

NMIT ĀKONGA APPEALS PROCEDURE

MOKAMOKA WHAKAAETANGA | APPROVAL DETAILS

Section	Learner		
Approval Date	18.08.2026	Sponsor	Director Academic and Teaching
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		Approved by	SLT

NGĀ WHAKATIKATIKA | AMENDMENT HISTORY

Version	Effective Date	Created/ Reviewed by	Reason for review / comment
1	01.07.2026	Transition Lead	New

Te Pūtaki | Purpose

This procedure outlines the process for receiving, assessing, and determining appeals submitted under the [NMIT Ākonga Appeals Policy](#). It provides guidance to ākonga and kaimahi on the steps, responsibilities, documentation requirements, and timeframes associated with the appeals process for any appealable decision, as defined in the Policy.

The scope, definitions and principles stated in the Policy apply to this Procedure.

Tirohanga Whānui | Overview

Before submitting an appeal, an ākonga must have completed any review, reconsideration, complaint, or resolution processes available under the applicable programme regulations, policies and procedures, or other available avenues.

Appeals are intended to review decisions made after all available review, reconsideration, complaint or resolution processes have been completed.

Timeframes specified in the NMIT Ākonga Appeals Policy apply throughout this procedure unless exceptional circumstances exist.

Ngā Haepapa | Responsibilities

Role	Responsibilities
Advocate	Represent or advise the appellant at any or all stages throughout the appeal process. Speak on behalf of the appellant, as required.
Ākonga lodging an appeal (Appellant)	Submit the appeal and supporting evidence; participate in the appeal process in good faith; and provide additional information requested by the Appeal Panel.
Academic Committee administrator	Receive and acknowledge appeals Maintain the Appeals Register and appeal files Coordinate Appeal Committee and Panel activities; provide administrative support Maintain appeal records and reporting.
Appeal Panel	Request and review relevant information Conduct hearings where required Review information and evidence; assess appeals and determine outcomes Recommend improvement actions where appropriate.

Chair of the Appeal Panel (a senior NMIT kaimahi)	Lead the Appeal inquiry, ensuring procedural fairness Manage Appeal panel hearings where applicable Document and communicate decisions and outcomes.
Support person	Provide support or advice to the appellant; empower the appellant to speak for themselves with knowledgeable support. NB. A Support Person cannot speak on behalf of the appellant.

Ngā Hātepe | Procedure

1. APPEAL PROCESS

Step 1.1 Submitting an Appeal

The appellant must submit a written notice of appeal to the Academic Committee committee.secretary@nmit.ac.nz within seven (7) working days of being advised of an appealable decision.

The appeal must clearly identify:

- the decision being appealed;
- the grounds for appeal under the Policy;
- the outcome sought; and
- any supporting evidence.

The appellant may request cultural, accessibility, language, disability, wellbeing, advocacy or other support when lodging an appeal.

The appeal must include details of any exceptional circumstances if it is lodged outside the timeframe specified, for consideration in the preliminary assessment.

Step 1.2 Receipt and Registration

On receiving an appeal, the Academic Committee administrator will:

- acknowledge receipt of the appeal, in writing, normally within two working days;
- record the appeal in the Appeals Register;
- establish an appeal file;
- confirm whether all required information has been received; and
- request additional information where necessary
- refer the appeal and all supporting information to the Academic Committee Chair.

Acknowledgement of the appeal must include information about available support and advocacy services and the next steps in the process.

Step 1.3 Preliminary Assessment

The Chair must be satisfied that:

- the appeal was lodged within the required timeframe, or exceptional circumstances exist;
- the matter is capable of appeal under the Policy;
- relevant review processes have been completed;
- grounds for appeal have been identified;
- adequate supporting evidence has been provided.

The Chair may seek further information from the appellant before deciding whether or not to progress the appeal.

Outcome of Preliminary Assessment

Where grounds for appeal are established:

- the appeal will proceed to an Appeal inquiry; and the appellant will be advised in writing.

Where grounds for appeal are not established:

- the appeal will not proceed to an Appeal inquiry; and the appellant will be advised in writing of the reasons for the decision.

The Chair may decide that due process was not followed in relation to the process that led to the decision for which an appeal has been requested. In this instance the Chair may request that the academic area revises its own process to reflect due process. The outcome could be that a formal Appeal Panel is not required.

Step 1.4 Convene Academic Committee – Appeals

Where an Appeal Inquiry is required, the Academic Committee administrator will:

- convene the Academic Committee – Appeals, a sub-committee of the Academic Committee as detailed in the [NMIT Academic Statute](#); referred to in this Procedure as the Appeal Panel (refer **Appendix**)
- confirm appointment of the Appeal Panel Chair;
- ensure all Appeal Panel members are independent of the original decision-making process and meet the requirements specified in the policy;
- make any arrangements required to support cultural, accessibility or regulatory requirements;
- make any arrangements to involve, or get information from staff involved in original decision-making;
- schedule hearings as required and determined by the Chair;
- communicate details and agenda to all parties;
- provide members of the Appeal Panel with full copies of the appeal and all evidence submitted; via processes that maintain confidentiality and security.

An Appeal Panel may determine that a matter can be considered on the documentation provided, or that a hearing is required.

The hearing should be scheduled as soon as reasonably practicable, taking into account the availability of parties, complexity of the matter, and requirements for procedural fairness.

Where a hearing is required, the appellant must be provided with full details regarding the hearing, in writing. Details must include;

- date, time and location of the hearing
- attendees and their role in the hearing
- advice regarding their right to have a Support Person or Advocate present throughout all stages of the process, including attending the hearing
- the Appeals Policy and Procedure
- the process that will be followed, including an agenda, if available
- the option to attend the hearing or not (noting that the hearing will go ahead, whether or not they attend); and
- the availability of confidential Wellbeing support at all times, and encouragement to access it as needed.

Step 1.5 Conduct Appeal Inquiry

The Appeal Inquiry may be conducted through review and consideration of documentation alone, or may include a hearing where the Appeal Panel considers this necessary.

Review of Information

The Appeal Panel will review all relevant information relating to the appeal, which may include:

- the original decision, and records of the original process;
- documentation submitted by the appellant;
- written responses from relevant staff or decision-makers;
- any additional information requested by the Panel;
- specialist or professional advice where required.

The Appeal Panel may request further information from any party before making its decision. All parties are expected to cooperate in good faith and provide requested information within the timeframe specified by the Appeal Panel.

Hearing Process

Where it has been earlier determined that a hearing is required, the Chair will conduct the hearing in a manner that ensures procedural fairness, provides each party with an opportunity to be heard through a confidential process, and allows the Appeal Panel to consider all relevant information before making its decision.

The Chair will:

1. confirm the purpose and process of the hearing
2. identify all those present, and identify their roles
3. outline the grounds for the appeal being considered;
4. invite the appellant or advocate to present information;
5. allow questions from the Appeal Panel;
6. hear from relevant staff or decision-makers where required;
7. provide an opportunity for final comments; and
8. adjourn the hearing for private deliberation by the Panel.

The hearing process may be adapted where necessary to accommodate cultural considerations, accessibility requirements, disability support needs, language requirements, or other relevant circumstances.

Step 1.6 Appeal Panel Deliberation and Decision

Following its review, the Appeal Panel will deliberate to determine the outcome of the appeal. Decision is by majority vote where the Chair may exercise a casting vote, where necessary.

The Appeal Panel may:

- dismiss the appeal and confirm the original decision;
- uphold the appeal;
- uphold the appeal in part;
- vary the original decision;
- refer the matter back for reconsideration or further review;
- make recommendations for procedural or operational improvements.

The Appeal Panel's decision must be based on the information available and the grounds for appeal established under the Policy. Reasons for the decision will be recorded.

Step 1.7 Notification of Outcome

The Appeal Panel Chair may communicate the decision verbally where appropriate. The decision must be communicated in writing within seven (7) working days, and will include:

- the Appeal Panel's decision;
- the reasons for the decision;

- any actions arising from the decision;
- the availability of confidential Wellbeing support, whenever needed;
- any subsequent processes to be followed, where applicable.

Once the Appeal Panel has issued its decision, NMIT's internal appeal process is complete. The written outcome will include information about external review options available under the NMIT Ākonga Appeals policy.

Step 1.8 Close and Record Appeal

The Academic Committee administrator is responsible for maintaining an Appeals Register and ensuring full records relating to appeals are stored securely and managed in accordance with legislative requirements and NMIT records management requirements.

Records must include

- the Notice of Appeal;
- supporting evidence;
- correspondence;
- records from the original process;
- Appeal Panel papers;
- meeting or hearing notes;
- final decision;
- any improvement recommendations.

Reporting and Continuous Improvement

Information from appeals may be analysed and reported in a de-identified form to identify trends, risks, and opportunities for improvement.

Where an appeal identifies opportunities to improve policies, procedures, systems, decision-making processes, or learner support, these recommendations should be referred to the appropriate manager or committee for consideration and implementation.

Periodic reports may be provided to Academic Committee and other governance groups as required.

2. RIGHT TO APPEAL TO AN EXTERNAL BODY

Appellants have the right to further appeal the decision through the relevant external body on completion of the processes available under NMIT's Ākonga Appeals Procedure:

- [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 tertiary learners, or
- [Human Rights Commission](#), or
- [Ombudsman New Zealand](#)

Ngā Hononga ki Tuhinga kē | Links to other documents

NGĀ KAUPAPA-HERE E HANGAI ANA | RELATED POLICIES

[NMIT Ākonga Appeals Policy](#)

[NMIT Academic Regulations](#)

[NMIT Information and Records Management Policy](#)

NMIT Academic Procedures Manual

Relevant Programme Regulations

Relevant complaint, review, discipline, postgraduate research, and academic integrity procedures.

Templates available:

Appeal acknowledgement letter

Appeal outcome letter

NGĀ TAPIRITANGA | APPENDICES

Appendix - Terms of Reference

Academic Committee – Appeals (referred to as Appeals Panel in this Procedure)

(Source: [NMIT Academic Statute](#))

1. Purpose

The Academic Committee - Appeals holds delegations from the NMIT Council and is responsible to the Academic Committee to consider appeals against decisions by the Academic Standards and Quality Committee, solely on the basis of due process not being followed.

2. Terms of Reference

- Receive and consider academic appeals as required.
- Determine whether the grounds for appeal are satisfied as outlined in the NMIT Appeals Policy
- Conduct a hearing to ensure parties are heard, deliberate and decide the outcome of the appeal.

3. Membership

The Academic Committee - Appeals shall comprise three Academic Committee members, who have been independent of the appeal in question to date:

- The Chair of the Academic Committee or Chief Executive Officer nominee (Chair)
- One (1) staff member
- One (1) nominated student representative

Note: The Head of Nursing must attend all Bachelor of Nursing ākonga appeal panels.

4. Other

- Academic Committee - Appeals meetings are held as required.
- Minutes are confidential and are securely filed by the Secretary of the Academic Committee.
- Decisions shall be made by majority vote and shall be deemed to be decisions of Academic Committee and therefore there is no requirement to report to Academic Committee.