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The Student Association of Nelson-Marlborough Institute of Technology Incorporated (**SANITI**) is committed to ensuring that complaints are dealt with fairly and promptly and in accordance with the principles of natural justice.

### **Purpose**

- To outline the steps SANITI members should take to express their concern.
- To ensure that concerns are communicated to the appropriate person(s).
- To deal constructively, promptly and fairly with concerns as they arise.
- To provide positive developments or outcomes including seeing complaints as part of a process of service improvement.

### **Organisational scope**

SANITI Staff and Volunteers; SANITI Executive members; any and all other persons with whom SANITI Staff, Volunteers and/or Executive members come into contact with in their respective roles at SANITI including, but not limited to, Te Pūkenga/NMIT ākonga/students and staff, and visitors to SANITI.

### **Definitions**

|                                 |  |
|---------------------------------|--|
| <i>Complainant</i>              | Party who makes the complaint  |
| <i>Respondent</i>               | Party about whom the complaint is made   |
| <i>SANITI</i>                   | Student Association of Nelson-Marlborough Institute of Technology Incorporated |
| <i>President</i>                | The current ākonga/student President   |
| <i>Vice President</i>           | The current ākonga/student Vice President                                      |
| <i>General Manager</i>          | The current General Manager  |
| <i>Appointment Agent</i>        | The person who acts as the employing agent for the President                   |
| <i>Executive</i>                | Members of the ākonga/student executive  |
| <i>Ākonga/Student</i>           | Current enrolled ākonga/students of Te Pūkenga/NMIT                            |
| <i>SANITI Complaint Manager</i> | General Manager except where the complaint is regarding the General Manager    |

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*Independent External Advisor* Association Solicitor (available only through General Manager)

*Human Resource* Specialist (only with permission of General Manager or the Association Solicitor)

## Policy Content and Guidelines

The following list designates the appropriate channel for complaints:

- Complaints against **SANITI** are to be managed through the **President** and **General Manager** in the first instance.
- Complaints against the **Executive and/or Individual members of the Executive** are to be managed through the **President** in the first instance.
- Complaints against **President** are to be managed through the **Vice President** and the **Appointment agent** in the first instance.
- Complaints against the **General Manager** are to be managed through the **President** in the first instance.
- Complaints against **SANITI Staff** are to be managed through the **General Manager** in the first instance.

The process guide for each of the above scenarios is outlined in Part A of SANITI's Complaints Procedure.

## Informal Complaints

- Concerns should be expressed to the SANITI staff member, volunteer or Executive member closest to the problem and this person should inform the General Manager and/or President that a communication has been received including the contact details of the complainant.
- The complainant should expect constructive communication by the next working day.
- If the concern is not resolved at this level, the General Manager and/or President should be consulted as per the process guidelines and flow diagram in Part A of SANITI's Complaints Procedure.
- The General Manager and/or President will look into the matter and seek to resolve it, as informally as possible, within one week of receiving the informal complaint.
- The General Manager and President will keep each other informed regarding concerns and complaints.
- If any of the parties involved are unhappy with the outcome the complaint will be managed as per the Formal Complaints procedure at Part B of SANITI's Complaints Procedure.

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## Formal Complaints

- The Formal Complaints procedure appears at Part B of SANITI's Complaints Procedure.
- All correspondence for formal complaints must be in writing.
- A timeline of events should be kept to enable record keeping and investigation.
- If any conflict of interest is suspected the General Manager or the President must be informed and a plan made to ensure the best outcome is achieved within the guidelines.
- SANITI must ensure that any staff member appointed to the role of SANITI Complaint Manager receives relevant training in dealing with complaints.
- Other people who may be connected to an outcome may be interviewed in the course of the investigation.
- Sub-committees of the Executive will have the power to decide a course of action in relation to Executive members.
- All participants to the action of a complaint are to maintain confidentiality of all information and documentation.
- At any time in the process, the parties may seek support from friends, family or Whanau.
- In the case of all staff including the President being the respondent to a complaint an independent external advisor will be consulted and will be the SANITI Complaint Manager.

## References

SANITI's Complaints Procedure  
Human Rights Commission Act 1977  
Human Rights Act 1993  
Privacy Act 1993  
Official Information Act 1982  
Employment Relations Act 2000  
Other relevant Employment law  
Principles of Natural Justice

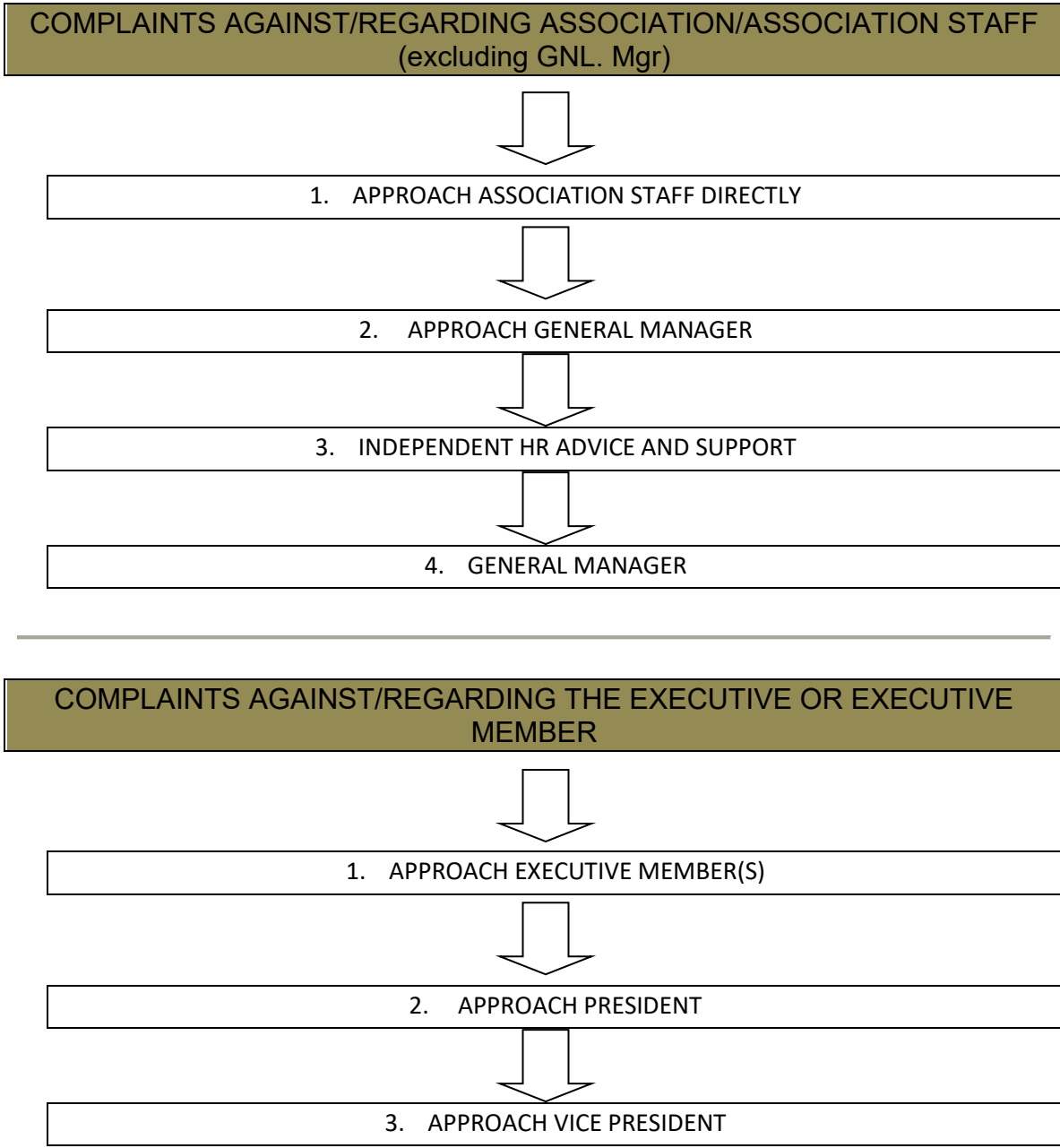
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### Purpose

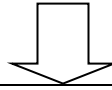
To outline the procedural steps to be taken when a complaint is received under SANITI's Complaints Policy

### Part A – Process Guidelines

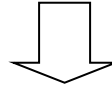


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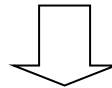


4. INDEPENDENT HR ADVICE AND SUPPORT and/or ADVICE FROM ASSOCIATION SOLICITOR  
IF APPROPRIATE

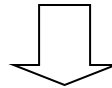


5. PRESIDENT AND/OR VICE PRESIDENT

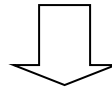
**COMPLAINTS AGAINST THE PRESIDENT**



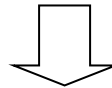
1. APPROACH THE PRESIDENT



2. APPROACH VICE PRESIDENT AND APPOINTMENT AGENT



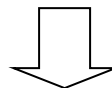
3. INDEPENDENT HR ADVICE AND SUPPORT



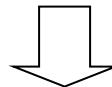
4. SUB COMMITTEE OF EXECUTIVE AND APPOINTMENT AGENT

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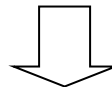
**COMPLAINTS AGAINST THE ASSOCIATION MANAGER**



1. APPROACH GENERAL MANAGER



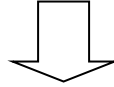
2. APPROACH PRESIDENT



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3. INDEPENDENT HR ADVICE AND SUPPORT and/or ADVICE FROM ASSOCIATION SOLICITOR  
IF APPROPRIATE



4. PRESIDENT AND ASSOCIATION SOLICITOR

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### Part B – Formal Complaint Procedure

| STEP  | TIMING                                       | WHO  |
|---|--|--|
| <b>Complaint Identification</b>   |  |  |
| Complaint sent to SANITI on Formal Complaint Form   | Within 90 days of the incident               | Complainant                                      |
| On receipt of Formal Complaint identify type of complaint, seriousness, any legal implications and assign appropriate SANITI person to manage the complaint.                                  | Within 2 working days of receipt             | See Flow Diagram X for appropriate SANITI person |
| Provide Complainant details of: <ul style="list-style-type: none"> <li>SANITI contact person responsible for managing the complaint</li> <li>The SANITI Formal Complaint Procedure</li> </ul> | Within 2 working days of receipt             | SANITI Complaint Manager in this instance        |
| Inform Complainant that the Respondent will be informed of the complaint made against them and provided a copy of the complaint within 2 working days   | Within 2 working days                        | SANITI Complaint Manager                         |
| Respondent is provided with all information relating to the complaint – unless complaint is withdrawn in the meantime   | 2 working days after complainant is informed | SANITI Complaint Manager                         |
| Seek advice on support options eg. Independent community organisations  | At any time                                  | Complainant                                      |
| Arrange a meeting with the Complainant (using the attached <b>Letter Template</b> as a guide)   | Within 5 working days of receipt of          | SANITI Complaint Manager                         |

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|   |  |  |
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|   | complaint  |  |
| <b>Negotiation</b>  |  |  |
| Identify and agree upon specific issues<br>Note: additional issues cannot be subsequently added as part of the same complaint   | At the first meeting with complainant  | SANITI Complaint Manager and Complainant |
| Arrange meeting with respondent to discuss issues outlined in complaint   | Within 3 days of meeting with the complainant                                      | SANITI Complaint Manager                 |
| Liaise with both parties and if necessary source additional information<br>Note: Several meetings may be needed before a resolution acceptable to both parties can be found   | Within 10 days of the first meeting with the complainant                           | SANITI Complaint Manager                 |
| If the complaint is resolved the decision is communicated to both parties in writing.<br><br>If the complaint remains unresolved then move to the formal investigation stage. | Within 5 days of the last meeting  | SANITI Complaint Manager                 |
| <b>Formal Investigation</b>   |  |  |
| Investigate the complaint further, if necessary.<br><br>Seek advice, information from HR services, lawyer and/or professional independent mediator.                           | Within 10 days of the last meeting or alternative timeframe agreed by both parties | SANITI Complaint Manager                 |
| Make a binding decision and communicate decision to both parties in writing. Include a  | Within 10 days of the formal   | SANITI Complaint                         |

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**Letter Template**

SANITI letterhead

Date

Complainant Name and address

Dear <Complainant>

I am in receipt of your formal complaint regarding.....

I would like to notify you of an opportunity to meet with me to further discuss your complaint.

I have arranged the meeting for <date> at <time>. The meeting will take place in <room>.

Along with myself, <insert other attendees> will be present. They will be attending to <role of attendees>.

I would like to encourage you to bring support with you to the meeting. This person could be a friend or family member, an Te Pūkenga/NMIT student advisor or anyone else you chose. The role of the support person is to observe and ensure the process is fair, and to assist you throughout the meeting, reminding you of any points you would like to raise etc. The support person is not there to speak on your behalf but you may have an advocate to do this if you require it.

I look forward to meeting with you, and hope we can reach a resolution that is fair to all parties concerned. Please contact me on <phone number> or <email address> if you have any questions before the meeting or if you are unable to attend.

Yours sincerely

Name  
Title/Role

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