

Learner Complaint, Grievance Resolution and Appeals Procedures

1. Purpose, Scope and Compliance

Purpose

The Electrical and Communications Association of Western Australia Inc. ('ECA WA') is committed to providing learners with training to the highest possible quality. However, from time to time, learners may raise concerns, complaints or grievances about matters or issues relating to their experiences at one of our campuses.

ECA WA recognises that effective communication is of paramount importance when attempting to resolve difficulties experienced by learners. We are therefore committed to a culture of openness, fairness, and continuous improvement, which includes being open to criticism.

To achieve a satisfactory outcome to all concerned ECA WA is committed to following transparent, fair, and timely procedures for addressing complaints, grievances, and appeals, conducted in accordance with principles of natural justice, ensuring that all parties may be treated equally and fairly.

Scope

These guidelines apply to all currently enrolled ECA WA learners, regardless of the location of the campus at which the grievance has arisen, or the mode in which they study. It provides a mechanism for addressing grievances arising out of any kind of situation or process affecting the learner, whether training or non-training related. Learners can make a complaint about any aspect of our services including training, training staff, support services, advice and guidance, college facilities and third parties providing training on behalf of ECA WA. *(Staff please note; there is a separate grievance procedure for employees - managed by the ECA WA HR Manager.)*

Compliance

ECA WA's procedures for handling grievances and complaints comply with the Standards for Registered Training Organisations (RTOs) 2015 and Guidelines for Complaint Management in Organisations (AS/NZS 10002:2014).

2. Definitions

Appeal: A request for a reconsideration of a decision. An appeal may be either an initial complaint about a decision made about an administrative or training matter or a request for a review of the outcome of a grievance.

Complaint: An expression of dissatisfaction made by a learner who considers they have been wronged because of an action, decision or omission within the control or responsibility of ECA WA.

Grievance: A matter to be investigated according to the process established by this Guide, either where informal processes fail to resolve the complaint or where the matter relates to misbehaviour, and consequently where disciplinary action against a staff member or learner may be considered as an outcome of the matter.

Investigator: A person who is appointed to investigate the circumstances of a formal grievance and make objective findings and recommendations.

Mediator: An impartial person from outside of the class or campus of the person who is the subject of a complaint and who facilitates an informal discussion between a complainant and a person who is the subject of a complaint with a goal of reaching a resolution acceptable to both parties.

Respondent: A staff member who is either the subject of a complaint, or who is nominated by the General Manager to respond to a complaint, and who is approached by a learner for an informal resolution of that complaint.

Responsible Officer: The General Manager, Training Manager, or the Administration Manager who takes responsibility for the area related to the complaint.

3. Procedures

Informal Complaint

ECA WA encourages learners, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. If the complaint cannot be resolved informally, the complainant should, where appropriate, seek to have the complaint resolved through a mediated discussion. Within each campus the Training Manager or Senior Trainer and Assessor are available to assist learners at this level.

If the complaint is not likely to be resolved through a mediated discussion, or if the complainant does not wish to pursue mediation, he/she should consider submitting a formal grievance.

Formal Grievance

Where a grievance is not resolved as an informal complaint, the learner may take the following steps to have the matter formally resolved by ECA WA.

- The formal grievance procedure begins when the written complaint at Annex A is submitted to the Training Manager. Your application must include the complainant's name, class, learner number and contact details.

- Nature of the grievance, any specific issues involved and the form of resolution that the complainant is seeking must be outlined.
- The grievance must be lodged with the Training Manager within seven (7) days of the decision, act, or omission about which the complainant is complaining or of receiving the mark for an assessment task or a final result or grade awarded for a subject.

The Training Manager along with the responsible officer shall submit a Grievance Improvement Log (refer process chart [Course Management, Complaints, Grievance Resolutions and Appeals, Formal Complaints](#)) and further investigate the complaint. The Training Manager, will, as necessary, meet with the learner and respondent. The learner will be informed in writing of the decision, normally within 14 days.

4. Appeals

Should a dispute arise that cannot be resolved to the learners' satisfaction by the Training Manager, the learner must place their complaint in writing to the General Manager within seven days of receiving a response from the Training Manager.

In the case of dispute, the General Manager will make a determination.

Should the applicant be dissatisfied with that decision, written appeal of the decision can be made to the General Manager and if required it may be presented to the ECA WA Board of Management. Where the complainant is still dissatisfied a mutually agreed independent person will deal with the matter and negotiate with ECA WA to resolve the issue.

Should a resolution which is mutually accepted by both parties not be reached, final arbitration in the dispute resolution process will be undertaken by the Manager Utilities, Engineering, Electrical and Automotive (UEEA) Training Council. The learner will be given a written statement of the appeal outcomes, including the reasons for the decisions.

Where more than 60 calendar days are required to process a complaint or appeal, the complainant or appellant will be advised in writing the reasons why. Regular review of the status of the complaint or appeal will be made by the General Manager. If the complaint is against the General Manager, a management proxy will be appointed.

5. National Training Complaints Hotline

For additional queries please contact ECA WA or alternatively, the state or territory registering body or the National Training Complaints Hotline, telephone: 13 38 73 or website <https://www.dese.gov.au/national-training-complaints-hotline>

Grievance Resolution and Appeals Form

Please complete and return to the Training Manager who will acknowledge receipt and explain what action will be taken.

Your Name _____ Learner ID _____

Address _____

Postcode _____

Phone Number _____ Email _____

Please provide details of your complaint:

What action, if any, have you already taken to try and resolve your complaint (who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? No ☐ Yes ☐ (please provide details below)

Signature _____ Date _____

Official Use

Date acknowledgement sent _____ Staff Name _____

Complaint referred to _____ Date _____