



education
unlimited
Tailor made workplace training

Discipline and Complaints Policy



Mā te mahitahi, ka tipu te mātauranga,
Mā te mātauranga ka tipu hei tāngata.

Through working as one, there is growth in knowledge,
From that knowledge people grow.

Discipline and Complaints Policy and Procedure

Purpose

To establish a fair and transparent framework for managing discipline and handling ākongā (learner) complaints with Education Unlimited. This policy works in conjunction with the Plagiarism and Cheating Policy to maintain academic integrity and address violations.

Aim

To effectively address and resolve ākongā complaints and disciplinary matters. The Complaint and Disciplinary procedures are made accessible to learners in the Ākongā Handbook, which is made available on the Education Unlimited website.

Related External Resource	Source
Pastoral Care of Tertiary and International Learners - Code of Practice 2021	NZQA
Tertiary Education Strategy	New Zealand Government
Education (Domestic Tertiary Student Contract Dispute Resolution Scheme) Rules 2021.	New Zealand Government

Definitions

1. A **concern** is a minor issue that an ākongā or stakeholder may raise with an Education Unlimited staff member or contractor. Examples of a concern may include:
 - o Minor classroom irritations (other ākongā break concentration by talking in a session)
 - o Personality clashes between ākongā and staff or other ākongā
 - o Concerns arising from miscommunication or misunderstanding
 - o Minor disagreement over academic matters, resource issues or facilities issues.

It is expected that a concern can be managed promptly and informally by Education Unlimited. If it cannot be easily resolved, the ākongā or in a workplace training (WPT) programme, the employer, may choose to escalate it to a complaint.

2. An **ākongā complaint** that triggers the complaints procedure is defined as a serious issue that a ākongā wishes to escalate. An example of a ākongā complaint may include:
 - o Bullying or harassment by staff or other ākongā
 - o Inappropriate treatment by staff or other ākongā
 - o Unfairness in the application of organisational policy
 - o An unsafe learning situation.
3. The **disciplinary procedure** follows when an ākongā is alleged or confirmed to have engaged in misconduct. A **misconduct review** will be conducted to discuss and review the alleged misconduct.

Complaints Procedure

1. **Initial Resolution:** Ākongā should attempt to resolve issues directly with any parties involved or address the issue through their Education Unlimited Key Contact. Within workplace training the ākongā can advise their employer for the issue to be addressed with Education

Unlimited on their behalf.

2. **Formal Complaint:** If the issue is unresolved, ākonga can make a formal complaint via the online Complaints Form, indicating incident details (*e.g. dates of events, persons involved*) and expected outcomes.
3. **Provider Response:** Education Unlimited will respond to formal complaints within five working days. If the ākonga or employer feels the issue is still unresolved, they may escalate their complaint externally.
4. **External Escalation:** External escalation options include the Disputes Resolution Scheme provider which is the independent complaints service [Study Complaints](#), alternative options are the Office of the Ombudsman, and [NZQA](#).
5. **Documentation:** All complaints are recorded in the Education Unlimited Complaints Register for transparency and improvement.
6. **Publication:** As per the Code of Practice requirements (Outcome 2, Process 2, 13. (f) (i) and (ii)), the number and nature of complaints made and their outcomes (at an aggregate level and, as far as practicable, disaggregated by diverse ākonga groups) and ākonga experience with the complaints process and the outcome of their complaint will be published in the annual Code of Practice self-review.

Disciplinary Procedure

1. Documentation and Investigation:

- When an allegation of misconduct is made, a member of the SLT documents the incident within 24 hours.
- Within WPT, the employer is notified to follow the workplace's disciplinary procedure.
- A member of the SLT investigates the incident, including conversations with witnesses and gathering further evidence within three days of the reported misconduct.
- **Misconduct Review:** A meeting with the ākonga under review and involved parties is arranged to discuss the incident, offering the ākonga the opportunity to respond to the accusations. The ākonga will be entitled to bring a support person to the meeting. Where the ākonga is found responsible for misconduct, disciplinary action may be taken.

2. Review and First Warning (first incident)

- **First warning:** If misconduct, bullying, discrimination, or harassment (physical, verbal, mental, emotional, or cyber) is identified, then a first warning will apply. The warning must be endorsed by a member of the Senior Leadership Team.
- **First Disciplinary Meeting:** A meeting is arranged with the ākonga, and a plan outlining expected behaviour is made. The plan includes review timelines, meetings, and next steps if expectations are not met.
- **Disciplinary Action:** This may include suspension, reconciliation and restitution, or conditions of enrolment. A written statement will be provided to the ākonga detailing the incident, outcome, and future consequences for further misconduct. The details of the warning is uploaded to the ākonga profile in the student management system.
- Law enforcement will be contacted if required.

3. Second Warning or Repeated Misconduct (second incident):

- A Misconduct Review is completed by a member of the SLT.
- **Second Disciplinary Meeting:** A meeting is arranged with the ākonga, and a plan outlining expected behaviour is made. The plan includes review timelines, meetings, and next steps if expectations are not met.
- **Further Disciplinary Action:** This is the last warning for an ākonga and may result in

suspension, reconciliation and restitution, or conditions of enrolment. A written statement will be provided to the ākongā detailing the incident, outcome, and future consequences for further misconduct. The details of the warning is uploaded to the ākongā profile in the student management system.

- Law enforcement will be contacted if required.

4. **Withdraw of Enrolment (third incident or serious misconduct):**

- Where there has been a third incident or serious misconduct, a final disciplinary meeting will be held.
- **Final Disciplinary Meeting:** The ākongā is issued a letter explaining the reasons for withdrawal and their right to respond and appeal. Ākongā have five working days from the receipt of the withdrawal letter to lodge an appeal.
- **Appeals:** ākongā appeals are reviewed by the Senior Leadership Team and a decision is communicated within ten working days. If the withdrawal is upheld after the appeal, a third disciplinary meeting is arranged.
- **Notification of Withdraw:** The ākongā is formally notified of the withdrawal, both verbally and in writing. Ākongā are informed they can further appeal or make a complaint to external parties, including the independent complaints service [Study Complaints](#), Office of the Ombudsman, and [NZQA](#).
- **Withdraw:** Once an ākongā enrolment is terminated, all ākongā records are updated.
- Law enforcement will be contacted if required.

5. **Serious Misconduct:**

- Examples of serious misconduct that may result in instant withdrawal may include:
 - Damaging of property
 - Violence
 - Theft
 - Use of illicit drugs or alcohol
 - Abusive behaviour.

Roles and Responsibilities

Tumuaki (Director)

- Oversee the overall management of complaints and disciplinary actions.

Senior Leadership Team

- Act as the primary point of contact for all complaints and disciplinary matters.
- Lead reviews of misconduct, coordinate resolution efforts and disciplinary meetings.
- Communicate findings and resolutions to the Tumuaki and involved parties.

Kaiako

- Monitor and report any instances of ākongā misconduct or complaints.
- Support learners with initial resolution of complaints.
- Assist in misconduct reviews.

Quality Assurance and Health and Safety Coordinator

- Manage and securely store all documentation related to complaints and disciplinary actions, ensuring confidentiality and accuracy.

- Update the ākonga profiles in the Student Management System to reflect the outcomes of disciplinary actions.
- Ensure the Complaints Register is updated.

Related Documents

- Ākonga Conduct Policy
- Appeals Policy
- [Complaints Form](#)
- Ākonga Handbook
- Plagiarism and Cheating Policy

Document Management & Controls

Current Version: V2.0

Date Approved: January 2026

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Next Review Date: January 2027

Policy Lead: Tumuaki (Managing Director)

Document Version History Table

Version Number	Date Approved	Major Amendments
V1.0	July 2025	Initial issue
V2.0	January 2026	Updated Document Control formatting. Added who is responsible for updating the complaints register. Added an SLT member must sign off on disciplinary warnings. Amended who reviews appeals. Amended PTE Manager Responsibilities to SLT.