



# ENSURING THE EXPERTISE TO GROW SOUTH AFRICA


**Training Academy Certification and Accreditation Appeal  
Process**

**A-07-PRO**

**REVISION 2: 12 April 2022**

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<b>Compiler:</b> P Kutame	<b>Approving Officer:</b> MB Mtshali	<b>Next Review Date:</b> 12/04/2026	Page 2 of 9

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## DEFINITIONS

**Act:** The Engineering Professions Act, No. 46 of 2000

**Appeal Committee:** A committee constituted in terms of Rule 5

**Appellant:** The organisation that is the applicant in Rule 1


**Chief Executive Officer:** The person appointed in terms of Section 8(1) of the Act

**Council:** The Engineering Council of South Africa (ECSA) established in terms of Section 2 of the Act

**Training Academy and Development Committee (TADC):** A committee with the delegated power of Council to approve certification of Training Academies and accreditation of engineering training programmes, with or without conditions, and to withhold or withdraw certification/accreditation

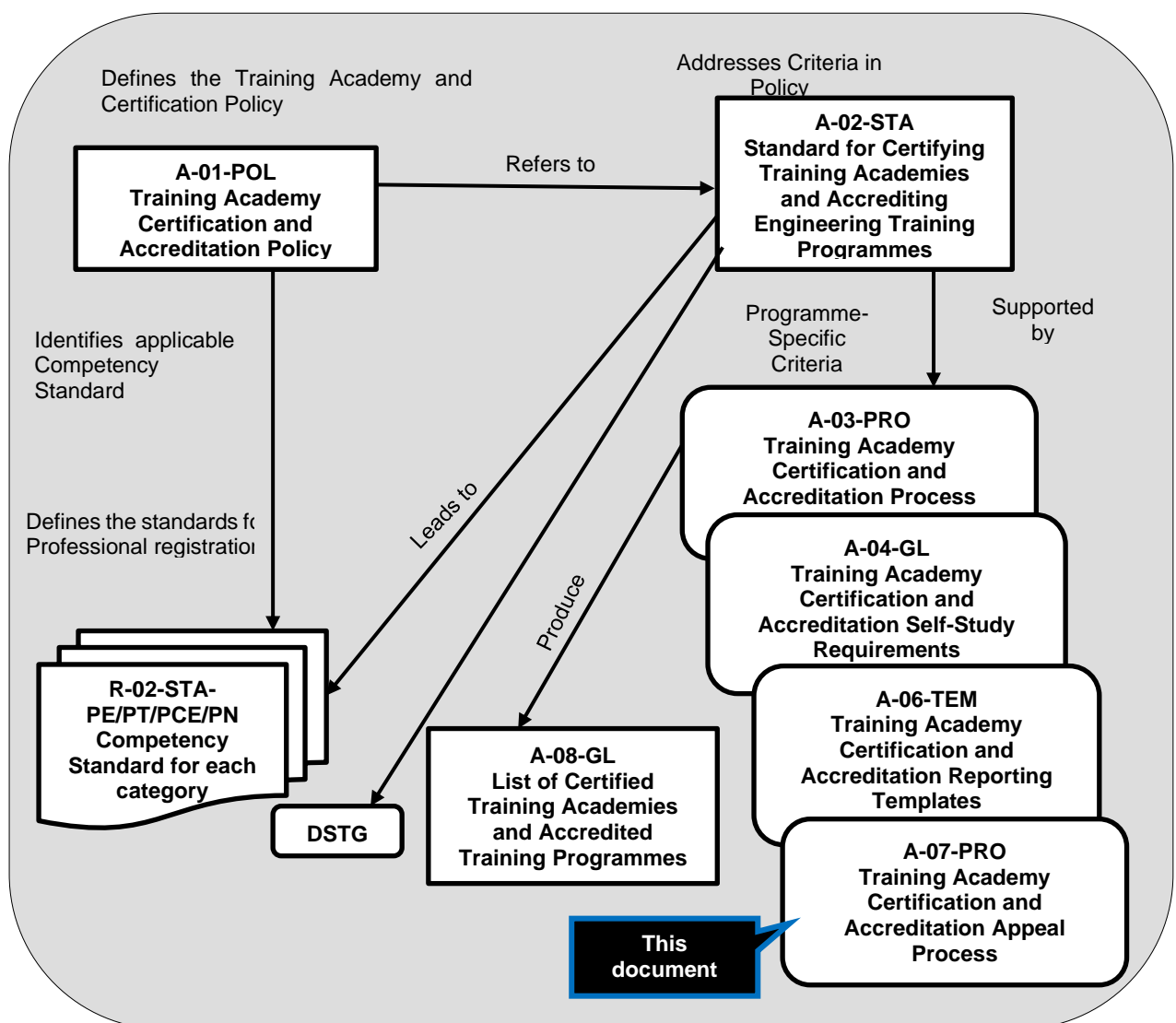
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## BACKGROUND


The illustration below defines the documents for Training Academy establishment, certification and accreditation. The illustration also locates the current document.



**Figure 1: Documents defining the ECSA Training Academy Certification and Accreditation system**

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## 1. PURPOSE

The Engineering Profession Act, No. 46 of 2000 defines the appeal procedures for persons aggrieved by decisions on registration and disciplinary matters. However, it does not make explicit provision for appeals against the decisions regarding the certification of a Training Academy or the accreditation of an engineering training programme.

Decisions by the ECSA on the certification of a Training Academy and the accreditation of engineering training programmes affect both the Training Academy and their Candidates. Natural justice, therefore, dictates that there should be an appeal mechanism relating to adverse certification or accreditation decisions that is open to Training Academies that provide training programmes.

This policy follows the approach of ECSA's policies on appeals against registration and disciplinary decisions. It is guided by Section 40(2) of the Engineering Profession Act that allows the Council to delegate powers to its committees but does not permit the delegation of power to hear an appeal. This policy prescribes the process for appeals by Training Academies against decisions of the Training Academies and Development Committee (TADC) in terms of its power to withdraw the certification of a Training Academy and/or the accreditation of an engineering training programme.

This policy applies to appeals lodged after the decision regarding the certification of a Training Academy and/or accreditation of an engineering training programme has been conveyed to the organisation by the Chief Executive Officer.


## 2. APPEAL PROCEDURE

In the normal course of events, the TADC must in terms of its procedures

- consider the findings and recommendations of the Panel Leader and the Team reports together with any representations made by the Training Academy;
- decide in terms of the powers delegated to it by the Council; and
- advise the Training Academy of its decision accordingly.

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If the Training Academy is aggrieved by the decision of the TADC regarding its certification or the accreditation of its engineering training programme(s), this procedure should be followed:

1. The Training Academy concerned may appeal to the Council by lodging its appeal in writing with the Chief Executive Officer within 30 days from the date on which the Training Academy was notified by the Chief Executive Officer of the decision of the TADC.
2. Such an appeal must set out the grounds on which the Training Academy seeks to rely, and the necessary information to support these grounds must be provided.
3. The Chief Executive Officer may grant an extension of time for the lodging of an appeal for reasons he/she deems appropriate.
4. The Chief Executive Officer must submit the appeal together with all documentation that is lodged with the appeal to the TADC within 14 days of receipt of the appeal. The Chief Executive Officer must request the committee to examine the grounds for the appeal and to furnish its comments to the Chief Executive Officer within 21 days after receipt of the request from the Chief Executive Officer. The Chairperson of the TADC must determine the process by which the TADC formulates its comments.
5. The Chief Executive Officer must appoint an appeal committee consisting of no more than four members from a panel of persons approved by the Council. These persons must be appropriately qualified to hear the particular case under appeal, and no member of the appointed appeal committee may be a member of the TADC or the Team that visited the organisation.
6. The Chief Executive Officer must designate the chairperson from the members of the appeal committee.
7. After receipt of the comments of the committee referred to in Rule 4, the Chief Executive Officer must without delay submit the appeal in question together with all supporting documentation and the comments to the appeal committee for consideration. At the same time and in consultation with the members of the appeal committee, a date and venue for considering the appeal must be determined.
8. The appeal committee must invite the appellant to present his or her case and may call on a representative of the committee referred paragraph 4to present the views of that committee.

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9. The appeal committee must consider all the evidence that is presented and reach a decision by majority vote. This decision will have the status of a recommendation. If there is equal voting, the Chairman has the casting vote.
10. The Chief Executive Officer must without delay submit the recommendation of the appeal committee to the Council for decision at its next scheduled meeting. If such a meeting is not scheduled to take place within 60 days of receipt of the appeal, the Chief Executive Officer must, in consultation with the President of the Council, convene a special meeting of the Council as soon as possible.
11. The Council may confirm, vary or revoke the recommendation of the appeal committee or come to its own decision.
12. The Chief Executive Officer must notify the appellant of its decision and provide him or her with adequate reasons for its decision.
13. Any member of Council who is a member of the TADC may not vote on the appeal in Council.
14. The notification referred to in paragraph 12 must contain advice to the appellant that he or she may appeal against the decision to the Council for the Built Environment in terms of Section 21 of the Council for the Built Environment Act, No. 43 of 2000.

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## REVISION HISTORY

Revision Number	Revision Date	Revision Details	Approved By
Rev. 0 Draft A	06 September 2017	Adapted from document E-16-P for Academies	J Cato
Rev. 0 Draft A	09 October 2017	Approved	PDSGC
Rev. 1.0	16 November 2017	Ratification	Council
Rev. 2 Draft A	25 February 2022	Introduced certification of Training Academies and accreditation of engineering training programmes	Working Group
Rev. 2 Draft B	03 March 2022	Review with the Education BU	RPS BU and Education BU
Rev. 2 Draft C	17 March 2022	Submission to the ATT for inputs and comments	RPS BU and Education BU
Rev. 2 Draft D	30 March 2022	Review and Recommendation for Approval	Executive RPS: EL Nxumalo
Rev. 2	12 April 2022	Approval	RPSC

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The Appeal Process for

**Training Academy Certification and Accreditation**

Revision 2 dated 12 April 2022 and consisting of 9 pages has been reviewed for adequacy by the Business Unit Manager and is approved by the Acting Executive: Research, Policy and Standards (**RPS**).

  
..... 14/05/2022 .....  
Business Unit Assistant Manager Date

  
..... 14/05/2022 .....  
Acting Executive: RPS Date

This definitive version of this policy is available on our website

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