

NMIT ĀKONGA APPEALS POLICY

MOKAMOKA WHAKAAETANGA | APPROVAL DETAILS

Section	Academic and Teaching		
Approval Date	24.02.2026	Sponsor	Director Academic and Teaching
Next Review	01.01.2027	Endorsed by	Academic Committee
		Approved by	SLT

NGĀ WHAKATIKATIKA | AMENDMENT HISTORY

Version	Effective Date	Created/ Reviewed by	Reason for review / comment
1	01.01.2026	Transition Lead	New

Mō wai me te whānuitanga | Audience and scope

This policy applies to:

- a) All employees of NMIT, including contracted staff and secondees providing services for NMIT; and those on fixed term contracts (may be collectively referred to as kaimahi in this policy); and
- b) All ākonga of NMIT engaged in campus-based learning at any location; and online or remote learning via any mode; and work based learning. This includes managed apprentices and other non-standard enrolments, and encompasses all references to learners, ākonga or students.
- c) All governors of NMIT including members and advisors of NMIT Council and governance committees or boards (collectively referred to as governors in this policy).

in relation to any appealable decision, action, or omission process made by NMIT in relation to ākonga.

Appealable decisions include:

- i) The outcome of an academic complaint or academic integrity matter or review process
- ii) The outcome of a non-academic complaint
- iii) The outcome of a post-graduate research decision
- iv) The outcome of an ākonga breach of discipline decision

This policy does not apply to the application of Special Assessment Circumstances detailed in programme regulations.

The [NMIT Academic Procedures Manual](#) provides detailed guidance to support implementation of this policy.

Te Pūtaki | Purpose

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

Ngā Mātāpono | Principles

Natural justice

NMIT's Ākonga Appeals Policy and procedures follow the principles of natural justice, ensuring that people are treated fairly without bias, and that decisions are made impartially following fair processes.

Culturally appropriate processes

Ākonga are entitled to culturally appropriate processes and responses that consider traditional processes for raising and resolving issues.

Timeliness

Appeals are resolved in a timely and consistent manner.

Support and advocacy

Ākonga are entitled to information, guidance, advocacy and support throughout the appeal process.

Confidentiality and privacy

Information is shared only with those who need to know, being mindful of the rights of parties within the process and their entitlement to confidentiality and privacy.

Kaupapa Here | Policy Statements

TIMEFRAME

An appeal must be lodged in writing to the Chair of NMIT's Academic Committee within seven (7) working days of the ākonga (appellant) being advised of an appealable decision. The Chair may receive an appeal outside this timeframe in exceptional circumstances.

GROUNDINGS FOR AN APPEAL

To make an appeal, one of the following grounds must be established and supported by evidence:

Appealable Decision	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 could not reasonably have been made available at the time the disputed decision was made), OR b) The procedure used to reach a decision was unfair or biased or did not follow due process.
Appeal against a non-academic complaint decision.	
Appeal against a Postgraduate Research decision.	
Appeal against an ākonga breach of discipline decision.	Establish one of the following grounds to appeal: a) The procedure used for investigating or resolving the unacceptable behaviour was unfair or biased or did not follow due process, OR b) The decision of the investigator could not reasonably be reached, based on the evidence, OR c) 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) The disciplinary action/s taken were out of proportion to the nature of the breach of discipline and the full circumstances of the case.

SUPPORT AND ADVOCACY

At all times during the process, the appellant is entitled to an advocate or support person available within NMIT or externally through unions, independent student services, whānau and community or professional services.

Any situations that involve a learner under 18 years should involve a parent, caregiver or other whānau member, with permission from the ākongā.

APPEAL PANEL

Each appeal will be considered by the Academic Committee - Appeals (referred to as the Appeal Panel) convened for that purpose.

The Appeal Panel consists of at least three (3) kaimahi with appropriate knowledge and experience but independent from any process or decision-making related to the decision being appealed. Membership is determined by the nature of the decision being appealed, any cultural or other needs of the appellant, and the requirements of any Professional or Regulatory Body.

APPEAL INQUIRY

Where grounds for appeal have been satisfied, the appellant will be advised within three (3) days that the Appeal Panel will commence an Appeal Inquiry following the steps outlined in [NMIT Academic Procedures Manual](#).

The decision was notified in writing within five working days of completion of the Panel Inquiry.

RIGHT TO FURTHER APPEAL

Appellants have the right to further appeal through the relevant external body:

- [NZQA](#) if the appellant feels NMIT is not following [The Tertiary and International Learners Code of Practice 2021](#), or
- the [Dispute Resolution Scheme](#), or
- [Study Concerns and complaints](#), an independent, free service for domestic tertiary and international learners, or
- [Human Rights Commission](#), or
- [Ombudsman New Zealand](#)

DOCUMENTATION, RECORDS, AND REPORTING

All appeals are recorded in a confidential register appropriate to the subject matter, with restricted access.

Documentation relating to the appeal is kept in accordance with relevant legislation and [NMIT Records and Information Management Policy](#) and General Disposal Authority.

Any reports generated from the register will maintain the privacy of appellants and any other persons involved in the appeal in accordance with the Privacy Act (2020).

Reports will be issued periodically to NMIT management and governance.

FEEDBACK AND CONTINUOUS IMPROVEMENT

The appeal process may identify any actions towards improving practice, which will be shared with the appropriate kaimahi to implement.

Feedback on the appeal process will be used to inform continuous quality improvement of the appeal procedures.

Ngā Haepapa | Responsibilities

Role	Responsibilities
Appellant (ākonga)	Attend Appeal Inquiry if required and participate in good faith. Provide any further information requested by the Appeal Panel.
Academic Committee	Receive and log the Notice of Appeal, convene and provide administrative and coordination support to the Appeal Panel and the Appeal Inquiry.
Academic Committee – Appeals (Appeal Panel)	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
Chair of the Appeal Panel	Establish and chair the Appeal Panel. Communicate the outcome to all parties within the specified timeframe.

Ngā Tikanga | Definitions

Term	Definition
Appeal	A request to review a decision made by NMIT that relates to or impacts on an ākonga.
Appealable decision	A decision made in response to a review process or complaint or disciplinary matter.
Appellant	An ākonga who submits an appeal of an appealable decision, action, or omission made by NMIT.
Advocate	A person who is chosen by, and represents or advises, the appellant and may speak on their behalf.
Support person	A person or group able to provide support or advice to the appellant. A Support Person cannot speak on behalf of the appellant.

Ngā Hononga ki Tuhinga kē | Links to other documents

NGĀ KAUPAPA-HERE E HANGAI ANA | RELATED POLICIES

NMIT Academic Regulations
NMIT Assessment Policy
NMIT Records and Information Management Policy

NGĀ TUKANGA ME NGĀ HĀTEPE | RELATED PROCESSES, PROCEDURES

NMIT Academic Procedures Manual - Ākonga Appeals

TURE WHAI TAKE | RELEVANT LEGISLATION

[The Education \(Pastoral Care of Tertiary and International Learners\) Code of Practice 2021](#)

[New Zealand Bill of Rights Act 1990](#)

[Human Rights Act 1993](#)

[Privacy Act 2020](#)