

Product Disclosure Statement
NECA Training
14 August 2018

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Access, Equity & Anti-Discrimination

PURPOSE

NECA Training is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015). The purpose of this Policy is to provide a frame of reference for providing and maintaining training services that reflect fair and reasonable opportunity for all clients, regardless of their diversity; allowing everyone to freely participate in a learning environment free from discrimination, harassment, bullying and vilification.

POLICY STATEMENT

NECA Training promotes, encourages and values equity and diversity. NECA Training will ensure its business is conducted in a fair and equitable manner, free from bias.

NECA Training is committed to providing flexible learning and assessment options, allowing students alternatives which recognise the diversity of their individual needs and circumstances aiding them in their learning goals.

NECA Training will ensure:

- a) all training and assessment policies and procedures incorporate access and equity principles;
- b) all learners have equitable access to the benefits of training and assessment irrespective of their gender, age, race, religion, culture, linguistic background, marital status, geographic location, socio-economic background, disability, sexual preference, family responsibility or political conviction;
- c) all enrolments into training courses will be conducted in an ethical and responsible manner, ensuring fairness and compliance with Equal Opportunity legislation; and
- d) all learners/clients have equitable access to training resources, facilities, equipment, support services, information, training and assessment personnel, materials, assessment opportunities, training opportunities.

SCOPE

The following words and expressions have the following specific meaning, as defined in the Standards for Registered Training Organisations (RTOs) 2015:

Access and equity means policies and approaches aimed at ensuring that VET is responsive to the individual needs of clients whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.

Discrimination occurs when a person is treated less favourably than others due to the person's circumstances, characteristics or beliefs.

Harassment is any behaviour which is unwelcome, offends, humiliates or intimidates a person and causes the work environment to become unpleasant. If a person is

being harassed then their ability to do their work is affected as they often become stressed and suffer health problems. Harassment may result from behaviour which is not intended to offend or harm, such as jokes or unwanted attention. However, this does not mean that it is lawful.

PRINCIPLES

NECA Training will not accept any form of discrimination and will apply the following principles in support of access and equity:

Access and Equity Principles

- a) NECA Training abides by access, equity and anti-discrimination principles.
- b) NECA Training will respect staff, contractor and student rights to privacy, confidentiality and be sensitive to their needs.
- c) NECA Training provides equal opportunity for all staff, contractors and learners and is responsive to the individual needs of clients whose gender, pregnancy, race, marital status, sexuality, age, family/carer responsibilities, disability, transgender, political conviction, cultural or ethnic background, linguistic background, religious belief, geographic location, socio-economic background, employment/unemployment, imprisonment may present a barrier to access, participation and achievement of suitable outcomes.
- d) NECA Training seeks to create a learning environment where all students are respected and can develop their full potential.
- e) All clients are given fair and reasonable opportunity to attend and complete training.
- f) All staff are given fair and reasonable opportunity to participate in relevant decision making processes and the allocation of resources and services as required to fulfil their duties and responsibilities.
- g) Deficiencies will be investigated to determine whether a breach or policy deficiency exists. Should a discrepancy be proven, the impact of that breach or deficiency will be identified along with how the policy should be amended to eliminate the breach or deficiency in the future.
- h) All perceived deficiencies in the Access and Equity Policy are to be documented, assessed and reviewed by the NECA Training General Manager.
- i) NECA Training will demonstrate its commitment by:
 - i. Selecting students according to a fair and non-discriminatory process
 - ii. Making its training relevant for a diverse student population
 - iii. Providing suitable access to facilities and resources
 - iv. Providing appropriate support services
 - v. Providing appropriate appeals and complaints procedures
 - vi. Consulting with relevant industry groups

- vii. Raising staff, contractor and student awareness of equity issues.

Equal Opportunity Principles

NECA Training is an equal opportunity company and does not discriminate against or favour target groups in either recruiting or training, unless prescribed within the terms of a funding contract.

Target Groups are defined as:

- Aboriginal and Torres Strait Islanders;
- People with a disability;
- People from non-English speaking backgrounds;
- People in transition and other special groups (i.e. people re-entering the workforce, long term unemployed, sole parents, people with literacy problems, and those who have been institutionalised);
- Women;
- People from regionally isolated communities.

Principles for students with Special Needs

- a) Clients intending to enrol for training with NECA Training are requested prior to enrolment to advise NECA Training if they have any disability, physical or other impairment which may adversely affect their ability to successfully undertake training and assessment.
- b) Clients are encouraged to discuss with NECA Training any 'special needs' and/or 'reasonable adjustments' to the study environment which they consider are necessary or would assist them in the performance of their studies.
- c) NECA Training, in collaboration with the Client, will assess the potential for the Client to successfully complete the training which may include flexible delivery options to optimise the ease and benefit of the Clients' learning. However, no compromise to the integrity of the assessment against competency will be allowed.
- d) Clients with a disability are required to have the ability to fulfil the core requirements of the units of Competence to attain the relevant award. However, it is recognised that flexibility in arrangements may need to be implemented.

Language, Literacy and Numeracy Principles

- a) Each Training Package sets a minimum requirement in language, literacy and numeracy skills of learners, with which NECA Training must abide.
- b) NECA Training makes appropriate concessions for language, literacy and numeracy issues of clients where these concessions do not compromise the requirements of the relevant Training Package and the integrity, equity and fairness of assessment.
- c) Where a Client is deemed, either prior to enrolment, or during the training program, to possess a lower level of language, literacy or numeracy than is the minimum requirement of the Training Package, NECA Training will provide appropriate advice and support to the Client regarding further learning options. At times, further language or literacy development or remedial assistance may be required to be completed prior to the continuation or completion of the Client's course of study.

Harassment Principles

- a) Harassment will not be tolerated at NECA Training. If harassment occurs, the person responsible will be subject to disciplinary action. This may include termination of employment (for staff) or removal of the client from the training course.
- b) Serious cases of harassment may constitute a criminal offence.

Bullying and Violence Principles

- a) NECA Training will not tolerate bullying or violent behaviour and expects all staff, contractors and clients to treat each other with dignity and respect.
- b) NECA Training recognises bullying and violence demeans and infringes the rights of individuals and groups, damaging the work and learning environment.

Vilification Principles

- a) NECA Training will not tolerate behaviour which vilifies another person and expects all staff, contractors and clients to treat each other with dignity and respect.

NECA TRAINING RESPONSIBILITIES

NECA Training has a legal and moral obligation to provide equal opportunity in an environment free from discrimination for staff, contractors and clients and ensure that discrimination/harassment does not occur in the workplace.

NECA Training will:

- Maintain policies and procedures for equal opportunities for all staff, contractors and clients;

- Disseminate policies and procedures to staff, contractors and clients;
- Examine all policies and practices, as they affect staff, contractors and clients to ensure the elimination of discrimination and harassment;
- Ensure that there is no discrimination against any individual client or group of clients or staff, in access to facilities, products and services;
- Educate staff and contractors on the general goals and philosophy of equal opportunity together with the rationale for policies and practices which are adopted;
- Eliminate sexist and other discriminatory language from all publications and discourage the use of such language in all printed material and in the speech of its staff, contractors and clients;
- Establish and maintain mechanisms to deal with complaints.

NECA Training Management Responsibilities

The NECA Training Operations Manager is responsible for ensuring that all staff are aware of this policy and that complaints are dealt with in accordance with the terms of the Complaints and Appeals Policy.

The NECA Training General Manager and Operations Manager are to ensure staff act in accordance with this policy and all clients are made aware of their rights and responsibilities pursuant to this policy.

The NECA Training Operations Manager will maintain the confidentiality of all complaints. If the Operations Manager feels that they are not an appropriate person to deal with the complaint, they will refer the matter to either the General Manager or an external independent party for review and/or action.

NECA Training Staff, Contractor and Client Responsibilities

NECA Training staff, contractors and clients have the responsibility to:

- Act to prevent harassment, discrimination and victimization against others;
- Respect differences among other staff, clients and contractors;
- Treat people fairly, without discrimination, harassment or victimization;
- Respect the rights of others;
- Respect people's privacy and confidentiality;
- Observe site rules and behaviour guidelines set by NECA Training;
- Behave in a manner that supports effective learning; and
- Conduct themselves in a responsible manner at all times;

RELEVANT LEGISLATION

This policy reflects NECA Training's commitment to the following legislation:

- a) National Vocational Education and Training Regulator Act 2011 (NVR Act) – Commonwealth
- b) Vocational Education and Training Accreditation Act 1990 (New South Wales)
- c) Education and the Education and Training Reform Act 2006 (Victoria)
- d) Vocational Education and Training Act 1996 (Western Australia)
- e) Vocational Education, Training and Employment Act 2000 (Queensland)
- f) Training and Skills Development Act 2008 (South Australia)
- g) Training and Workforce Development Act 2013 (Tasmania)
- h) Age Discrimination Act 2004 (Commonwealth)
- i) Disability Discrimination Act 2009 (Commonwealth)
- j) Racial Discrimination Act 1975 (Commonwealth)
- k) Sex Discrimination Act 1984 (Commonwealth)
- l) Discrimination Act 1991 (Australian Capital Territory)
- m) Disability Services Act 1991 (Australian Capital Territory)
- n) Anti-Discrimination Act 1977 (New South Wales)
- o) Anti-Discrimination Act (Northern Territory)
- p) Anti-Discrimination Act 1991 (Queensland)
- q) Equal Opportunity Act 1994 (South Australia)
- r) Sex Discrimination Act 1994 (Tasmania)
- s) Anti-Discrimination Act 1998 (Tasmania)
- t) Equal Opportunity Act 2010 (Victoria)
- u) Disability Act 2006 (Victoria)
- v) Equal Opportunity Act 1984 (Western Australia)

RECORDS MANAGEMENT

All documentation concerning Access, Equity and Anti-discrimination matters are maintained in accordance with Records Management Policy. (See Records Management Policy)

CONTINUOUS IMPROVEMENT

All Access, Equity and Anti-discrimination practices are monitored by the NECA Training General Manager and Operations Manager and areas for improvement identified and acted upon. (See Continuous Improvement Policy).

To assist this process:

- a) All staff are to be given fair and reasonable opportunity to participate in relevant decision making processes and the allocation of resources and services as required to fulfil their duties and responsibilities
- b) All clients are to be given fair and reasonable opportunity to attend and complete training
- c) All perceived deficiencies in the Access and Equity Policy and Procedures are to be documented. Deficiencies are to be investigated to determine whether a problem or policy discrepancy exists, and if so, the impact of that deficiency, how the policy should be amended to eliminate the deficiency and whether the suggested amendment is consistent with a 'best practice strategy'

PROCEDURES

All grievances and complaints shall be managed in accordance with the following procedure:

- a) NECA Training encourages the reporting of behaviour that breaches equal opportunity policy, but will not tolerate vexatious or frivolous complaints.
- b) If a client or staff member has a grievance/complaint, they are encouraged to speak immediately with the relevant NECA Training Staff member to resolve the issue. If the complainant is not satisfied that the issue has been resolved the NECA Training Staff member will invite them to lodge a formal complaint via completing a Complaints Form.
- c) Grievances/Complaints are to be made in writing within 7 calendar days of the incident.
- d) A submitted Complaints Form will constitute a formal complaint.
- e) The NECA Training Operations Manager shall be informed of all formal complaints immediately upon lodgement.
- f) The NECA Training Operations Manager may delegate responsibility for the resolution of the complaint.
- g) In the case of a complaint, the NECA Training Operations Manager will initiate a transparent, participative investigation to identify the issues. The event(s) constituting the complaint will be investigated in a confidential manner and action will be taken to address the matter.
- h) The complainant will be given fair opportunity to represent their case.
- i) The respondent will be given fair opportunity to understand the complaint that has been lodged against them and to make a considered response.
- j) Those responsible for advising, conciliating or investigating a complaint must act fairly and impartially, they must act without bias and avoid any conflict of interest.
- k) All staff, clients and contractors involved in the complaint procedure will be treated with respect and courtesy. Enquiries regarding complaints will be made in a sensitive, equitable, fair, and confidential manner. All attempts will be made to deal with matters expeditiously while ensuring all parties are provided with sufficient time to prepare and respond.

- l) NECA Training acknowledges that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.
- m) Complaints, where possible, are to be resolved within 14 calendar days of lodgement.
- n) In all cases, the final conclusion will be assessed by the General Manager, NECA Training.
- o) The Client will be advised in writing of the outcome of their complaint within seven (7) days of resolution.
- p) If the outcome is not to the satisfaction of the Client, they may seek an appointment with the General Manager, NECA Training.

After meeting with the General Manager, NECA Training, if the client is still not satisfied with the decision they have the right to seek outside assistance to pursue

Privacy

PURPOSE

NECA Training is required to comply with Federal law regarding Privacy and confidentiality of employees, clients and contractors. The purpose of this policy is to outline how NECA Training complies with the Privacy Act 1988 and Australian Privacy Principles.

POLICY

In order to provide training and assessment services and, NECA Training needs to collect personal information from its student upon their enrolment in a NECA Training provided course. This information is reported to State/Territory and National registering bodies in order to meet Australian and State/Territory Government requirements.

NECA Training is committed to complying with its obligations under the Privacy Act 1988, and the associated Australian Privacy Principles, specifically in regard to the way it collects, uses, secures and discloses personal information. NECA Training is committed to safeguarding any personal information obtained and held by the RTO.

NECA Training will ensure :

- It maintains and provides a current Privacy Policy;
- The secure storage of all records;
- The confidentiality of all information maintained on records.
- It only collects personal information by fair and lawful means and not in an unreasonably intrusive manner.

NECA Training will only use the information collected for the purposes outlined below or as required by Law:

- To establish and maintain a relationship with a client/student of NECA Training
- To provide the products and services requested by a client/student of NECA Training
- To administer and manage NECA Training products and services
- To report to state/territory and national registering bodies in relation to products and services provided by NECA Training.

NECA Training agents, contractors and other third parties, who need personal information to provide a legitimate service, are also bound by these terms of privacy to ensure personal information remains protected at all times.

PRINCIPLES

Legislation

- a) NECA Training, although not required to, chooses to abide by the Privacy Act 1988 and associated 13 x Australian Privacy Principles.

- b) The APPs came into force on 12 March 2014 and set out standards, rights and obligations for the handling, holding, accessing and correction of personal information (including sensitive information).

Underpinning Principles

- a) *Personal Information* is defined in the Privacy Act 1988 to mean “information or an opinion about an identified individual, or an individual who is reasonably identifiable:
- i. whether the information or opinion is true or not; and
 - ii. whether the information or opinion is recorded in a material form or not.
- b) *Sensitive Personal Information* is defined in the Privacy Act 1988 to mean “information or an opinion about an individual that is also personal information, such as:
- i. racial or ethnic origin; or
 - ii. political opinions; or
 - iii. membership of a political association; or
 - iv. religious beliefs or affiliations; or
 - v. philosophical beliefs; or
 - vi. membership of a professional or trade association; or
 - vii. membership of a trade union; or
 - viii. sexual orientation or practices; or
 - ix. criminal record.

Data Transmission

NECA Training may use the Internet to transmit personal information from delivery sites to other sites within the organisation and/or to transmit details to state and national registering bodies.

Security of data transmitted to state and national registering bodies is managed by these bodies.

NECA Training has taken all reasonable steps to protect personal information security when using the internet but is aware that no transmission of information by email or to a registering body website is ever totally secure.

Data Quality

NECA Training will take all reasonable steps to ensure that personal information is accurate, complete and up-to-date. Clients and students are encouraged to assist NECA Training’s quality assurance via contacting NECA Training when their particulars change.

RESPONSIBILITIES

Management Responsibilities

The NECA Training Operations Manager will ensure that NECA Training staff are aware of this policy, its underpinning legislative requirements and related procedures, and comply with this policy at all times.

The NECA Training Operations Manager will also ensure that all staff and clients have access to this policy.

The NECA Training Business Manager will maintain all personal information and records in accordance with Records Management Policy (See Records Management Policy).

NECA Training Staff, Contractor and Client Responsibilities

All Privacy-related practices will be monitored by the staff of NECA Training and areas for improvement identified and acted upon (See Continuous Improvement Policy).

It is the responsibility of Clients/Students to raise any concerns they may have regarding NECA Training's personal information handling practices by contacting the NECA Training Operations Manager.

RECORDS MANAGEMENT

All documentation regarding items relevant to this Policy shall be maintained in accordance with the NECA Training Records Management Policy (See Records Management Policy).

CONTINUOUS IMPROVEMENT

All privacy related items are monitored by the NECA Training General Manager and Operations Manager and areas for improvement identified and acted upon. (See Continuous Improvement Policy).

To assist this process:

1. All staff are given fair and reasonable opportunity to participate in relevant decision making processes and the allocation of resources and services as required to fulfil their duties and responsibilities in light of the necessary improvement.
2. All clients are given fair and reasonable opportunity to attend, complete and provide feedback on the quality and relevance of their training and assessment experience.

PROCEDURES

Collection of Personal Information

- a) NECA Training will not collect personal information unless that information is necessary to complete one or more of its functions or activities as an RTO, or is required by law.
- b) NECA Training advises that it is required by law to collect, hold, use and supply personal information, in accordance with the National VET Provider Collection Data Provision Requirements.
- c) NECA Training will take reasonable steps at or before the time of collection to ensure that all clients/students are aware of:
 - i. Who we are and how to contact us;
 - ii. How to gain access to their own information;
 - iii. The purpose for which the information is being collected;
 - iv. The organisations to which NECA Training normally discloses client/student information;
 - v. Any law that requires the particular information to be collected;
- d) NECA Training collects information from clients/students in the following ways:
 - i. When clients/students register their interest on line, apply for enrolment, request certain services or products, or otherwise contact or do business with NECA Training.
 - ii. Information may be collected from interest registers, enrolment forms, certified documents, telephone calls, faxes, emails, or other correspondence sent by the client/student.
 - iii. Information may be collected from third parties, such as other training providers, to confirm training and/or professional development that students have attended.

Use of Personal Information

- a) NECA Training will not use or disclose personal or sensitive information for any purpose other than what it was collected for, unless the relevant person has provided written consent to use or disclose that information in circumstances that are different to those for which it was collected.

The circumstances where an exception may occur are:

- i. Where the use or disclosure of this information is required or authorised by or under an Australian law or a court/tribunal order;
- ii. Where a situation has arisen in which the individual would reasonably expect NECA Training to use or disclose the information (ie; a health or personal safety situation);
- iii. NECA Training reasonably believes that the use or disclosure of the information is necessary for one or more enforcement related activities conducted by, or on behalf of, an enforcement body.

- b) Adoption, use or disclosure of Government Related identifiers

NECA Training:

- i. Is required by law (*Student Identifier Act*) to collect, maintain and report to relevant Government agencies, the individual's Unique Student Identifier (USI) number in accordance with the National VET Provider Collection Data Provision Requirements.
- ii. Will not disclose the Unique Student Identifier (USI) number for any other purpose, including on any Certification documents you receive.
- iii. Must not adopt the Unique Student Identifier (USI) number as its own identifier of the individual.

Integrity of Personal Information

- a) Quality of personal information
NECA Training will take all reasonable steps to ensure that the personal information it collects and distributes is current, accurate and complete
- b) Security of personal information

NECA Training will take steps, as are reasonable in the circumstances to:

- i. Protect the information from misuse, interference and loss as well as unauthorised access, modification or disclosure.
- ii. Destroy the information or ensure that the information is de-identified as at the date specified by the VET regulator.

Access to, and correction of, personal Information

- a) NECA Training provides all clients with access to their own personal records for the purposes of updating and maintaining information.
- b) In some circumstances, NECA Training may not permit access to personal information. If this is ever the case, NECA Training will provide full details for the legal reasons for this decision.
- c) When dealing with requests for access to personal information, NECA Training will:
 - i. Respond to requests for access within 30 days of the request; and
 - ii. Provide access to the information in the manner requested, if it is reasonable and practicable to do so.
 - iii. not charge a fee for access to personal information. The exception is re-prints of certification documentation previously supplied.

Refund & Transfer

PURPOSE

The purpose of this policy is to provide for the appropriate handling of client refunds.

POLICY

NECA Training is committed to ensuring fair and reasonable refund practices.

NECA Training will:

- Implement and maintain a process for fair and reasonable refund of fees paid, and;
- Provide refunds for fees and charges paid by students / clients, where training and assessment activities have not been delivered.
- Ensure that student fees paid in advance are protected via a method consistent with that articulated in the Standards for RTOs 2015.

PRINCIPLES

The following principles underpin this policy:

- a) Details of NECA Training Refund Policy are to be publicly available on the NECA Training website.
- b) Payment of all refunds is to be made within one week (seven days) of receipt of an application for refund.
- c) With regard to all withdrawals, NECA Training will firstly encourage a client to enrol on another course date, prior to processing refund applications.
- d) Written notification of withdrawal from a training program must be provided by a client to apply for a refund for a course. This may be via letter, email or the completion of the Refund Form.
- e) There is no refund applicable after a client has commenced training in a course/unit.
- f) There is no refund to students who do not obtain their qualification, certification after assessment.
- g) There is no refund for recognition of prior learning assessments after enrolment, where Recognition resources and services have been supplied to the student.
- h) NECA Training does not accept liability for loss or damage suffered in the event of withdrawal from a course by a student.
- i) Should there be a need for NECA Training to cancel a course, in the first instance, NECA Training will (where possible) provide an opportunity for students to attend another scheduled course. Where a student cannot attend another scheduled course, NECA Training will provide a full refund to

the student. In this instance, the student does not need to apply for a refund, NECA Training will provide the refund automatically.

- j) Refunds for cancellation of enrolments are granted on a sliding scale (See Below).

RESPONSIBILITIES

Management Responsibilities

The NECA Training Operations Manager will ensure that NECA Training staff are aware of this policy, its underpinning legislative requirements and related procedures, and comply with this policy at all times.

The NECA Training Operations Manager will also ensure that all clients and students have access to this policy.

The NECA Training Business Manager will maintain all refund information and records in accordance with Records Management Policy (See Records Management Policy).

NECA Training Staff, Contractor and Client Responsibilities

NECA Training staff, contractors and clients have the responsibility to acknowledge their rights and responsibilities pursuant to this policy and act in accordance with this policy.

RECORDS MANAGEMENT

All documentation regarding items relevant to this Policy shall be maintained in accordance with the NECA Training Records Management Policy (See Records Management Policy).

CONTINUOUS IMPROVEMENT

All refunds processed shall be monitored by the NECA Training General Manager and Operations Manager and areas for improvement identified and acted upon. (See Continuous Improvement Policy).

To assist this process:

- a. All staff are given fair and reasonable opportunity to participate in relevant decision making processes and the allocation of resources and services as required to fulfil their duties and responsibilities in light of the necessary improvement.
- b. All clients are given fair and reasonable opportunity to attend, complete and provide feedback on the quality and relevance of their training and assessment experience.

PROCEDURES

Payment terms

Payment is required at time of booking. A tax invoice will be issued for all training courses. NECA Training reserves the right to alter course dates when necessary. In the event that the RTO cancels or discontinues a course, the fees already paid will be refunded.

Cancellation Terms

A full refund is granted if the course is cancelled seven days prior to commencement of the course. Written notification is required. No refund is given if the course is cancelled within seven days of the course or upon non-attendance without prior written notification.

Transfer Terms

No fee will be charged for course transfer requests received more than seven days before the commencement of the course. Transfer requests received within seven days prior to commencement of the course will be charged at 10% of the full course fee.

Grievances, Complaints and Appeals

PURPOSE

In accordance with Standard 6, NECA Training is required to have a policy and processes in place to ensure complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

This Grievances, Complaints and Appeals Policy assists NECA Training provide and maintain training and assessment services that are fair and reasonable through providing staff, contractors and students with clear guidelines for how Grievances, Complaints and Appeals are to be registered, acknowledged and addressed in a fair, efficient and effective manner.

SCOPE

1.1 For NECA Training employee grievances, the NECA NSW Employee Grievance Policy is to be used.

1.2 For all other grievances, complaints and appeals, this Policy is to be followed.

POLICY

NECA Training acknowledges that staff, contractors and students have the right to voice a grievance, lodge a complaint or appeal a decision in regard to NECA Training.

NECA Training will ensure that staff, contractors and students have access to a fair and equitable process for lodging a grievance or complaint in regard to NECA Training and/or appealing a decision made by NECA Training.

NECA Training will ensure that it:

- the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
- communicates the grievances, complaints and appeals policy and process to all staff, contractors and students;
- has procedures in place for recording, addressing and resolving grievances, complaints and appeals in a constructive and timely manner;
- treats all grievances, complaints and appeals seriously and deals with all grievances, complaints and appeals promptly, impartially, sensitively and confidentially;
- ensures staff, contractors and students are given the opportunity to formally present their case;
- utilises outcomes of grievances, complaints and appeals lodged to review and improve its business practices.

PRINCIPLES

Underpinning Principles

- a) Staff, contractors and students have the right to voice a grievance, lodge a complaint or appeal a decision in regard to NECA Training.
- b) The principles of natural justice and procedural fairness will be adopted at every stage of the process.
- c) This Policy will be made publicly available via the NECA Training website.
- d) NECA Training will address any grievance, complaint or appeal as soon as it emerges.
- e) All appeals will be handled 'In-Confidence' and will not affect or bias the progress of the participant in terms of any current or future training or the staff member/contractor in terms of their engagement with NECA Training.
- f) In the first instance, every grievance, complaint and appeal will be considered by the NECA Training Operations Manager who will acknowledge the matter in writing and seek to resolve the matter as soon as practicable.
- g) The resolution procedure is based on the understanding that no action will be taken without consulting the complainant and respondent, using a process of discussion, cooperation and conciliation.
- h) The resolution procedure emphasises mediation and education while acknowledging that, in some instances, formal procedures and disciplinary action may be required.
- i) The rights of the complainant and respondent will be acknowledged and protected throughout the grievance/complaint/appeal resolution process, including the conduct of separate interviews where required.
- j) In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum.
- k) If the Operations Manager is unable to resolve the grievance, complaint or appeal to the satisfaction of the staff member/contractor/student, the staff member/contractor/student may request that the matter be referred to the NECA Training General Manager.
- l) If the NECA Training General Manager fails to resolve the grievance/complaint/appeal or the complainant is not satisfied with the outcome of the grievance/complaint/appeals process, the matter may be referred to an independent third party for review, at the request of the complainant. All costs incurred for the third party review will be advised to the complainant and will be the responsibility of the complainant.
- m) If the grievance/complaint/appeal will take in excess of 60 calendar days to finalise NECA Training will inform the complainant in writing providing the reasons why more than 60 calendar days are required. The complainant will also be provided with regular updates on the progress of the complaint.
- n) Victimisation of complainants, respondents or anyone else involved in the grievance/complaint/appeal resolution process will not be tolerated.

RESPONSIBILITIES

Management Responsibilities

The Operations Manager of NECA Training is the appointed Grievance, Complaints and Appeals Resolution Officer. The Operations Manager may delegate responsibility for the resolution of a grievance, complaint or appeal if necessary. Should the Operations Manager believe that they are not an appropriate person to address a registered grievance, complaint or appeal, they will refer the matter to the NECA Training General Manager. The NECA Training General Manager may refer the matter to the NECA Training Board of Directors or an external independent party for review and/or action.

The NECA Training Operations Manager is responsible for ensuring that this policy is publically available and all staff and clients are aware of this policy.

The NECA Training General Manager and Operations Manager are to ensure staff act in accordance with this policy and all clients are made aware of their rights and responsibilities pursuant to this policy.

NECA Training Staff, Contractor and Client Responsibilities

NECA Training staff, contractors and clients have the responsibility to acknowledge their rights and responsibilities pursuant to this policy and act in accordance with this policy.

RECORDS MANAGEMENT

All documentation regarding items relevant to this Policy shall be maintained in accordance with the NECA Training Records Management Policy (See Records Management Policy).

CONTINUOUS IMPROVEMENT

All registered grievances, complaints and appeals shall be monitored by the NECA Training General Manager and Operations Manager and areas for improvement identified and acted upon. (See Continuous Improvement Policy).

To assist this process:

- c. All staff are given fair and reasonable opportunity to participate in relevant decision making processes and the allocation of resources and services as required to fulfil their duties and responsibilities in light of the necessary improvement.
- d. All clients are given fair and reasonable opportunity to attend, complete and provide feedback on the quality and relevance of their training and assessment experience.

PROCEDURES

Appeals Procedure

All appeals shall be managed in accordance with the following procedure:

- a) If a client wishes to Appeal a NECA Training decision, they are encouraged to speak immediately with the relevant NECA Training Trainer/Assessor to resolve the issue. If the client is not satisfied that the issue has been resolved, the NECA Training Trainer/Assessor will invite them to lodge a formal Appeal.
- b) Appeals are to be made in writing within 7 calendar days of the decision.
- c) A submitted Appeals Form will constitute a formal appeal from the appellant.
- d) The NECA Training Operations Manager shall be informed of receipt of any appeal immediately upon lodgement.
- e) The NECA Training Operations Manager may delegate responsibility for the resolution of the appeal, as appropriate.
- f) Lodgement of the Appeal will be acknowledged in writing within 2 working days.
- g) Appeals will be processed in accordance with the Appeals Procedure Checklist (refer below)
- h) Wherever possible, Appeals are to be resolved within 28 days of lodgement.
- i) In all cases, the agreed resolution will be endorsed by the General Manager, NECA Training.
- j) The appellant will be advised in writing of the outcome of their appeal, within seven (7) days of the resolution.
- k) If the outcome is not to the satisfaction of the appellant, they may seek an appointment with the General Manager, NECA Training.
- l) After meeting with the General Manager, NECA Training, if the appellant is still not satisfied with the decision, they have the right to seek outside assistance to pursue the appeal.

Grievances & Complaints Procedure

All grievances and complaints shall be managed in accordance with the following procedure:

- a) If a person has a grievance/complaint, they are encouraged to speak immediately with the relevant NECA Training Staff member to resolve the issue. If the complainant is not satisfied that the issue has been resolved, the NECA Training Staff member will invite them to lodge a formal complaint via completing a Complaints Form.
- b) Grievances/Complaints are to be made in writing within 7 calendar days of the incident.
- c) A submitted Complaints Form will constitute a formal complaint.
- d) The NECA Training Operations Manager shall be informed of all formal complaints immediately upon lodgement.
- e) The NECA Training Operations Manager may delegate responsibility for the resolution of the complaint.

- f) Lodgement of the Appeal will be acknowledged in writing within 2 working days.
- g) In the case of a complaint, the NECA Training Operations Manager will initiate a transparent, participative investigation to identify the issues.
- h) Complaints will be processed in accordance with the Complaints Procedure Checklist detailed below.
- i) Complaints, where possible, are to be resolved within 14 calendar days of lodgement.
- j) In all cases, the final resolution will be assessed by the General Manager, NECA Training.
- k) The complainant will be advised in writing of the outcome of their complaint within seven (7) days of resolution.
- l) If the outcome is not to the satisfaction of the complainant, they may seek an appointment with the General Manager, NECA Training.
- m)** After meeting with the General Manager, NECA Training, if the complainant is still not satisfied with the decision they have the right to seek outside assistance to pursue the complaint.