



## POLICY

### Complaints & Grievance Policy

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#### 1.0 Rationale:

- 1.1 Rochester and Rutherford Hall (“the Hall”) supports the right of all residents to live in a safe and secure environment. Should a resident become sufficiently concerned or distressed about the conduct of another resident or staff member, they may raise a formal complaint. Complaints such as these shall be dealt with in a constructive and fair way to all concerned.
- 1.2 The Hall is committed to working with residents to effectively respond to and process complaints (including appropriate engagement with support people) as per Outcome 2 of the Education (Pastoral Care Tertiary and International Learners) Code of Practice 2021 (“the Code”).

#### 2.0 Purpose:

- 2.1 The Hall acknowledges its responsibility to ensure the procedures and processes around making a formal complaint are known and understood by all residents and those supporting them.

#### 3.0 Guidelines:

- 3.1 For the purposes of this policy, “complaint” is defined as an official statement of complaint made by a resident over treatment believed to be wrong, unfair, or causing distress to that resident or another resident.
- 3.2 Ongoing staff development is implemented through weekly meetings and regular professional input. This is to ensure best practice and consistency is in place.
- 3.3 The Hall follows the Five Step long-standing principles of Restorative Justice and look at these as guiding principles in practice:

##### **Relationship**

##### **Respect**

##### **Responsibility**

##### **Repair**

##### **Reintegration**

- (a) **Relationship:** When a relationship has been harmed in some way, the aim is to help repair this harm, giving the harmer an opportunity to take responsibility and make amends. The victim will be given an opportunity to gain an understanding as to how to bring satisfactory resolution to the situation.
- (b) **Respect:** Respect involves listening to the other person’s perspective, despite our own perspective, and behaving in a way that allows the Restorative Justice process to play out safely for everyone involved.
- (c) **Responsibility:** Each party should seek to be honest with themselves and reflect on what part (if any) they had to play in the incident, even if they were the harmed person.
- (d) **Repair:** The repair carried out by the harmer should seek to resolve feelings of anger and revenge from the harmed and help the harmer to gain respect for both themselves and others. The harmer may not be able to repair what has been done but acknowledges that an honest effort is the best way forward.

**(e) Reintegration:** The final principle, Reintegration, allows the harmer to accept their part in the harm, and reintegrate back into the community with trust. Equally, this step needs to also ensure that the person harmed has strategies to build confidence when reintegrating back into the routines of the community.

#### **4.0 Feedback:**

- 4.1** For the purposes of this document, feedback can be given by residents and staff without fear of disadvantage.
- 4.2** Discussions remain confidential, and no action will be taken without the authorisation of the person reporting a concern or suggestion.
- 4.3** Residents can give anonymous feedback by way of an online questionnaire at the conclusion of Term 1 and Term 3.
- 4.4** As appropriate, the results of this feedback will be made available to all management and the residential community that reflects an understanding of diverse resident voices and upholds their mana and autonomy.
- 4.5** Selected results will be used in a Principal report to the Rochester and Rutherford Executive Council (“the Council”).
- 4.6** Everyday access to providing feedback will be available via a QR code. This will allow residents, staff, visitors, family and whānau to leave feedback, make suggestions or raise concerns.
- 4.7** As appropriate, issues will then be raised at the weekly staff meeting. The Principal will use discretion around the privacy of parties concerned.

#### **5.0 Internal Complaints Process:**

- 5.1** In the first instance, residents should approach their tutor to gain support or advice on matters that are concerning them – this can be a helpful first step, as it allows another perspective and an option to gain ongoing support.
- 5.2** If the issue concerns a staff member, then the complaint should be directed to the Principal.
- 5.3** In the event the case is regarding the Principal then the complaint can be referred to another member of the management team who will guide a fair process for resolution.

#### **6.0 Record of Complaint**

- 6.1** In any incident or area of concern, notes will be taken and securely stored in the Hall’s online student management system – REACH.
- 6.2** The person who is the subject of the complaint will be made aware of the notes and storage of the recorded report.
- 6.3** The Hall will securely hold information that may be required as future reference and will hold this information only for the purposes for which it may be lawfully used.

#### **7.0 Unresolved Complaints:**

- 7.1** If there has been no resolution to a complaint, or it is felt that the complaint has not been heard or taken seriously, residents should then make an appointment to discuss the matter with the Principal.
- 7.2** A support person (selected by the resident) is encouraged to assist with this process.
- 7.3** This process will be completed in the strictest confidence and the resident will be offered pathways to find a resolution.
- 7.4** This process may also require contact with the Chair of the Council to assist with resolution of the complaint.
- 7.5** All investigations will seek to follow a fair and equitable outcome for all involved. The Hall will seek to do the following:

- a) Follow the 5 principles of restorative justice: Relationship, Respect, Responsibility, Repair and Reintegration.
- b) Follow a transparent process to ensure it is fair and unbiased and the person(s) against whom the complaint is lodged is afforded a fair hearing;
- c) That person(s) will be spoken to following the lodging of a complaint and a written complaint summary will be prepared and given to both parties;
- d) All parties will be supported through this process and may bring a support person to any meeting relating to the investigation of the complaint.
- e) The Hall may encourage or invite the external support of University of Canterbury departments. In this case it will be with the permission of those directly involved in the case of complaint.

### 8.0 Follow Up:

- 8.1 If the matter has not been resolved, it will then be directed in writing to the Council.
- 8.2 Details should be specific around incident(s), people, time and date(s). The complaint will be addressed within a 24-hour period. Full resolution may take longer depending on the level of investigation required.
- 8.3 It may be required that the accused be monitored closely following a complaint that has caused proven physical damage to another person or property.
- 8.4 A step plan can be implemented to assist with the process of investigation:
  - Level 1** – Complaint reported to tutor or other staff member. A conversation is conducted and may require initial notes on file. This will be with resident consent.
  - Level 2** – Complaint is escalated to an appropriate member of the management team for further investigation – if notes have not been recorded, they will be noted up to date. At the discretion of the Principal a serious consequence may be put in place.
  - Level 3** – University of Canterbury is engaged for further levels of support. This process may also include external agencies. Notes to be kept updated.
  - Level 4** – Parents/Whanau will be included. Residents will be given the opportunity to make contact prior to the Hall making contact to discuss the incident of concern. This step may result in a suspension or expulsion from the Hall.
- 8.5 Following completion of the investigation, full details of the complaint, procedure and outcome will be communicated in writing to all parties.
- 8.6 If the allegation is found to have substance, the follow up process for the accused may include education, training, counselling and/or a formal apology to the complainant if appropriate.
- 8.7 If the investigation uncovers matters that should be investigated by an external regulatory agency such as NZ Police, then those matters will be promptly referred to those agencies.

### 9.0 Outcomes:

- 9.1 The Hall seeks to create and maintain a safe environment where residents and their whānau can report and communicate their concerns, suggestions or complaints freely.
- 9.2 As a result of a transparent system for reporting concerns, the Hall will provide a fair and just system for all members of the Rochester and Rutherford community.
- 9.3 The outcome will provide an opportunity for the accused to be empowered by taking the following steps:
  - a) **responsibility** for actions;
  - b) **rebuilding** respect where this may have been lost;
  - c) **restoring** relationship with those in their community;
  - d) **repairing** a situation that has been affected through words or actions;
  - e) **reintegrating** with support as necessary.

#### **10.0 Dismissal from the Hall:**

**10.1** The Hall reserves the right to expel a resident in the case of a serious incident.

**10.2** There will be no refund of fees paid in this instance, and the resident will remain liable for any outstanding fees owing.

**10.3** The Principal and the Council will be jointly involved in such a decision.

#### **11.0 External Complaints Process:**

**11.1** Residents may seek resolution of a contractual or financial dispute by way of a complaint or referral to an appropriate body or agency depending on the subject matter of the dispute.

**11.2** When all other avenues have been exhausted within the Hall's processes, residents may make a complaint to the Code Administrator.

**11.3** This policy covers the internal complaints policy for Rochester and Rutherford Hall. The Code requires that residents are also made aware of external complaint and dispute resolution options and processes. These include but are not limited to the following:

- a)** Education Quality Assurance Agency complaints process; and
- b)** Disputes Resolution Scheme; and
- c)** The Human Rights Commission

#### **References**

*Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021*

*Restorative Solutions: [restorativesolutions.org.uk](http://restorativesolutions.org.uk)*

*Privacy Act 2020*

*Health Information Privacy Code*

*[Behaviour and learning | Inclusive Education \(tki.org.nz\)](http://tki.org.nz)*

**Policy Committee Leader:** Chris O'Brien (Executive Council)

**Ratified:** Kieran Sweetman (EC Chair)

**Principal:** Jo Morrow

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