

STUDENT PROBLEM RESOLUTION FRAMEWORK

Section	Problem Resolution		
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PURPOSE

To provide a summary of NMIT's preferred approach to resolving student problems, and to list the available formal problem resolution procedures available for students and staff to follow.

INTRODUCTION

Conflict and disputes are an inevitable feature of living and working in an organisational community and Nelson Marlborough Institute of Technology (NMIT) is no different from any other organisation.

In all cases where there is conflict, NMIT strongly advocates for a resolution to be found quickly and effectively by way of informal means in the first instance – by employing appropriate skills and methods such as discussion, objectivity, looking at the bigger picture, clear and considered communication, reflective listening, mediation or any other proven strategy/ies for finding solutions agreeable to all parties.

General expectations around student behavior are listed in Student Handbooks, Programme Regulations, the Student Rules policy and the Student Charter. There are also a large number of Policies in place covering a range of areas which the student can refer to for guidance on specific topics e.g. harassment, refunds, copyright, fees, Recognition of Academic Credit

In the event that a formal process is appropriate, this document lists the formal problem resolution procedures available for NMIT students and staff. Each procedure provides details on the following:

Scope: what types of problem the procedure applies to

Not in Scope: what types of problem the procedure does not apply to

Definitions: definitions of specific terms used in the procedure (that are not already listed in the NMIT Academic Statute, Section 2: Definitions)

Responsibilities: the key NMIT staff who will deal with the issue

Process Map: visual interpretation of process to follow

Procedure: step-by-step instructions to follow

References / links to additional resources available, e.g. letter templates, summary sheets etc. critical to the process (for NMIT administration use only)

PRINCIPLES

Problems, concerns, complaints or disputes should be resolved by negotiation between the parties directly involved wherever possible and with support or mediation rather than advocacy, in the first instance.

The **principles of natural justice** (summarised points below) will apply in all interactions:

- The student will be given all relevant information regarding the allegation, adequate opportunity to prepare and present evidence, and to respond to the arguments presented
- The person/s deciding on the allegations will be impartial and make a decision based on a balanced and considered assessment of the information
- Decisions regarding allegations are based on logical proof or evidence

Where a programme specifies additional (not alternative) rules and expectations re. “fit and proper” behavior and drug and alcohol criteria in their Programme Regulations. e.g. pilot training and maritime programmes, these rules take precedence over any policies and procedures written for a general audience.

NMIT FORMAL PROBLEM RESOLUTION PROCESSES

1. STUDENT ACADEMIC SUPPORT AND PROGRESSION

The *Student Academic Support and Progression Procedure* is applicable in cases of repeated and continuing non-achievement of academic standards. The non-achievement can be identified by:

- student self-identification
- assessment results below standard (formative and summative)
- poor attendance or low participation
- poor performance in practical settings
- poor professional behaviour, as stated in the Programme Regulations

Industry standards of character or professional behaviour as specified in external regulations (e.g. Civil Aviation Authority, Maritime NZ and NZ Nursing Council) take precedence over this procedure.

See: [Student Academic Support and Progression Procedure](#)

2. STUDENT ACADEMIC APPEALS

Students may appeal decisions made by individuals or academic committees on any academic matters, including:

- admission to programmes,
- Recognition of Academic Credit applications,
- meeting the progression requirements within a programme,
- results of summative assessments, grades or distinctions and award of qualifications
- applications for consideration of special assessment circumstances such as aegrotat,
- alleged academic misconduct,
- cancellation of enrolment and withdrawal from a programme,
- application of the NMIT Academic Statute and specific Programme Regulations,
- application of NMIT procedure: *Student Academic Support and Progression*.

See: [Student Academic Appeals](#)

3. FORMAL COMPLAINTS RESOLUTION PROCEDURE

The Formal Complaints Resolution Procedure applies to formal complaints by students and members of the public about NMIT services, facilities, programmes, other students and staff at all locations and work areas of the institute, including all NMIT training partners.

See: [Formal Complaints Resolution Procedure](#)

4. STUDENT MISCONDUCT

The Student Misconduct procedure provides a step-by step process defining the following steps: Allegation -> assigning key personnel -> determining the seriousness of the misconduct ->disciplinary procedure etc.

It provides full definitions and responsibilities of students and the staff dealing with any alleged misconduct. It also provides links to templates for the necessary documents for the use of NMIT staff dealing with cases of student misconduct.

See [Student Misconduct Procedure](#)

RESPONSIBILITIES

Refer to specific problem resolution policies or procedures for individual and group responsibilities.

TRAINING

Directorate or delegate will initiate refresher training of Problem Resolution procedures for all roles/staff positions identified in the procedures.

REFERENCES

INTERNAL

[Academic Integrity Policy](#)
[Formal Complaints Resolution Procedure](#)
[Harassment \(Prevention and Management\)](#)
[NMIT Academic Statute, Section 3: Academic Regulations](#)
[Protected Disclosures](#)
[Staff Charter](#)
[Staff Misconduct Procedure](#)
[Student Academic Appeals](#)
[Student Academic Support and Progression](#)
[Student Charter](#)
[Student Misconduct Procedure](#)
[Student Problem Resolution Leaflet](#)
[Student Rules](#)

EXTERNAL

Official Information Act (1982)
The Employment Relations Act 2000
Human Rights Act (1993)

Privacy Act (1993)
Consumer Guarantees Act 1993
The Protected Disclosures Act 2000
Guidelines for the Education (Pastoral Care of International Students) Code of Practice 2016 –
Tertiary
International Student Contract Dispute Resolution Scheme (DRS)
Health and Safety at Work Act 2015 and associated Regulations
Health Practitioners Competence Assurance Act