



CODE OF PRACTICE FOR PROVIDERS OF LEARNING TECHNOLOGIES

A guidance document for Providers of Learning Technologies

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PREFACE

In general, the providers of learning technologies deliver a value-for-money range of quality products and 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 learning 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 Technologies Accreditation programme is a key component of this. Note that this programme accredits the organisation's vision and ability to deliver: it does NOT accredit or endorse individual learning products or services.

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 providers of Learning Technologies products and services. 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 technologies products and services.
- 'Client' means any person or organisation that enters into a contract with an accredited Provider delivering learning technologies-based products and services.
- 'Learning Technologies' refers to the range of different technologies that are applied to learning; they may include generic or bespoke learning interventions, authoring tools, Corporate Learning Systems (e.g. LMS, LCMS, VLE), Performance Support Systems, Talent Management, Performance Management collaboration etc.
- 'Learner' means any person accessing the products and services of an accredited provider.
- 'Learning Professional' means any person managing, developing, delivering, supporting or facilitating learning for or on behalf of the accredited provider.

PUBLICITY & PROMOTION

- In promotional literature, advertisements and other forms of promotion, providers shall express themselves clearly and without ambiguity so that the reader will know exactly what is being offered and 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 providers.
- Providers shall not make any statements that cannot be readily substantiated.
- Providers shall not publish any advertisement that may be confused with that of any other training organisation.
- 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 AND PRE-CONTRACT ACTIVITIES

- 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, in relation to B2B transactions, take steps to ensure that both manager and learner expectations are realistically set with regard to functionality and performance outcomes.
- Providers shall, in relation to B2C transactions, take steps to ensure that learner expectations are realistically set with regard to attainment of certifications, job prospects, and achievable salaries.

TECHNICAL SPECIFICATIONS

Prior to a client contracting for learning technologies-based services, the Provider shall provide detailed information on the product or service including: -

- The product specifications and technical operating requirements. The learning performance objectives to be achieved and expected outcomes.
- The duration of the contract, terms of the licence, warranties and consequential loss provisions, and termination provisions.
- Where applicable, precise service level expectations and approach to service level failures.
- Expectations of the client in terms of Information Technologies, operational data, and required activities.
- The level and nature of support provided throughout the contract term.

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.
- State the rights of the client and provider if for any reason the contract is frustrated.
- State the extent to which the product or service is subject to copyright law.
- Ensure that Terms and Conditions are clearly laid out, visible and accessible to all parties involved.
- 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 products and 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.

PRODUCT AND/ OR SERVICE DELIVERY

Providers shall:

- Ensure that Learning Professionals possess the necessary knowledge and skills to deliver the service and/or support the product.
- Ensure that Learning Professionals are fully competent in the appropriate techniques in a form 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 materials are accurate and up-to-date.
- Assume ultimate and complete responsibility for the product and/ or service delivered by their organisation whether it includes third party products or services or not.
- Provide full support to the client on contract termination, if the client plans to transition the products or services to those of another 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 digital assets by Institute accreditation consultants in order to verify providers' claims.

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 client 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 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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