

Ngā amuamu tauira
Study complaints



2025/2026 Annual Report

Study Complaints | Ngā Amuamu Tauira

1 JULY 2025 TO 30 JUNE 2026



kia tau
YOUR EXPERTS
IN DISPUTE
RESOLUTION

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WELCOME



Haere mai

Welcome to our 2026 Annual Report.

Study Complaints | Ngā Amuamu Tauira is a free and independent dispute resolution service operated by Fair Way – kia tau. We help international students and domestic tertiary learners resolve financial and contractual complaints with New Zealand education providers. This report covers our second full year of operation, from 1 July 2025 to 30 June 2026.

This year 246 students used our service, evenly split with 51% domestic tertiary learners and 49% international students. This has increased by 18% from last year's 208 enquiries. As in previous years, we saw peaks in enquiries at the beginning and end of academic terms, reflecting the pressures associated with enrolment processes, assessments, and examinations.

Refund requests remain the most common type of complaint we receive, and these are often combined with other issues. Within this category, we are seeing a growing number of complaints involving education agents. These matters raise important questions about the respective responsibilities and liabilities of providers and agents.

We had two matters on hand that each involved multiple complaints. One relating to the closure of a provider and the other relating to international students paying fees to an agent who did not pass the funds on to the host schools. These matters, with multiple claims from the same issues, have bumped up our case totals, as well as our cases on hand and average time per case.

Our focus is on resolving complaints early, with only 76 disputes progressing as formal claims. We take a consensual approach where possible, with 28% resolved through facilitation, while a further 21% reached agreement through mediation. The remaining 38% required an independent decision by an adjudicator.

We observed an increase in disputes that were already highly entrenched by the time they reached us, with some parties choosing to bypass consensual resolution methods and proceed directly to adjudication. In response, we have strengthened our adjudication process by introducing new internal guidance, a structured submission-builder tool, and an early case conference. Together, these enhancements contributed to a more timely, efficient, and consistent adjudication process.

Raising awareness and sharing insights also remains a key priority. Across the education sector, we have continued to promote best practice through presentations, events, and engagement activities. In particular, we have explored themes of fairness and reasonableness in decision-making, especially when applying discretionary policies. Our engagement with students has focused on improving accessibility and ensuring learners understand the support available to them throughout the complaints process.

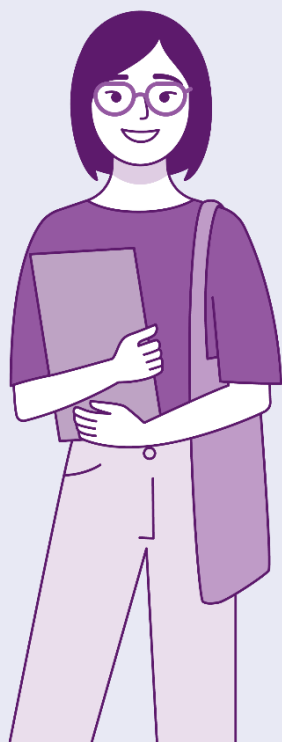
Ngā mihi

Jeanie Robinson

*Jeanie Robinson, Operations Manager - Commercial Services at Fairway Resolution Limited.
Jeanie is responsible for Study Complaints | Ngā Amuamu Tauira.*



2026 IN REVIEW



How we helped

Our process is designed to empower students and education providers to resolve matters early and through consensual means where possible. Our aim is to meet the needs of learners studying in Aotearoa, ensuring they have a voice in the process and their mana, identity and wellbeing is prioritised. If a student and their education provider are unable to reach an agreed outcome, Study Complaints | Ngā Amuamu Tauira can provide finality through adjudication where a binding decision is issued.

Here is an overview of how we helped tauira from 1 July 2025 to 30 June 2026:



246 enquiries

28% resolved
in our 2nd phase

21% resolved
at mediation

38% needed
a decision made

1. Get started	2. Facilitation & negotiation	3. Mediation	4. Adjudication
We find out more about you and arrange any support you may need.	We let your education provider know and get you talking.	Collaborate and reach an agreement together at mediation.	We consider the dispute and make a decision during adjudication.
- We received 246 enquiries 76 were accepted as claims - In addition, we had 13 enquiries and 11 claims on hand carried over from last reporting year - We resolved or closed 42 claims.	12 claims were resolved through facilitation and negotiation	9 claims reached an agreement at mediation » 89% resolved all matters » 11% resolved some matters	16 claims were adjudicated » 6% were upheld » 19% were partially upheld » 75% were not upheld
	5 claims were withdrawn (12%).		

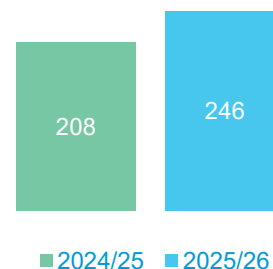
Overview of disputes

Enquiries overview

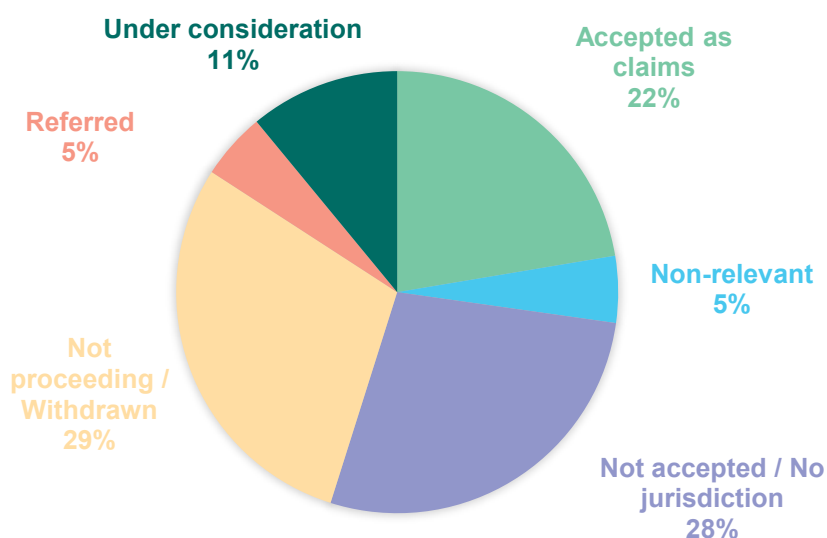
For the period of 1 July 2025 to 30 June 2026 a total of 246 enquiries were received. This increased by 18% from last year.

Of the total enquiries, 126 were domestic and 120 were international students.

In addition, 13 enquiries carried over from the previous reporting period, bringing our total to 259 enquiries on hand this year.



Progression of enquiries received (combined – total 246)



The above chart shows the progression of enquiries in this period:

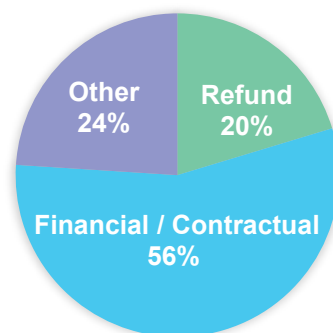
- 29% of enquiries did not proceed or were withdrawn – this includes disputes that were resolved early between the learner and education provider
- 28% of enquiries were not accepted and determined as outside of jurisdiction
- 22% were accepted as claims – progressing to our dispute resolution process
- 11% remained on hand at the close of this period – under consideration by the team
- 5% were referred to other agencies or complaints bodies for further assistance
- 5% of enquiries were recorded as non-relevant – for example, requests for resources.

Nature of enquiries

The key categories this year were:

- **56% Financial / Contractual** - 137 enquiries
- **24% Other** - 59 enquiries
- **20% Refunds** - 50 enquiries.

Further details can be found below.

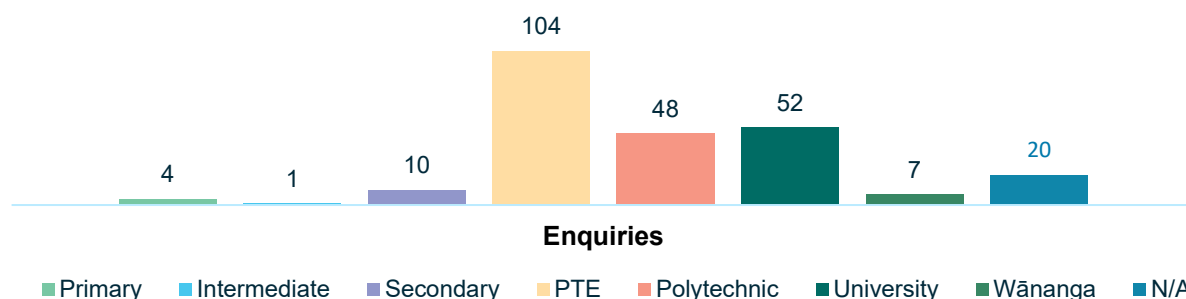


Nature of enquiries (combined – total 246)

Nature of dispute	Domestic	International	Total
Compensation	4	5	9
Contractual/Financial	44	24	68
Financial difficulty	2		2
General enquiry	14	13	27
Misrepresentation		1	1
Not SC Issue*	12	11	23
Other (Not proceeding / withdrawn)		1	1
Other (Contractual / financial)	28	30	58
Refund - Course Closure	2		2
Refund - Quality of Provision (Academic)	1	1	2
Refund - Safety and Wellbeing	3	4	7
Refund - Student support, advice and services	6	2	8
Refund – Termination		7	7
Refund - Visa declined		4	4
Refund - Withdrawal	10	17	27
Grand Total	126	120	246

*Not within jurisdiction for Study Complaints | Ngā Amuamu Tauira.

Overview of enquiries by provider type (combined – 246 total)



Provider types

Due to recent changes in the sector, in this report the **Polytechnic** category includes New Zealand Institute of Skills and Technology (NZIST), former Te Pūkenga, and with standalone polytechnics and institutes of technology.

Claims overview

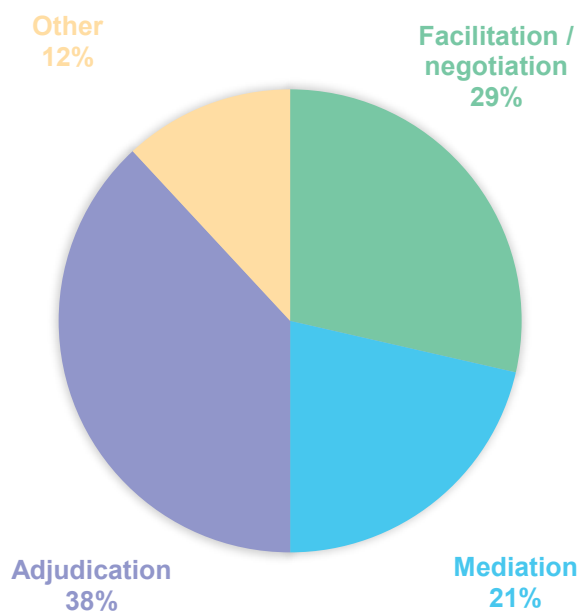
Within 10 working days of receiving an enquiry, we will either accept it as a claim, decline it, or ask for further information to help us decide whether we can accept it or not.

Of the 246 enquiries received during this reporting period, 76 were accepted as claims. An additional 11 claims were carried over from the previous reporting period.

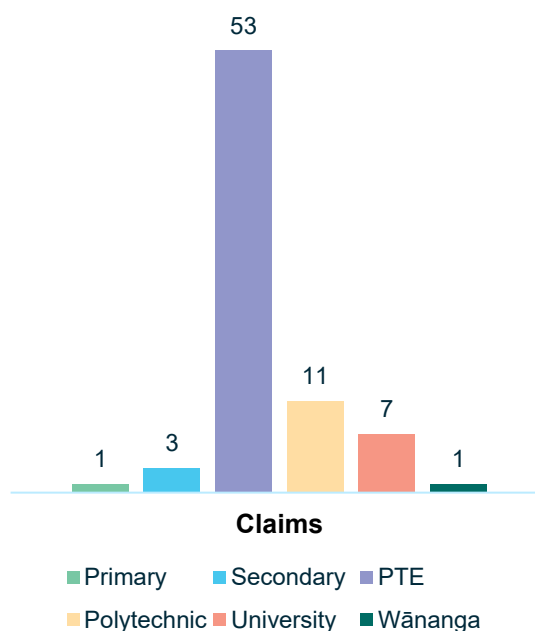
Overview of claims accepted (combined - total 76)

Accepted claims	International	Domestic	Total
New claims accepted	54	22	76
Brought forward (ongoing claims from previous reporting year)	10	1	11
Total claims	64	23	87
Claims closed during period	29	13	42
Claims remaining on hand	31	11	42

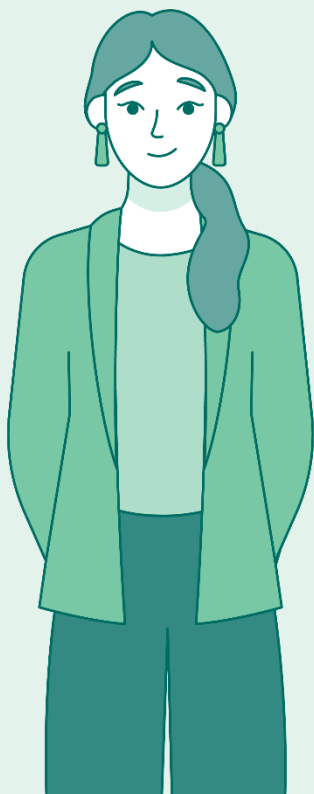
Overview of how claims were resolved (combined – 42 total)



Claims received by provider type (combined – 76 total)



THE DETAILS



About disputes

Overview of enquiries received (246 total)

Overview	Domestic	International	Total
Enquiries received	126	120	246
Accepted	17	38	55
Non-relevant	4	8	12
Not accepted / No jurisdiction	46	22	68
Not proceeding / Withdrawn	39	33	72
Referred	9	3	12 - Referred to HRC, HDC, NZQA, and Ombudsman
Under consideration (as at 1 July 2026)	11	16	27

Overview of enquiries by provider type (246 total)

All enquiries								
Provider	Primary School	Intermediate School	Secondary School	PTE	Polytechnic	University	Wānanga	N/A*
Enquiries	4	1	10	104	48	52	7	20

*N/A – applies where the provider type is unknown or when the provider's name has not been shared.

Overview of accepted claims (76 total)

Accepted disputes							
Provider	Primary School	Intermediate School	Secondary School	PTE	Polytechnic	University	Wānanga
International	1		3	43	3	4	
Domestic				10	8	3	1

Overview of enquiries that were referred to other agencies (12 total)

Referred enquiries to different body						
	Provider	PTE	Polytechnic	University	N/A	Referral Agencies
Enquiries	International	1	2			NZQA, Ombudsman
	Domestic	3	2	2	2	HRC, HDC, NZQA, Ombudsman

Breakdown of disputes (combined)

Overview of all disputes – by nature, provider type and outcome

Nature	Provider Type	Outcome	Total
Compensation - Following NZQA Investigation	Wānanga	Under Consideration	1
Compensation - Following NZQA Investigation Total			1
Compensation - Other	PTE	Accepted	1
		Not Accepted/No jurisdiction	2
	University	Not Accepted/No jurisdiction	2
		Not Proceeding/Withdrawn	1
		Referred	1
	Wānanga	Accepted	1
Compensation - Other Total			8
Contractual/Financial	N/A	Referred	1
	PTE	Accepted	12
		Not Accepted/No jurisdiction	4
		Not Proceeding/Withdrawn	9
		Referred	1
		Under Consideration	1
	Secondary	Accepted	1
		Not Proceeding/Withdrawn	1
		Under Consideration	1
	Polytechnic	Accepted	6
		Not Accepted/No jurisdiction	7
		Not Proceeding/Withdrawn	7
	University	Accepted	3
		Not Accepted/No jurisdiction	5
		Not Proceeding/Withdrawn	7
		Under Consideration	1
	Wānanga	Not Proceeding/Withdrawn	1
Contractual/Financial Total			68
Financial Difficulty	Polytechnic	Accepted	1
	University	Not Proceeding/Withdrawn	1
Financial Difficulty Total			2

General Enquiry	N/A	Non-relevant	3
		Not Accepted/No jurisdiction	2
		Not Proceeding/Withdrawn	2
		Referred	2
		Under Consideration	1
	Primary	Non-relevant	1
	PTE	Not Proceeding/Withdrawn	3
		Referred	2
		Under Consideration	2
	Polytechnic	Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	3
		Referred	1
	University	Not Proceeding/Withdrawn	3
		Under Consideration	1
General Enquiry Total			27
Misrepresentation	Primary	Not Proceeding/Withdrawn	1
Misrepresentation Total			1
Not SC Issue	N/A	Non-relevant	4
		Not Accepted/No jurisdiction	1
	PTE	Non-relevant	1
		Not Accepted/No jurisdiction	2
	Secondary	Non-relevant	1
	Polytechnic	Non-relevant	1
		Not Accepted/No jurisdiction	4
		Referred	1
	University	Non-relevant	1
		Not Accepted/No jurisdiction	6
		Not Proceeding/Withdrawn	1
Not SC Issue Total			23
Not Proceeding/Withdrawn	N/A	Not Proceeding/Withdrawn	1
Not Proceeding/Withdrawn Total			1
Other (Contractual/Financial)	N/A	Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	1
	PTE	Accepted	14

		Not Accepted/No jurisdiction	2
		Not Proceeding/Withdrawn	8
		Referred	2
	Secondary	Accepted	1
		Not Proceeding/Withdrawn	1
	Polytechnic	Accepted	1
		Not Accepted/No jurisdiction	5
		Not Proceeding/Withdrawn	2
		Under Consideration	2
	University	Accepted	1
		Not Accepted/No jurisdiction	8
		Not Proceeding/Withdrawn	6
	Wānanga	Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	2
Other (Contractual/Financial) Total			58
Refund - Course Closure	N/A	Under Consideration	1
	University	Not Accepted/No jurisdiction	1
Refund - Course Closure Total			2
Refund - Quality of Provision (Academic)	PTE	Not Proceeding/Withdrawn	1
		Under Consideration	1
Refund - Quality of Provision (Academic) Total			2
Refund - Safety and Wellbeing	PTE	Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	1
	Secondary	Not Accepted/No jurisdiction	1
		Under Consideration	1
	Polytechnic	Not Accepted/No jurisdiction	1
	University	Referred	1
		Under Consideration	1
Refund - Safety and Wellbeing Total			7
Refund - Student Support advice and services	PTE	Accepted	1
		Not Accepted/No jurisdiction	3
	Secondary	Under Consideration	1
	Polytechnic	Accepted	1
		Not Accepted/No jurisdiction	1

	Wānanga	Not Proceeding/Withdrawn	1
Refund - Student Support advice and services Total			8
Refund - Termination	PTE	Accepted	1
		Not Proceeding/Withdrawn	1
		Under Consideration	3
	Polytechnic	Under Consideration	1
	University	Under Consideration	1
Refund - Termination Total			7
Refund - Visa Declined	PTE	Accepted	1
		Not Proceeding/Withdrawn	1
		Under Consideration	2
Refund - Visa Declined Total			4
Refund - Withdrawal	Intermediate	Under Consideration	1
	Primary	Accepted	1
		Not Proceeding/Withdrawn	1
	PTE	Accepted	7
		Not Accepted/No jurisdiction	6
		Not Proceeding/Withdrawn	4
		Under Consideration	4
	Secondary	Not Proceeding/Withdrawn	1
	Polytechnic	Accepted	1
		Not Accepted/No jurisdiction	1
Refund - Withdrawal Total			27
Grand Total			246

Breakdown of international student disputes

Overview of international student disputes – by nature, provider type and outcome

Nature	Provider Type	Outcome	Total
Compensation - Other	PTE	Accepted	1
		Not Accepted/No jurisdiction	2
	University	Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	1

Compensation - Other Total			5
Contractual/Financial	PTE	Accepted	9
		Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	4
	Secondary	Accepted	1
		Under Consideration	1
	Polytechnic	Accepted	2
		Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	1
	University	Accepted	1
		Not Accepted/No jurisdiction	2
		Not Proceeding/Withdrawn	1
Contractual/Financial Total			24
General Enquiry	N/A	Non-relevant	2
		Not Accepted/No jurisdiction	2
		Not Proceeding/Withdrawn	1
		Under Consideration	1
	Primary	Non-relevant	1
	PTE	Not Proceeding/Withdrawn	2
		Under Consideration	1
	Polytechnic	Not Proceeding/Withdrawn	2
	University	Not Proceeding/Withdrawn	1
General Enquiry Total			13
Misrepresentation	Primary	Not Proceeding/Withdrawn	1
Misrepresentation Total			1
Not SC Issue	N/A	Non-relevant	3
	PTE	Non-relevant	1
		Not Accepted/No jurisdiction	2
	Secondary	Non-relevant	1
	Polytechnic	Not Accepted/No jurisdiction	1
	University	Not Accepted/No jurisdiction	3
Not SC Issue Total			11
Not Proceeding/Withdrawn	N/A	Not Proceeding/Withdrawn	1
Not Proceeding/Withdrawn Total			1

Other (Contractual/Financial)	N/A	Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	1
	PTE	Accepted	12
		Not Proceeding/Withdrawn	5
		Referred	2
	Secondary	Accepted	1
		Not Proceeding/Withdrawn	1
	Polytechnic	Not Accepted/No jurisdiction	2
	University	Not Accepted/No jurisdiction	3
		Not Proceeding/Withdrawn	2
Other (Contractual/Financial) Total			30
Refund - Quality of Provision (Academic)	PTE	Not Proceeding/Withdrawn	1
Refund - Quality of Provision (Academic) Total			1
Refund - Safety and Wellbeing	PTE	Not Proceeding/Withdrawn	1
	Secondary	Under Consideration	1
	University	Referred	1
		Under Consideration	1
Refund - Safety and Wellbeing Total			4
Refund - Student Support advice and services	PTE	Accepted	1
	Secondary	Under Consideration	1
Refund - Student Support advice and services Total			2
Refund - Termination	PTE	Accepted	1
		Not Proceeding/Withdrawn	1
		Under Consideration	3
	Polytechnic	Under Consideration	1
	University	Under Consideration	1
Refund - Termination Total			7
Refund - Visa Declined	PTE	Accepted	1
		Not Proceeding/Withdrawn	1
		Under Consideration	2
Refund - Visa Declined Total			4
Refund - Withdrawal	Intermediate	Under Consideration	1
	Primary	Accepted	1
		Not Proceeding/Withdrawn	1

	PTE	Accepted	6
		Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	3
		Under Consideration	2
	Secondary	Not Proceeding/Withdrawn	1
	Polytechnic	Accepted	1
Refund - Withdrawal Total			17
Grand Total			120

Breakdown of domestic tertiary student disputes

Overview of domestic tertiary disputes – by nature, provider type and outcome

Nature	Provider Type	Outcome	Total
Compensation - Following NZQA Investigation	Wānanga	Under Consideration	1
Compensation - Following NZQA Investigation Total			1
Compensation - Other	University	Not Accepted/No jurisdiction	1
		Referred	1
	Wānanga	Accepted	1
Compensation - Other Total			3
Contractual/Financial	N/A	Referred	1
	PTE	Accepted	3
		Not Accepted/No jurisdiction	3
		Not Proceeding/Withdrawn	5
		Referred	1
		Under Consideration	1
	Secondary	Not Proceeding/Withdrawn	1
	Polytechnic	Accepted	4
		Not Accepted/No jurisdiction	6
		Not Proceeding/Withdrawn	6
	University	Accepted	2
		Not Accepted/No jurisdiction	3
		Not Proceeding/Withdrawn	6
		Under Consideration	1

	Wānanga	Not Proceeding/Withdrawn	1
Contractual/Financial Total			44
Financial Difficulty	Polytechnic	Accepted	1
	University	Not Proceeding/Withdrawn	1
Financial Difficulty Total			2
General Enquiry	N/A	Non-relevant	1
		Not Proceeding/Withdrawn	1
		Referred	2
	PTE	Not Proceeding/Withdrawn	1
		Referred	2
		Under Consideration	1
	Polytechnic	Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	1
		Referred	1
	University	Not Proceeding/Withdrawn	2
		Under Consideration	1
General Enquiry Total			14
Not SC Issue	N/A	Non-relevant	1
		Not Accepted/No jurisdiction	1
	Polytechnic	Non-relevant	1
		Not Accepted/No jurisdiction	3
		Referred	1
	University	Non-relevant	1
		Not Accepted/No jurisdiction	3
		Not Proceeding/Withdrawn	1
Not SC Issue Total			12
Other (Contractual/Financial)	PTE	Accepted	2
		Not Accepted/No jurisdiction	2
		Not Proceeding/Withdrawn	3
	Polytechnic	Accepted	1
		Not Accepted/No jurisdiction	3
		Not Proceeding/Withdrawn	2
		Under Consideration	2
	University	Accepted	1

		Not Accepted/No jurisdiction	5	
		Not Proceeding/Withdrawn	4	
		Wānanga	Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	2	
Other (Contractual/Financial) Total			28	
Refund - Course Closure	N/A	Under Consideration	1	
	University	Not Accepted/No jurisdiction	1	
Refund - Course Closure Total			2	
Refund - Quality of Provision (Academic)	PTE	Under Consideration	1	
Refund - Quality of Provision (Academic) Total			1	
Refund - Safety and Wellbeing	PTE	Not Accepted/No jurisdiction	1	
	Secondary	Not Accepted/No jurisdiction	1	
	Polytechnic	Not Accepted/No jurisdiction	1	
Refund - Safety and Wellbeing Total			3	
Refund - Student Support advice and services	PTE	Not Accepted/No jurisdiction	3	
	Polytechnic	Accepted	1	
		Not Accepted/No jurisdiction	1	
	Wānanga	Not Proceeding/Withdrawn	1	
Refund - Student Support advice and services Total			6	
Refund - Withdrawal	PTE	Accepted	1	
		Not Accepted/No jurisdiction	5	
		Not Proceeding/Withdrawn	1	
		Under Consideration	2	
	Polytechnic	Not Accepted/No jurisdiction	1	
Refund - Withdrawal Total			10	
Grand Total			126	

Learner demographics

While we record whether students are domestic or international, it is not mandatory for students to share their nationality or ethnicity with us.

About claims

Nationality of learners with accepted claims (76 total)

Accepted Claims by Nationality							
Nationality	Primary School	Intermediate School	Secondary School	PTE	Polytechnic	University	Wānanga
Argentina				12			
Bangladesh						1	
Bhutan				1			
Brazil				2			
Chile				2			
China	1		2	10	2	2	
India				8		1	
Kenya				1			
Korea, Republic Of				1	1		
Mexico			1				
New Zealand				10	8	3	1
Not Listed				2			
Sri Lanka				3			
Thailand				1			

Ākonga Māori

Overview of disputes from Māori students (17 total)

Nature	Provider	Outcome	Total
Compensation – Following NZQA Investigation	Wānanga	Under Consideration	1
Compensation – Following NZQA Investigation Total			1
Contractual/Financial	PTE	Accepted	1
		Not Accepted/No jurisdiction	1
	Polytechnic	Accepted	1
		Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	1
	University	Not Proceeding/Withdrawn	2
Contractual/Financial Total			7
Not ISC Issue	Polytechnic	Not Accepted/No jurisdiction	1
Not ISC Issue Total			1
Other (Contractual/Financial)	Polytechnic	Not Accepted/No jurisdiction	2
		Under Consideration	1
	University	Not Accepted/No jurisdiction	1
		Not Proceeding/Withdrawn	1
	Wānanga	Not Proceeding/Withdrawn	1
Other (Contractual/Financial) Total			6
Refund – Quality of Provision (Academic)	PTE	Under Consideration	1
Refund – Quality of Provision (Academic) Total			1
Refund – Student Support, Advice and Services	Wānanga	Not Proceeding/Withdrawn	1
Refund – Student Support, Advice and Services Total			1
Grand Total			17

Resolved claims

Method of resolution

How domestic student claims were resolved by provider type (13 total)

Domestic students – Resolved claims				
	PTE	Polytechnic	University	Wānanga
Facilitation/ Negotiation	1	3	1	
Mediation	1	1		
Adjudication	2	1	1	
Withdrawn	1	1		

How international student claims were resolved by provider type (29 total)

International students – Resolved claims							
	Primary School	Intermediate School	Secondary School	PTE	Polytechnic	University	Wānanga
Facilitation/ Negotiation				7			
Mediation			1	6			
Adjudication			1	7		4	
Withdrawn				3			

Outcome of adjudication (16 total)

Adjudication in favour (including partially upheld) of:							
	Primary School	Intermediate School	Secondary School	PTE	Polytechnic	University	Wānanga
Student				7	1	5	
Provider			1	2			

Average timeframes

Dispute resolution	Average length (days)
Facilitation/Negotiation	71
Mediation	121
Adjudication	196
Jurisdiction Challenged	84

Please note the above timeframes are based on the 42 claims received and the timeframes include the initial triaging of the cases.

OPERATIONAL UPDATE



Trends

Refunds

Student refunds remain a top trend in complaints.

Within this category, there is a noticeable trend of some providers defaulting to the provisions of the refund policy and retaining the maximum allowed, being 25% of fees, without providing students with a breakdown justifying how these costs were incurred or any discretionary consideration of their personal circumstances.

Study Complaints | Ngā Amuamu Tauira has focused on this topic for awareness and learning amongst education providers this year. It was a key theme in our 'Handling Learner Complaints – Taking your complaints process from 2D to 3D' webinar series with NZQA and in our workshops with associations within the sector.

PhD candidates

We continue to receive complaints from PhD candidates in relation to pastoral care or about academic standards, for example the suitability of supervisory appointments. Study Complaints | Ngā Amuamu Tauira may assist in some cases where the student has a financial or contractual claim. In other cases where the complaint lies outside our jurisdiction, we refer the PhD candidate to another body, such as the Ombudsman.

Agents

There has also been an increase in complaints from international students in relation to study agents. A range of complaints included agents not refunding the fees to students when withdrawing and agents not completing the enrolment with the education provider, so the student is not registered when requesting a refund resulting in issues with the refunding route. Questions of agency, whether or not the agent has a relationship with the education provider and if they are acting on behalf of the provider or not, need to be considered in cases like these as Study Complaints | Ngā Amuamu Tauira only has jurisdiction if this has been established.

Of particular note, we accepted 13 cases from the same international high school which had students seeking to study in Aotearoa. The students' parents paid all fees and airfares via an agent who set up the arrangement. That agent later cancelled the study, and the parents were then left to make arrangements and payments directly with the New Zealand schools for study and homestay. The parents' claims sought the return of the double payment, with questions of agency arising. While the agent's actions are outside of Study Complaints' jurisdiction, Study Complaints | Ngā Amuamu Tauira can consider whether the schools may be liable for the acts of their agent.

Systemic issues

Pastoral care issues

We are noticing an increase in complaints which previously would have been reviewed by NZQA.

Following changes to resourcing and investigative priorities at NZQA, we have identified a jurisdictional gap. Requests from students that relate to matters such as the quality of academic provision or the Code of Pastoral Care are falling between the cracks, causing much confusion for students.

In addition, in accordance with our jurisdiction, Study Complaints | Ngā Amuamu Tauira is an avenue for students who, following an NZQA finding, may have been able to progress a redress claim through our service. This gap therefore has the further consequence of limiting this avenue and function of the Study Complaints | Ngā Amuamu Tauira scheme. In some cases, it has been possible for us to accept a complaint where there has been a contractual component, but most often they fall outside our jurisdiction. Other avenues may include the Office of the Ombudsman, the Disputes Tribunal, or Universities New Zealand.

We have raised the question of jurisdiction with the NZQA and the Ministry, as it's an important one for students like these.

Discretion

While not a systemic issue, we did share an interesting case with the Ministry of Education involving jurisdiction and discretion.

The complaint appeared to be caught in between processes. Due to perceived unreasonable delays by their provider, the student approached Study Complaints | Ngā Amuamu Tauira but the education provider maintained the issue should not be accepted as it had not progressed through their internal complaints process.

Provider closure

The issue of education provider's closing and subsequent issues around refunds, continuation of study and the award of qualifications have come up this year. One provider closure resulted in multiple complaints which involved the consideration of individual practice hours and credits towards courses at other providers. This provider engaged in mediation for each dispute that arose, with the outcome being mediated settlements for all matters.

Case study consent

The Education (Domestic Tertiary Student and International Student Contract Dispute Resolution Scheme) Rules 2023 are clear that consent from all the parties involved in a dispute must be obtained for a case study to be published.

Despite many attempts and noting that case studies are anonymised, Study Complaints | Ngā Amuamu Tauira has not been able to secure the consent of both parties involved in a dispute. Our experience shows that one of the parties will always decline.

We believe that an amendment to the Education (Domestic Tertiary Student and International Student Contract Dispute Resolution Scheme) Rules 2023, removing this requirement, is necessary to be able to publish examples of typical cases or thematic reviews. Our experience as the operator of similar complaints schemes as well as the previous iStudent Complaints scheme shows that case studies are an important learning and continuous improvement tool and as such, facilitating such an amendment would have valuable impact.

Learner needs

Our service is designed to be learner-centric, each step of the way. Our process starts with the student to ensure they have a voice and their mana, identity and wellbeing is prioritised.

Our team have hands-on experience working with learners from around the world and Aotearoa, designing dispute resolution processes that meet their needs and recognise their culture. Our approach is to ask each person about their needs and culture so we can design a process that works for them and ensure they can participate effectively.

For people who wish to have a Te Ao Māori approach, we have a range of options. We can appoint practitioners who conduct mediations in Te Reo Māori, we can provide a tikanga-based process, or our practitioners can use the Tūhono Māori mediation model which is a kaupapa Māori model of practice inspired by traditional Māori narratives and dispute resolution methodologies.

In addition to our in-house capability, our partnership approach supports us in meeting each learner's needs. Our practitioners include members of Laidlaw who specialise in providing a kaupapa Māori approach to dispute resolution. We have team members trained in tikanga-based dispute resolution, including some who use the Tūhono Collective's Tūhono Model of Mediation. HIVĀ assist us in providing dispute resolution services that are embedded in Pacific values and ideologies, and Asian Family Services are available to provide support to our students. We have a wide team of practitioners and partners to draw upon.

Providing the support people need and ensuring that their specific cultural needs or circumstances are provided for within the process creates accessible services which empowers them to have a voice, facilitates participation and promotes positive outcomes.

Examples in practice

- Interpreters are commonly organised for mediations where language barriers have been identified.
- Translation services are often used for written submissions and to translate supporting documentation.
- Regular opportunities to learn about te ao Māori, to ask pātai about tikanga and to practice te reo Māori are available for all Fair Way – kia tau team members throughout the year.

Awareness and engagement

Study Complaints | Ngā Amuamu Tauira provides a dedicated multi-lingual website, social media channels (Facebook and Instagram), and resources such as our animation, guides, information in alternate formats and information packs.

Our team spend time raising awareness and sharing insights with both the learner and education provider communities. Highlights from this year include:

- Presenting the 'Handling Learner Complaints – Taking your complaints process from 2D to 3D' – webinar series with NZQA to education providers
- Hosting a workshop on 'What's Reasonable? Discretion Indiscretions when Managing Complaints' for the Schools International Education Business Association of New Zealand (SIEBA) Annual Hui
- A Study Complaints | Ngā Amuamu Tauira information stand at the orientation event for Victoria University, Wellington
- Engagement visits to students at Massey University, Auckland and Auckland University.
- Presenting to the New Zealand Boarding School Association (BSA)
- Providing information and resources to student associations.

Financial update

For the year 1 July 2025 to 30 June 2026

	2025	2026
	\$000	\$000
Income	515	515
Personnel	204	235
Other **	353	334
Operating costs	557	569
Operating surplus	-42	-54

* Presented as an extract from financial statements prepared for FairWay Resolution Holdings Limited.

** Other includes Interpreters, Occupancy, ICT, Finance, HR Support, and Travel.

Feedback

Here is a selection of comments from education providers:

"I really appreciate all your help and guidance throughout this process."

"Thank you so much for all that you have done and for putting up with the constant back and forth. I really appreciate it."

"Many thanks for sharing the final decision. Thank you also for guiding the process."

"Thank you for sharing the final decision, we truly appreciate the time you have invested in this."

"Thank you very much for the follow up and the help throughout the complaint process."

Here is a selection of comments from students:

"I am immensely grateful for the support I received from Study Complaints. I will remember how fortunate I was to experience the compassion and kindness of your team."

"I can't forget to thank all of you once more, who participated in this journey with me, patiently and diligently to the conclusion."

"I must start by thanking you for enabling us to reach this far, I didn't envision this! You have been professionally and expertly steering this ship."

"Once again, thank you for your time, care and attention to my concerns, and for your efforts in helping me navigate the complaints process."

"Lastly, I would like to extend my sincere thanks to the entire Study Complaints | Ngā Amuamu Tauira team. Your commitment to ensuring fairness and justice in disputes between students and education providers is an invaluable service, and I deeply appreciate the role you play in supporting students like myself."

"I want to express my deepest gratitude to you and the entire Study Complaints team for handling my matter so professionally and kindly. The way you dealt with my case truly reflects the high standards and positive posture that New Zealand holds for international students. While some individuals or university representatives might sometimes create a flawed or challenging image, your exceptional help has completely restored my confidence. Thank you once again for closing this with such great care. I wish you all the best as well"



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Study complaints



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