

Ākongā Appeals Policy

Policy document number: AC-26/28A

1. Pūtake | Purpose

- 1.1. The purpose of this policy is to ensure that all ākongā have access to an appeal process that is timely, conducted fairly, effectively, consistently, and in a manner that is culturally appropriate to the ākongā, following the principles of natural justice.

2. Mō wai me te whānuitanga | Audience and scope

- 2.1. This policy applies to any appealable decision, action, or omission process made by Wintec in relation to ākongā.
- 2.2. Appealable decisions include:
 1. The outcome of an academic complaint or academic integrity matter or review process.
 2. The outcome of a non-academic complaint.
 3. The outcome of a postgraduate research or scholarship decision.
 4. The outcome of an ākongā breach of discipline decision.

3. Ngā Mātāpono | Principles

- 3.1. The appeals policy follows the principles of natural justice.
- 3.2. Ākongā are entitled to culturally appropriate approaches that consider traditional processes for raising and resolving issues.
- 3.3. Appeals are resolved in a timely and consistent manner.
- 3.4. Ākongā are treated with respect, fairly, and without bias.
- 3.5. All parties are entitled to an advocate and support at all steps in the appeals process.
- 3.6. Every person affected by this policy has the right to a copy of this policy and procedures and any other information as needed to clarify any point or process.
- 3.7. All parties directly affected by the appeal are kept regularly informed of the progress of the appeal, given an opportunity to respond to the findings and entitled to the decision in writing.

4. Ngā Tauākī Kaupapa Here | Policy Statements

4.1. Timeframe

1. An appeal must be lodged within seven working days of appellant being advised of an appealable decision.
2. In exceptional circumstances, and with the approval of the delegated authority, an appeal may be received later than seven working days.

4.2. Grounds for an appeal

1. To make an appeal one of the following grounds must be established:

Subject Matter	Grounds for Appeal
Appeal against an academic complaint or academic integrity or review process decision	Establish one of the following grounds to appeal: a. There is new information which has a bearing on the matter, and which was previously unavailable (and

Subject Matter	Grounds for Appeal
Appeal against a non-academic complaint decision. Appeal against a Postgraduate Research and Scholarships Committee decision.	could not reasonably have been made available at the time the disputed decision was made), OR b. There was a flaw in the process relating to the decision the ākongā seeks to appeal.
Appeal against an ākongā breach of discipline decision	a. That the procedure used for investigating or resolving the unacceptable behaviour was unfair or biased, OR b. That the decision of the Investigator could not reasonably be sustained on the evidence, OR c. That significant new evidence which was not previously available has become available since the investigation which could have a material effect on the decision made or the penalty imposed, OR d. That the disciplinary action/s taken were out of proportion to the nature of the breach of discipline and the full circumstances of the case.

4.3. Advocacy and Support

In making an appeal, ākongā:

1. Should seek support from Wintec kaimahi, their kaiako, the Support Services team, or independent advocates at any step or for all steps in the process.
2. Must complete and submit the [Online Appeals Form](#) (on Wintec's public website) with any relevant supporting materials. Appeals may also be submitted by email to appeals@wintec.ac.nz.

4.4. Receipt of Appeal

1. When the Online Appeals Form is received, the appeal is registered on the Ākongā Appeals Register by the complaints coordinator and the grounds for appeal assessed in accordance with Wintec's appeals procedure.
2. Where the grounds for appeal have been satisfied, the appellant, and their support person or advocate where identified, receives written acknowledgement of receipt of the Online Appeals Form and the next steps in the process within three working days.
3. Where the grounds for appeal have not been satisfied, the appellant and their support person or advocate are notified of the decision and reasons within ten working days.

4.5. Convening Appeal Panel

1. Appeals are considered by an Appeals Panel.
2. The Appeals Panel is established by the Executive Director Academic Delivery and consists of kaimahi with knowledge and experience of appeals processes. Membership is determined by the nature of the decision being appealed and the cultural, disability, or other needs of the appellant.
3. The membership of each Appeals Panel must also consider any Professional or Regulatory Body representation requirements.
4. The Appeals Panel decides who amongst them will Chair the Appeal Inquiry, unless the role of Chair is already mandated by the type of appeal.

4.6. The Appeal Inquiry

The Appeal Inquiry is conducted following the process set out in Wintec’s appeals procedures

4.7. The Appeal Decision

The Chair of the Appeals Panel informs the appellant and their support person/s and/or advocate in writing, within five working days from the Panel Inquiry of the Appeals Panel’s decision. The decision will also inform the appellant of their right to further appeal

4.8. Right to Further Appeal

1. Appellants have the right to further appeal the Appeal Panel’s decision to the Wintec Operations Lead. This is the final appeal process within Wintec.
2. Appellants apply in writing to the Operations Lead within seven working days of receiving the Appeals Panel’s decision and include a copy of the Appeals Panel’s decision and their appeal support evidence. The final Wintec appeal will be considered in accordance with the Wintec appeals procedure.
3. The decision of the Operations Lead is final. There is no further internal appeal process available. The decision document informs the appellant of their right to refer the matter to an external organisation such as Study Complaints | Ngā Amuamu Tauira, the Disputes Tribunal of New Zealand, the Human Rights Commission, the Ombudsman, or NZQA.

4.9. Documentation Records and Reporting

1. Komiti Akoranga receives a summary of appeals and the outcomes twice a year.
2. Organisational improvements or corrective actions identified as part of the appeal’s Inquiry or process will be added to the appropriate Continuous Quality Improvement plan and reported to the Executive Leadership team.

5. Ngā Haepapa | Responsibilities

Role	Responsibilities
Appellant (Ākongā)	Submit an appeal within seven working days of receiving an appealable decision. Attend Inquiry (if required) Participate in good faith Provide any further information required by the Appeals Panel
Advocate	Work with appellant to ensure culturally appropriate format for Inquiry. Read all documentation prior to the Inquiry. Offer guidance to appellant throughout all stages of the appeal
Chair of Appeals Panel	Establish date, time, venue, and format, including culturally appropriate approaches, of Appeals Panel Inquiry Determine appropriate members of Appeals Panel Chair the panel Communicate outcome of appeal to all parties within a specified timeframe
Appeals Panel	Be available to determine whether grounds of appeal are sufficient to proceed Receive and read all documentation related to the appeal Make any subsequent improvements/quality recommendations to appropriate departments
Complaints Coordinator	Receive the Notice of Appeal and log the appeal on the Appeals Register Forward the Online Appeals Form to the delegated Appeals Panel member to determine whether grounds of appeal are sufficient to proceed. Notify all parties of date, time, venue, and format of Inquiry. Collate all documentation for the Panel Inquiry, including the original

Role	Responsibilities
	decision document on which the appeal is based. Provide additional documentation required by the Panel Attend and minute the Inquiry. Manage documentation and reporting

6. Ngā Whakamāramatanga | Definitions

Where a term is used in this policy and not specifically defined, that term shall have the meaning set out in Te Kawa Maiororo.

Term	Definition
Appeal	A request to review a decision made by Wintec that relates to or impacts on ākonga
Appealable decision	A decision made in response to a review process or complaint or disciplinary matter
Appellant	Ākonga who has submitted an appeal of any appealable decision, action, or omission made by the Business Division.
Advocate	The person who assists the ākonga by being present and guiding them through the process. The role will normally include observing that the process is followed, and/or advising the ākonga regarding process and option. An Advocate may be a Wintec Support Services kaimahi or any person nominated by the student.

7. Ngā Hononga ki Tuhinga kē | Links to Other Documents

<p>Ngā Kaupapa-Here e hāngai ana Related policies Ākonga Rights and Responsibilities and Breach of Discipline procedures Te Kawa Maiororo Ākonga Concerns and Complaints Policy Academic Integrity Policy The Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021</p>
<p>Ngā Tukanga me ngā hātepe Processes, procedures Concerns, complaints, and appeals procedures Academic Integrity Procedures</p>
<p>Ture whai take Relevant legislation New Zealand Bill of Rights Act 1990 Human Rights Act 1993 Privacy Act 2020</p>

8. Pūranga Kōrero | Records Management

- 8.1. Any Wintec records referred to in this policy are considered public records under the Public Records Act 2005 and are discoverable under the Official Information Act 1982 and Privacy Act 2020. These records are subject to the retention and disposal actions as specified in the relevant disposal authority.

9. Mokamoka whakaaetanga | Approval details

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Approving authority	Komiti Akoranga

10. Ngā whakatikatika | Amendment history

Version	Date Approved	Details
1	9 Dec 2025	Te Pūkenga policy approved Feb 2024, adopted as Wintec policy; shifted into Wintec template, coded with Wintec Policy Coding, minor edits to align with Wintec organisational systems and structures.