



CODE OF PRACTICE FOR LEARNING PROVIDERS

A guidance document for Learning Providers

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PREFACE

In general, learning providers provide a value-for-money range of quality training products and learning services to their clients. However, in a business environment which is ever-increasingly competitive, it is important for providers to align to best practice and be able to demonstrate that they provide their clients with top quality and cost effective products and services.

It is an Institute objective to assist in the raising of standards in learning and development across the board, and the Learning Provider Accreditation programme is a key component of this. Note that this programme accredits the organisation: it does NOT accredit or endorse individual learning events or courses.

This Code of Practice provides the governance for the Institute's Accreditation Programme through which the Institute will maintain and monitor a register of approved Learning Providers. Organisations which undertake voluntarily to abide by the terms of this Code of Practice and can demonstrate that they do so are eligible to be accredited by the Institute.

DEFINITIONS

In this Code of Practice:

- 'Provider' means any enterprise, institution or organisation accredited by the LPI as an approved provider of learning and development.
- 'Client' means any person or organisation that enters into a contract with a Learning Provider delivering learning and development services.
- 'Course' means any programme of learning, however conducted, which purports to be complete in itself.
- 'Learner' means any person taking a course.
- 'Learning Professional' means any person developing, delivering or facilitating learning for or on behalf of the Learning Provider.

PUBLICITY & PROMOTION

- In promotional literature, advertisements and other forms of promotion, providers shall express themselves clearly and without ambiguity so that the reader may know exactly what is being offered and to what they are committing to by responding.
- Providers or their representatives shall not give false or misleading indications, whether by words, illustrations or other means, in relation to either their products or services or to the products and services of any other training organisations.
- Providers shall not make any statements which cannot be readily substantiated.
- Providers shall not publish any advertisement which may be confused with that of any other training organization.
- Fictitious testimonial(s) shall not be used, and testimonial(s) from the provider's own staff, relatives or agents shall not be used unless their interest is explicitly declared.
- Publicity and promotional material may make reference to this Code of Practice only in such form as the Institute may approve.

SALES, SELECTION AND PRE-ENTRY

- Providers shall ensure that sales representatives and all persons involved in pre-sales activities act in an ethical and responsible manner.
- Providers shall ensure that the performance and conduct of sales representatives is monitored and assessed on a regular basis.
- Where the provider either organises grant or independent funding for the learner they must ensure the learner is fully aware of his/her commitment with regards to repayment.
- Providers shall, where relevant, take steps to ensure that learner expectations are realistically set with regard to attainment of certifications, job prospects, and achievable salaries.

TECHNICAL PROSPECTUS

Prior to a client contracting for learning services, the Provider shall make information available on:

- The title of the course or group of courses.
- The learning performance objectives to be achieved or expected outcomes.
- The Learning Needs Analysis services available from the Provider.
- The award, if any, for which the course is designed to prepare learners, and the name of the awarding body.
- The method of evaluation and the conditions for the awarding or withholding of final certification.
- The syllabus or outline of the course.
- The duration of the course and its start and finish times (if applicable).
- The learning methods used and indication of class size.
- A profile of the learner for whom the course is designed, including any prerequisites and/or desirable experience.
- The level and nature of support, if provided, throughout the learning period.
- Any required dress code for learners and any rules governing learner conduct whilst attending the course, together with the consequences of lapses from the standards and rules.
- The practical work that learners carry out including a statement of available equipment.

- Success rates with regard to learner course completion and exam passes.
- What post-course support is provided to learners after they have attended the course or programme.

COMMERCIAL PROSPECTUS

In pre-contract quotations the provider shall:

- State specifically what products and services are included in the proposal and quotation.
- State the total cost and payment schedule if payment is by installments.
- State any reserved rights to change the content, timetable, location, date and fee in respect of any course.
- State the rights of the client and provider if for any reason the course is not completed or if the course is cancelled by either client or provider;
- State the refund policy, if any, including the responsibility for payment of fees and the associated liabilities of the client.
- State whether the course documentation is subject to copyright law.
- Ensure that Terms and Conditions are clearly laid out, visible and accessible to prospective learners and provide an explanation if requested.
- Ensure that prospective learners have adequate time to read and understand the Terms and Conditions before committing to the purchase.
- Allow a suitable cooling-off period once the sale has been agreed, in accordance with the method of sale.
- Provide invoices that clearly detail the breakdown of course fees, exam fees and other chargeable services provided.
- Act in a responsible and ethical manner where offering or recommending finance terms/options.
- Issue written acknowledgement for all purchases/sales and deposits paid.
- State that the provider subscribes to and abides by the Institute's Code of Practice.

COURSE CONTROLS

Providers shall:

- Ensure that Learning Professionals possess the necessary subject matter knowledge to deliver and/or support a course.
- Ensure that Learning Professionals are fully competent in the appropriate techniques of instruction, verifiable by either holding an LPI certificate (e.g. COLF, TPMA), or another certificate in training practice as recognised by the Institute, or being assessed to Institute standards.
- Ensure that Learning Professionals keep abreast of current developments appropriate to their learning and development responsibilities and can describe how this is achieved.
- Ensure that all course materials and documentation are reasonably accurate and up-to-date.
- Ensure that the learning facilities provided are appropriate to the course and that they offer an environment conducive to learning.
- Assume ultimate and complete responsibility for any training contracted with their organisation whether conducted by full-time employees or not.
- At course conclusion, offer learners the opportunity of giving a written evaluation of the course to the provider, information about which shall be made available to the client.

JOB PLACEMENT

Where providers offer placement assistance or job recruitment, details of this should be made clear prior to a contract for learning being entered into. The provider shall include in this information the number of learners from recent courses who used the service and the number placed in suitable employment. Clear terms, including disclaimer of guarantee, for securing job placement for learners on completion of their training shall be made by the provider.

EXTERNAL CONTROLS

- Providers shall make available to the Institute such statistical, documentary and other information that the Institute may reasonably require to be assured that the Code of Practice is being followed.
- Providers shall co-operate with scheduled Institute monitoring visits and facilitate access to training courses by Institute accreditation consultants.

COMPLAINTS PROCEDURE

A statement of the procedures for raising issues and making and responding to complaints shall, as normal practice, be made available by providers to clients with whom they have contracted.

Providers shall respond to any complaint made, whether written or verbal, in a prompt and courteous manner and keep suitable records.

Should the provider not resolve the complaint to the satisfaction of the complainant, the provider will advise them of their right to notify the Institute of the outstanding complaint. A form to register a complaint, together with guidance on the Complaints Procedure, will be made available by the Institute on request.

Complaints by clients shall then be made direct to the Institute and must generally be made within 30 days of the provider having informed the learner or their organisation of their final response concerning the complaint. Only complaints submitted by the affected client and concerning their direct experience will be reviewed within this complaints process.

After review the Institute will provide a ruling, copied to both parties, and whatever the outcome, being that the complaint is either upheld or not upheld, both parties shall be bound by the Institute's decision on the matter, subject to the appeal process.

This procedure is administered in conjunction with the Institute's Code of Practice for Learning Providers. It provides a mechanism for registering, examining and ruling on complaints as placed by clients against providers in respect of any matter covered by the Code of Practice.

Notification of complaints

- The Institute's representative shall take such steps as are necessary to clarify and define the complaint, at the same time ensuring that the complainant has taken all reasonable steps to resolve the matter with the provider before invoking the Institute's Complaints Procedure.
- Where the complaint is validated, the Institute's representative shall refer the complaint to the provider who shall be required to make written response setting out a detailed explanation.
- Depending on the response made by the provider the Institute's representative will seek further clarification or evidence from either party prior to coming to a ruling.
- Either party may, within 30 days of being notified of the ruling, lodge an appeal against the ruling which the Institute's representative will pass on for consideration by the senior management team of the Institute. An appeal will only be considered if presented in relation to the original complaint.

- The Institute's representative will keep the senior management team of the Institute informed of all complaints received and actions taken on such complaints.

Appeals procedure

- The Institute's representative shall submit to the Chief Executive of the Institute all appeals together with all relevant material presented by both parties and the decision-making considerations which led to the initial ruling.
- The Chief Executive of the Institute will consider the appeal and will advise the parties of his decision within 30 days. The decision of the Chief Executive will be final.

FURTHER INFORMATION

For further information, please contact the Learning & Performance Institute on 0247 649 6210 or email: info@thelpi.org

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Every reasonable effort has been made to ensure that the information in this report is accurate. No warranty can be given that this is not so, nor can the information be relied upon as a representation under the Misrepresentations Act 1967.

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