.nz (Inform Us) webpage.

v Criminal activity (refer to the appropriate authority e.g., NZ Police)

vi Student loans, student allowance or student loan repayments (refer to Studylink).

3.5 Informal Resolution Options

a Where appropriate and you feel safe to do so, learners are encouraged to resolve issues informally by directly approaching the relevant Ara colleague or Department, either on their own or with the support of a third party such as the Independent Student Advocate. Informal resolution strategies might be conducted in person or via email, and include –

i Telling the person what the issue is asking them to stop or to behave differently

ii Where appropriate, keeping a written record of this action

iii A mediated discussion with the concerned parties or an informal chat with them on your behalf.

b Paragraph 6.1 does not apply to complaints concerning alleged criminal conduct, including sexual assault. Please refer to the Ara CPP222 Addressing Bullying, Harassment and Discrimination policy. for further information. Criminal matters may be referred to the Police by the learner or Ara.

c Colleagues approached by a learner with a complaint are expected to deal with the matter in an open and professional way, and to take reasonable and prompt action to try to resolve the matter informally or if it is more serious, refer the matter to a more senior

colleague. In dealing with a complaint, colleagues should conduct themselves in a way that aligns with the principles outlined on page one of this document.

d The colleague may seek further information or clarification from either the learner, or from others, without naming the learner unless express permission has been provided by the learner for them to be named. The colleague may seek the support of their Head of Department, relevant Manager, or Director (or delegate) when considering the matter.

e Colleagues should provide learners with an outline of the next steps and an indication of when an outcome is likely to be available within **ten (10)** working days of the matter being raised. Where they are not resolved to the satisfaction of the learner, or where the matter is more serious, the learner should follow the formal complaints procedure as set out below.

3.6 Formal Complaint Submission Process

a A learner who is unable to resolve their issue or concern informally, or considers informal resolution inappropriate or unsatisfactory, can lodge a formal complaint through the Policy and Complaint Lead, the policy CPP117 Raising Problems or Complaints and the CPP117a Notification of Problem or Complaint Form.

b Learners must submit the formal complaint in writing, clearly stating –

i That the complaint is a formal complaint

ii Who is raising the complaint, and how best to contact them

iii The basis for the complaint

iv If known, the name of the person, department/school, or service unit which is the subject of the complaint.

v A description of the events that have given rise to the complaint

vi Actions (if any) you have taken to resolve the complaint, and

vii Any outcomes sought as a result from the complaint. The learner should also provide all relevant evidence.

c Formal complaints should brought to the attention of the Policy and Complaint Lead at complaints@ara.ac.nz.

d A learner can withdraw their complaint at any time by writing to the Policy and Complaint Lead (at complaints@ara.ac.nz) and the matter will be considered to be resolved. Ara may continue to investigate a complaint if we believe it would be helpful to do so, including to ensure that we provide a safe and supportive learning environment or where we are required to do so to satisfy legal requirements.

e Ara will not investigate a formal complaint submission where it reasonably considers that –

i The person who has submitted the complaint is not a learner (or a proper representative of a learner)

ii The submission does not present a circumstance that meets the definition of a complaint (refer to sections 1.2 and 3.3. Definitions)

iii Another policy or procedure has been or can be used to consider the complaint

iv The learner has provided insufficient detail or evidence of the issue to enable it to be properly assessed

v The learner is not willing to participate or assist the Complaints Coordinator

vi Timing, see policy reference CPP117 Raising Problems or Complaints (section 8) the complaint is a frivolous, vexatious or malicious complaint, or

vii The complaint has been appropriately addressed or resolved and does not warrant further action.

3.7 Receipt and Assessment

a Ara will provide learners with a written acknowledgement of receipt of a formal complaint within **two (2)** working days of formal lodgment of the complaint outlining what will happen next.

b The Policy and Complaint Lead will –

i Process the complaint within approximately **five (5)** working days of its receipt.

ii Determine whether the submission of a complaint falls within the scope of any Ara regulation or policy which, for the purpose of complaint resolution, has a procedure to review the action, decision or omission that is the subject of the complaint.

iii Refer the complaint for consideration under the appropriate Ara regulation or policy and advise the learner of this referral or will be managed under the Learner Complaint Procedure.

iv Determine whether the Assisted Resolution Process should be followed or whether an investigation is appropriate

v Refer the complaint and recommendation to the responsible manager (i.e., relevant Portfolio Manager, Operations Manager, Director, or equivalent responsible manager), unless, on the basis of the submission, that a reasonable concern of bias or a conflict of interest exists with regard to that person – in which case the Policy and Complaint Lead will contact the next most senior officer as the responsible manager

vi Determine the period during which a resolution of the complaint is expected to be achieved. This will be approximately within **fifteen (15)** working days. In the case of complex cases, the resolution period may be longer.

vii Where a resolution is likely to exceed **fifteen (15**) working days, the Policy and Complaint Lead will provide an estimated timeframe for the resolution of the complaint and advise the learner of the referral to the responsible manager and period during which a resolution of the complaint is expected to be achieved.

viii Determine whether the complaint should be referred to the responsible manager to determine if a complaint is a frivolous, trivial or vexatious complaint.

c Within approximately **five (5)** working days of the referral, the responsible manager may determine, that the complaint is either –

i Is a frivolous, trivial or vexatious complaint and may dismiss the complaint and notify the Policy and Complaint Lead who will notify the complainant and advise of their appeal options

ii Is not a frivolous, trivial or vexatious complaint, and notify the Policy and Complaint Lead.

iii If it will be referred to P&C for investigation if it is a colleague employment matter.

d The responsible manager will acknowledge receipt of the referral of the complaint submission. If they believe they have a conflict of interest, or the learner raises reasonable concerns of bias regarding the referral, they must advise the Policy and Complaint Lead, who will re-refer the complaint to a more appropriate person (i.e.,

relevant Portfolio Manager, Operations Manager, Director, or equivalent responsible manager).

e At the conclusion of the preliminary assessment described in paragraph 8.2, the Policy and Complaint Lead must provide the learner (and, where appropriate, the respondent) a written statement of the outcome of the preliminary assessment, which includes –

i Reasons for the outcome, and

ii Details of any right to seek an appeal, as per the appropriate Ara policy.

3.8 Assisted Resolution Process

a Where the assessment in section 3.7(b) determines that assisted resolution is appropriate, resolution may include, but is not limited to –

i Clarifying a misunderstanding

ii An apology

iii Facilitated discussion, including mediation or conciliation

iv An agreed plan of action to avoid further incidents, or

v Implementing awareness-raising or educational sessions about behaviour.

b Where reasonable, the assisted resolution process should be completed within **twenty (20)** working days of the assessment referred to in section 3.7(b).

c Where **twenty (20)** working days is not reasonable, the Policy and Complaints Lead must –

i Advise the learner of the reasons for the delay, and of the projected timeframe for resolution, and

ii Update the learner on the progress of the complaint every **ten (10)** working days.

3.9 Investigation

a Where assisted resolution is unsuccessful or considered inappropriate, the Policy and Complaints Lead must determine whether –

i The matter should be investigated or

ii If any further action should be taken

b Ara may initiate an investigation –

i For serious complaints (as determined by Ara at its absolute discretion taking into account the learner's views and circumstances),

ii Where assisted resolution is unsuccessful or not appropriate, or

iii In other circumstances, where Ara considers it to be appropriate.

c Except where otherwise required by Ara rules, protocols, policies and procedures, the responsible manager will determine how the complaint investigation process is progressed taking into account the principles in section 2. the This may include –

i Nominating an appropriate colleague(s) to assist

ii Meeting with the parties (with their respective support person(s)), together or separately

iii Providing for mediation, conciliation, or investigation of the complaint by an appropriately trained and independent person, and/or

iv Obtaining all other relevant evidence in Ara's possession – guided and supported by the Policy and Complaint Lead.

d The responsible manager will provide respondents with –

i The allegations in sufficient detail to ensure that they have a reasonable opportunity to respond, and

ii A reasonable period of time within which to respond to the allegations.

e The responsible manager will ensure all parties involved in resolving the complaint are treated fairly and reasonably. If Ara is required to respond to the complaint within the context of policy CPP211 Code of Professional Practice, then the complaint will be referred to People and Culture.

f The responsible manager may make findings of fact and may make recommendations for resolving complaints, in accordance with Ara statues, regulations, rules, protocols, policies and procedures.

g The responsible manager will consider in what ways the complaint might be valid and the appropriate response, including if a remedy is justified. This will include that –

i In determining an appropriate remedy, the remedial action the leaner has sought is considered, and

ii A remedy must be within the authority of the responsible manager or be recommended by the responsible manager to an appropriately delegated person or body, which has the authority to implement the remedy.

h The responsible manager must give the Policy and Complaint Lead written reasons for their findings of fact and (if relevant) their recommendations. The reasons must provide enough detail for learners and respondents to determine whether there are sufficient grounds for an appeal. The Policy and Complaint Lead must peer review the recommendations and validate that Ara policies and procedures have been adhered to.

i Where reasonable, the investigation should be concluded within **thirty (30)** working days. Where **thirty (30)** working days is not reasonable, the Policy and Complaint Lead must –

i Advise the learner of the reasons for the delay, and of the projected timeframe for conclusion of the investigation, and

ii Update the learner on the progress of the complaint every **ten (10)** working days.

j If the responsible manager recommends any systemic improvements to Ara practices, including the review of policies or procedures following the review of a complaint, the Policy and Complaint Lead will forward any recommendation(s) to the relevant Director(s)/Manager for action. Director(s)/Manager who receive a responsible manager's recommendation(s) will advise the Policy and Complaint Lead and the responsible manager of their response to the recommendation(s) within **fifteen (15)** working days.

k If a remedy is approved, then Ara will implement corrective and preventative actions as soon as possible. The colleague who authorised the remedy will keep the learner appropriately informed of progress in implementing the remedy.

l Where an investigation occurs in relation to a colleague's employment, Ara will be limited in the information it can provide to a learner under the Privacy Act 2020.

3.10 Bullying, Harassment and Discrimination Prevention

a It is recognised that a learner or colleague may find it difficult to instigate a complaint of bullying/harassment/discrimination. Where an approach has been made to Ara by someone who believes that they or someone they know, has been harassed/bullied then appropriate support will be offered by Ara.

b The complaints process and support available may be different for learners than it is for colleagues, as set out in the CPP222 Addressing Bullying, Harassment and Discrimination policy.

c All allegations of bullying or harassment will be taken seriously and will be dealt with in a sensitive manner, respecting the rights of all parties involved. There will be no presumption ahead of a proper investigative process that the person accused of bullying/harassment has engaged in such behaviour.

d Learners and colleagues will be protected from intimidation, victimisation and discrimination when making a complaint or assisting with an investigation under Ara policy. Where Ara considers it appropriate and practicable, it may make arrangements to separate the complainant and the person accused of harassment or bullying whilst an investigation or resolution process is underway.

e On receipt of a formal complaint, the complainant will be informed of how the investigation will proceed. The complainant will be kept informed of the general process during the course of the investigation.

f All information relating to complaints will be treated in accordance with the Privacy Act 2020. Where an investigator prepares a report, both the complainant and the respondent will be provided with a copy and given an opportunity to provide a written response before a decision is made.

3.11 Right of Appeal

a A learner has a right to seek an appeal. Appeal procedures must be in accordance with Ara statues, regulations, rules, protocols, policies and procedures. Please refer to the governing complaint policy, CPP117 Raising Problems or Complaints (section 3.2) may also be appropriate, dependent on the nature of the complaint. The Policy and Complaint Lead will support the process.

3.12 External Complaint and Appeal Options

a In the first instance, Ara and the learner should endeavour to resolve the complaint or dispute through the processes described in these procedures. However, a learner can raise an external complaint or dispute if –

i Ara does not accept the learner's complaint

ii The learner or Ara perceives that Ara does not have the cultural competency to deal with the complaint

iii The learner is not satisfied that Ara has made adequate progress towards resolving the complaint, or

iv The learner is not satisfied with Ara's internal complaints process or outcome.

b A learner can seek resolution of a dispute from the following agencies, depending on the subject matter of the dispute. External agencies are likely to expect that a learner should first attempt to resolve their grievances internally, using the procedures of Ara, unless there are exceptional circumstances.

Financial and Contractual Disputes	**Financial and Contractual Disputes Resolution Scheme:** The Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021 provides for the establishment of a dispute resolution scheme for financial and contractual disputes between learners and the Institution. For more information and updates on the dispute resolution scheme, visit the *NZQA website*. **International Learners Contractual and Financial Disputes:** *iStudent Complaints* is a dispute resolution service set up for international learners. International learners can escalate unresolved complaints about a contract (for example an enrolment or accommodation contract) or a financial dispute to iStudent Complaints. **Disputes Tribunal:** The *Disputes Tribunal* is a small claims court that can hear claims about unresolved disputes for up to $30,000. If a claim is for over $30,000, then this would usually need to go to the District Court. For more information: • Download *this brochure* about the Disputes Tribunal • Read *this information* about the Disputes Tribunal from Community Law
Pastoral Care Code	**NZQA:** If you believe that the Institution is failing to meet the outcomes or requirements of the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021, and the Institution is unable to resolve your concerns, you can escalate a complaint using *NZQA's complaints procedure*.
Privacy	**Privacy Commissioner:** If you have an unresolved complaint about how information about you has been stored or used, you can contact the *Office of the Privacy Commissioner*.
Discrimination and Human Rights	**Human Rights Commission:** If you have an unresolved complaint that you have faced discrimination, hateful speech, or that your human rights have been denied, you can contact the *Human Rights Commission* for information, support or to make a complaint.
Delivery or Quality of Your Course or Study	**Tertiary Education Commission (TEC):** If you are concerned that the Institution is not delivering the appropriate amount of teaching hours through their course or study, or about the Institution's performance against its commitments, performance standards, or compliance against the TEC's funding conditions, you can *make a complaint to the TEC*. **NZQA:** If you have concerns about a tertiary education organisation which you think NZQA should investigate, this page gives you information about how to advise NZQA of your concerns. NZQA is responsible for the quality assurance of non-university tertiary education organisations. *Advising NZQA of concerns about a tertiary education organisation » NZQA*
Ombudsman	If you believe that the Institution has made a decision that is unreasonable, unfair or wrong (for example that the Institution's complaints process has been conducted incorrectly or that the outcome is unreasonable in relation to the evidence), you have the right to raise the matter for external and independent review by the *Ombudsman*.

3.13 Frivolous, Trivial or Vexatious Complaints

a A learner has a responsibility not to make a frivolous, trivial or vexatious complaint. If you are unsure about the nature of your complaint, please contact the Policy and Complaint Lead via complaints@ara.ac.nz.

3.14 Privacy, Reporting and Record Keeping

a The responsible manager will provide the Policy and Complaint Lead with a copy of all documentation relevant to the complaint. All records collected, generated, or used as part of the resolution or determination of a complaint under these procedures will be stored confidentially in Ara's records management systems. Records will be kept in accordance with Ara's CPP114 Information and Records Management policy, the Public Records Act 2005 and the CPP109 Disclosing Personal Information about Learners and Colleagues policy

b The Policy and Complaint Lead will provide a bi-annual written report to TKM and the Ara Council. This will include –

i Quantitative and qualitative analysis of the formal complaints received, referred

ii Resolved and withdrawn, and of performance in complaint handling, and

iii Recommendations for changes to policy and practice, including with regard to the management of complaints.

c Ara will publish aggregate data relating to complaints on the Ara website. Care will be taken to ensure that no learner is identifiable based on the information made available https://www.ara.ac.nz/about-us/complaints/.