

LBD Tuition LTD
Company Policies and Procedures

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Centre Agreement

Complaint Policy

Purpose

LBD Tuition Centre is committed to providing an efficient and high standard of service to all. We are continually working to achieve this high level of service by implementing a quality management system. We take every care to ensure we are delivering a high standard of service but are aware that there may be occasions that we do not meet both yours and our expectations, in this instance please raise your concerns with us immediately so we can address them, respond positively, and rectify any mistakes made.

Policy

LBD Tuition Centre is committed to promoting fairness and equality of treatment to all. We welcome positive or negative feedback from any individual that has been directly affected by our services. We strive to think our learners and visitors have confidence that we will listen to their views and act upon them accordingly. All written correspondence will be acknowledged by us within 7 working days, any dissatisfaction received will be treated as a complaint.

Our aim is to provide our learners and visitors with a clear, precise process to follow when they feel the need to make a complaint and communicate effectively the process LBD Tuition Centre will follow to resolve the complaint.

We aim to ensure:

- The complaints procedure is an easy process to follow and is prompt and efficient
- All complaints are treated as a dissatisfaction with our level of service
- The resolution is to the complainant's satisfaction (explanation, apology, action taken) and our staff when dealing with the complaint are courteous, consultative, and responsive
- Complaints and feedback received is reviewed in line with our quality assurance standards to help improve our products and services.
- Everyone has the right to raise a complaint, so this policy will define the stages and procedures you would need to follow, guidance is as follows:
 - The process you need to follow to raise a complaint
 - The appropriate person who this should be directed to
 - The timescales for the complaint to be investigated
 - How and when you will be notified of the outcome.

LBD Tuition Centre will not accept a complaint under this policy in relation to the following:

- If the complaint relates to any assessment decision or course results please refer to our [Enquiries and Appeals Policy](#)
- Any form of malpractice or maladministration, this will be dealt with under our [Malpractice and Maladministration Policy](#).

Raising Concerns and Making Complaints

All individuals can access the information about our complaint's procedures through our website or can request a copy by [contacting us](#). We are committed to providing an equal opportunity for all, where possible to communicate with us.

Tutors and assessors may raise a complaint directly to LBD Tuition Centre by following this policy. If you have attended a course and are dissatisfied with the service or are seeking a refund of your course fee you must firstly try to resolve this matter with the training centre co-ordinator.

A complaint can be raised by an individual, a group or a third party who is acting on behalf of someone else. If a third party is submitting a complaint on behalf of someone else, they will need written permission from the complainant along with the written complaint attached, this should then be presented to LBD Tuition Centre for acceptance.

Once LBD Tuition Centre has received a complaint an acknowledgement will be sent within 7 working days. The complaint will be reviewed in line with our policies and procedures and an investigation will be conducted where necessary. To ensure a fair and thorough process is followed the duration of the investigation will depend on the nature and severity of the complaint we receive at this stage, or the complexity of the response required. We do aim to provide this as soon as the outcome is available or within a maximum of 28 days.

How to Make a Complaint

Informal Process

We understand that most individuals who are not satisfied with a service would like it addressed and dealt with as soon as possible, therefore an informal process would be far more appropriate. An informal process will be more efficient resolving complaints quickly by mediating between who is responsible for the dissatisfaction and the complainant. The complaint may be resolved immediately following this process, so we encourage our learners and visitors to contact us directly for an informal discussion if they have a complaint that needs to be resolved to achieve the desirable outcome.

If a complaint cannot be resolved informally then the formal complaints procedure should be followed. We may require further information from the complainant to ensure we fully understand what the complaint entails; we will investigate accordingly to achieve the best outcome.

Formal Process

Stage 1

If the complainant is not satisfied with the outcome from the informal process the dissatisfaction should be submitted in writing to LBD Tuition Centre. Once we have received this information, we will send acknowledgement of receipt to the complainant within 7 working days and an investigation to resolve the dissatisfaction will commence.

LBD Tuition Centre will report to management to review the complaint for further investigation and the complainant will be notified of the individual responsible for this. The member of management will conduct a further investigation in to the complaint, upon completion of the investigation they will communicate and notify the complainant and provide them with an explanation or resolution.

To ensure a fair and thorough process is followed the duration of the investigation will depend on the nature and severity of the complaint we receive at this stage, or the complexity of the response required. We do aim to provide this as soon as the outcome is available or within a maximum of 28 days of receiving the stage 1 complaint. In some cases, this may take longer to conclude the complaint with an outcome, in these instances the complainant will be notified of revised timescales. If the complainant remains dissatisfied with the outcome from the manager's investigation the next steps to pursue are stage 2 of the complaint's procedure.

Stage 2

If the complainant is not satisfied with the outcome from the stage 1 complaints process, they are able to request a review of the complaint by a senior manager. This must take place within 14 days of the outcome of the original complaint and must be submitted in writing. The senior manager will

determine if appropriate procedures were followed and the complaint was answered fully, if there is new evidence submitted in support of the complaint this will also be reviewed. Following review, we shall aim to notify the complainant in writing as soon as possible of the outcome, within a maximum of 28 days.

If the provider or learner is not satisfied with the final response, they may then refer the complaint to the appropriate regulatory authority i.e. Ofqual (England).

Monitoring and Review

LBD Tuition Centre is committed to continual improvement, all complaints received by LBD Tuition Centre are reviewed to prevent re-occurrence, to improve the suitability and effectiveness of our policies and procedures and to contribute to the development of qualifications that are fit for purpose and meet individual needs.

Contact Details

LBD Tuition Centre

[Please click here to view contact details for LBD Tuition Centre.](#)

Ofqual (England)

Complaints

Ofqual

Earlsdon Park

53–55 Butts Road

Coventry

CV1 3BH

Tel: 0300 303 3344 (the phone line is open on weekdays from 09:00 to 17:00)

Website: ofqual.gov.uk

Email: complaints@ofqual.gov.uk

Conflict of Interest Policy

Purpose

This policy outlines LBD Tuition Centre intention to identify and monitor all potential or actual conflicts of interest that may affect the delivery and / or assessment of our qualifications now or in the foreseeable future. It has also been designed to support the centre in identifying potential or actual cases of conflict of interest and how to appropriately manage them.

To reduce the risk of a conflict of interest happening we record possible cases that have been identified to date and any arrangements that are in place to prevent them from occurring.

Definitions of Conflict of Interest

For the purpose of this policy we have adopted the definition used by the government regulatory authorities regarding conflicts of interest. A conflict of interest exists in relation to LBD Tuition Centre in the following way:

- Its interests in any activity undertaken by it, on its behalf, or by a member of staff which have the potential to lead it to act contrary to its interests in the development, delivery and award of qualifications in accordance with the requirements of the regulators conditions of recognition
- A person who is connected to the development, delivery or award of qualifications at LBD Tuition Centre has interests in any other activity which have the potential to lead that person to act contrary to their interests in that development, delivery or award and impact on our compliance with the requirements set out by the regulator's conditions of recognition
- An informed and reasonable observer would conclude that either of these situations was the case.
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Definition of an Adverse Effect / Management of Incidents

For the purpose of this policy we have adopted the definition used by the government regulatory authorities regarding an adverse effect / management of incidents:

An act, omission, event, incident or circumstance has an adverse effect if it:

- Gives rise to prejudice to learners or potential learners, or adversely affects
- Adversely affects the ability of LBD Tuition Centre to undertake the development, delivery or award of qualifications in accordance with its General Conditions of Recognition and Regulatory Principles
- The standards of qualifications which LBD Tuition Centre makes available or proposes to make available, or
- Public confidence in LBD Tuition Centre qualifications.

Policy

A conflict of interest is where an individual or organisation has competing interests or loyalties. Conflicts of interest may occur in a variety of circumstances and it is possible that people working alongside and/or for LBD Tuition Centre may encounter potential conflicts of interest from time to time.

Examples of Conflicts of Interest

It is not possible to provide a definitive list of examples of conflicts of interest that could compromise the integrity of LBD Tuition Centre assessments and qualifications. However, the following situations could lead to perceived or actual conflicts of interest:

- Personal relationships with family members or friends linked to LBD Tuition Centre and/or centre personnel and/or learners that could influence decision making and qualification outcomes
- Business or commercial interests linked to LBD Tuition Centre and/or a centre that may affect professional judgement
- Mutually beneficial arrangements with centre and LBD Tuition Centre personnel which may compromise an individual's ability to make reliable and professional judgements
- Where favourable arrangements have been negotiated, for example supplying information to certain individuals and/or groups who are preparing for or carrying out an assessment
- A person connected with LBD Tuition Centre or a centre who are engaging in some capacity or have a material financial interest in a business or enterprise that compete with LBD Tuition Centre
- A centre has an interest in any activity which has the potential to lead it to act contrary to its interests in the development, delivery and award of qualifications in accordance with the conditions of the centre
- A situation that may create the appearance of a conflict or present a conflict of interest in connection with a person who has influence over the activities or finances of LBD Tuition Centre.

The existence of such interests, as those above does not necessarily imply conflict, but is likely to give an appearance of conflict and as such should be declared to LBD Tuition Centre.

Conflict of Interest Principles

LBD Tuition Centre staff are obliged to abide by the following principles when identifying and managing potential and/or actual conflicts of interest:

- All management and staff must commit to identifying and managing all potential and/or actual conflicts of interest that may affect LBD Tuition Centre, and in doing so must report these cases to the quality assurance manager
- All staff must be proactive in identifying and managing cases of conflicts of interest that may affect LBD Tuition Centre effectiveness, compliance with regulatory requirements and/or our reputation
- Staff must be open about any cases of potential and/or actual conflicts of interest and not withhold any information or try to present them in a better light (managing conflicts of interest is about preventing cases from occurring that may have an impact on the operational effectiveness and regulatory compliance at LBD Tuition Centre)
- Must strive to identify and deal with conflicts of interest as soon as they are identified
- The control for the management of conflicts of interest must be proportionate to the risks associated with the identified cases.

Responsibility to Register a Conflict of Interest

All individuals this policy applies to have a responsibility to report potential and/or actual cases of conflict of interest and must use the LBD Tuition Centre Conflict of Interest Disclosure Form. This is available to complete and submit to the LBD Tuition Centre admin team.

Centre Responsibility

LBD Tuition Centre centres must comply with this conflict of interest policy and ensure ongoing compliance with the following:

Take steps to avoid or reduce any existing or potential conflicts of interest

Centres must consider how they should manage working arrangements to avoid potential conflicts of interest. For example, a member of staff at the centre undergoing an assessment must be assessed by an unrelated assessor.

Complete and submit a copy of the conflict of interest disclosure form to LBD Tuition Centre and retain a copy for the centre records

All sections on the form must be completed providing as much information as possible, ensure the form includes a signature and date.

Maintain up to date records of all conflict of interest

The centre must maintain accurate records of all existing and/or potential conflicts of interest, details of all mitigating actions must be included.

Update records with any changes in circumstances and notify LBD Tuition Centre of any changes

Centres must notify LBD Tuition Centre of any changes to circumstances relating to any previously declared conflicts of interest and must submit any changes which may lead to new or potential conflicts of interest.

Inspect activities and assessments where there is a conflict of interest that cannot be avoided

Centres must carry out additional quality assurance monitoring activities in cases where conflicts of interest are unavoidable.

Examples:

- Personal or professional relationship between IQA's, assessors, tutors and learners
- All personnel undertaking mandatory regulated qualifications within their own centre
- Instances of mutual quality assurance activities between IQA's.
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Procedures for Dealing with Conflicts of Interest

Where any member of personnel at a centre believes there has been a breach of this policy, or if any unforeseen conflicts of interest arise, the management team must be notified and an investigation should be carried out immediately.

The process for the above is as follows:

- The conflict of interest disclosure form must be completed providing as much information as possible, ensuring all sections of the form are complete
- A conflict of interest disclosure form must be completed by all personnel on commencement with a centre declaring any conflict of interest; the form is to be completed even when there are no conflicts of interest to declare. The form should be forwarded to LBD Tuition Centre which will then be held on our database
- If an individual has any changes to their declared circumstances they must notify the centre co-ordinator immediately by completing the conflict of interest disclosure form; the new information should be evaluated, dealt with accordingly and the centre file should be updated.

When all information relating to conflicts of interest are received at LBD Tuition Centre they will be evaluated by the manager to identify if any further action is required. A written report of the outcome will be held on the centre's records and communicated with the co-ordinator and the EQA.

Most situations will not require any further action other than the completion of the conflict of interest disclosure form, however by following this process LBD Tuition Centre can ensure that any follow up action is appropriately managed.

We advise centre co-ordinators to retain original copies of all forms for their own records and submit copies to the management team at LBD Tuition Centre.

If a breach of this policy is also classified as an adverse effect then the management team will inform the regulators in accordance with the procedures for dealing with an adverse effect. They will also inform the regulators of the reasonable steps that have been taken or propose steps to prevent, correct or mitigate the adverse effect.

Examples of actions that could mitigate the conflicts are as follows:

- Person(s) not taking part in the assessment or verification
- Referring decisions that affect the competence of learners to an independent person
- Agreeing not to be involved in a specific aspect of the centres activities or processes
- Referring the matter to the management team at LBD Tuition Centre for advice and guidance.

Monitoring and Review

This policy and its procedures will be reviewed regularly for improvements as part of our Quality Assurance requirements. This will ensure it is fit for purpose, reflects the services we deliver to our centres and that we are providing services which are relevant to the requirements of individual needs.

Contact Details

LBD Tuition Centre

[Please click here to view contact details for LBD Tuition Centre.](#)

Enquiries and Appeals Process Policy

Purpose

LBD Tuition Centre is committed to providing an efficient and high standard of service to all. We are continually working to achieve this high level of service by maintaining quality assurance standards which are compliant with regulatory requirements. It is our aim to ensure that all assessment outcomes are fair, consistent, and reliable based on the valid judgements of the assessor using the assessment strategy for the qualification in question. However, occasions may arise where the training provider or learner may wish to question a decision.

Policy

LBD Tuition Centre will ensure that:

- Assessments are carried out by assessors who have the appropriate qualifications, knowledge, understanding, and skills, and the assessments are valid for the subject or qualification in question
- Assessment evidence is authentic, solely being produced by the learner in question
- The consistency of assessments decisions covering all assessors over time
- Appeals are heard by individuals that have the appropriate competence to make decisions in each individual case and have had no prior involvement, or a personal interest in the case.

Everyone has the right to appeal if they believe that their assessment decision, or a decision following a malpractice or maladministration investigation is incorrect. This policy will define the stages and procedures you would need to follow, guidance is as follows:

- The process you need to follow to submit an enquiry or appeal
- The timescales for an enquiry or appeal
- How and when you will be notified of the outcome.

LBD Tuition Centre will accept an appeal in relation to the following:

- Appeals against results of assessment or quality assurance
- Appeals against a decision made relating to a reasonable adjustment or special considerations application
- Appeals against decisions relating to any action taken against a learner or centre following an investigation into malpractice or maladministration
- Appeals against centre or qualification approval decisions.

LBD Tuition Centre has this Enquiries and Appeals Policy available on our website so all learners and training providers can access this information or can request a copy by [contacting us](#). We are committed to providing an equal opportunity for all, where possible to communicate with us. Therefore, if a learner wishes to enquire or appeal against an assessment decision they have clear guidance on how to proceed.

Firstly, we advise all learners to discuss any concerns or enquiries relating to the result of the assessment with the assessor to resolve the issue. If you are not satisfied with the outcome then please contact us at LBD Tuition Centre for further advice and guidance or refer to the guide within this policy.

Stage 1: Enquiries Regarding Assessment Decisions

If a learner wishes to question an assessment result they should initially discuss their concerns with the centre's tutor/assessor and follow the appeal process. If the learner is not satisfied with the outcome the tutor/assessor and learner should complete stage 1 of the Enquiries and Appeals Form which is available to print from the website / given by admin team upon request. This must be submitted to LBD Tuition Centre within 28 days of the final results being issued to the learners.

LBD Tuition Centre will acknowledge receipt of the enquiry via email or by post within 7 working days, this will be followed promptly by the adjudication process. LBD Tuition Centre will appoint the relevant manager to act as an adjudicator who has not had any involvement with the case. The adjudicator will consider the written submission from the course tutor/assessor and learner and will review the procedures that were followed to reach the result decision, this may include contacting other parties who were included within the course.

The adjudicator may instruct that a further re-mark or re-assessment should take place if they consider that the assessment procedures were not adequately followed.

The tutor/assessor and learner will be notified of the adjudication outcome as soon as it is available, within a maximum of 28 days.

If the tutor/assessor and learner are not satisfied with the enquiry outcome of stage 1, they may escalate the decision to stage 2 of this process. Please complete stage 2 of the Enquiries and Appeal Form which is available to print from the website / given by admin team upon request.

Stage 2: Appeal

A stage 2 appeal must be submitted within 14 days of the stage 1 enquiry decision being received, accompanied with an administration fee of £50. LBD Tuition Centre will acknowledge receipt of this appeal within 7 working days. The appellant will be contacted within 14 days to outline the procedures that will be adopted.

LBD Tuition Centre will make arrangements for the LBD Tuition Centre appeals committee to promptly hear the appeal at our head office. You may attend and have one representative present at the appeal hearing.

The appeals committee consisting of senior managers or other individuals deemed to be appropriately competent, who have no personal interest in the decision being appealed and an independent person who is not an employee, assessor or otherwise connected to LBD Tuition Centre will evaluate the procedures used for consistency with LBD Tuition Centre procedures to review if the previous decision was reached fairly.

The appeals committee are unable to re-mark or re-assess work but may instruct that a further re-mark or re-assessment should take place if they consider that the procedures were not adequately followed.

The appeals committee will make the final decision and notify the appellant of the outcome by letter as soon as it is available, within a maximum of 28 days. If the appeal is upheld the appeal administration fees will be reimbursed to the learner.

If the outcome of an appeal at any stage leads to LBD Tuition Centre discovering a failure in the assessment process an investigation shall be conducted to determine if there are any other learners affected, and if there are any adverse effects arising from the failure. If this is the case, LBD Tuition Centre shall promptly implement the adverse effects procedure and take decisive action to correct the failure, or if this is not possible to reduce the impact of the failure on any learners.

Referral to Regulatory Authority

If the learner is not satisfied with the appeal committee's decision they may refer their complaint to the appropriate Regulatory Authority i.e. Ofqual (England), SQA Accreditation (Scotland) or Qualifications Wales (Wales). Please see below for the relevant contact details.

Monitoring and Review

Following an appeal decision that is upheld due to a failure in LBD Tuition Centre assessment process, or notification of failure in the assessment processes of other awarding organisations, policies and procedures shall be reviewed to ensure that the failure does not reoccur. This policy and its procedures will be reviewed annually as part of our quality assurance requirements to ensure it is fit for purpose, reflects the type of appeals that we may receive and ensure the process is managed in accordance with regulatory requirements.

Contact Details

LBD Tuition Centre

Please click here to view contact details for LBD Tuition Centre.

Ofqual (England)

Complaints

Ofqual

Earlsdon Park

53–55 Butts Road

Coventry

CV1 3BH

Tel: 0300 303 3344 (the phone line is open on weekdays from 09:00 to 17:00)

Website: ofqual.gov.uk

Email: complaints@ofqual.gov.uk

Equal Opportunities and Diversity Policy

Purpose

LBD Tuition Centre is committed to ensuring equal opportunities for all, ensuring that the qualifications we offer are inclusive and accessible to learners.

All who represent LBD Tuition Centre are responsible for implementation of this policy. We believe that all learners and visitors have the right to be treated with dignity and respect regardless of their age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, ethnicity, religion or belief, sex, and sexual orientation. We will not tolerate unfair treatment or unlawful discrimination, whether intentional or unintentional, direct, or indirect.

Policy

LBD Tuition Centre is committed to The Equality Act 2010 by taking positive action to:

- Comply with current legislative requirements and monitor that this is adhered to
- Develop qualifications, support services and products which take into consideration the needs of all learners and do not unnecessarily discriminate against any individual or group
- Promote fair access to qualifications, minimising any barriers to access or assessment by implementing reasonable adjustments and special considerations policies
- Ensure that learning opportunities and fair assessment is open to all who will benefit without compromising the integrity of qualifications
- Ensure content and language of all written content, including assessment materials and programmes are non-discriminatory and free from any bias or stereotypical wording
- Monitor our qualifications, entry requirements and assessments to identify barriers to access or achievement, and remove or minimise unnecessary barriers or bias which could impact on individuals or groups.

LBD Tuition Centre shall implement this policy through:

- Ensuring staff, members and learners have access to this information to assist them in planning, putting in to practice and monitoring their rights and responsibilities under this policy
- Providing support and relevant training/updates for all staff, members and learners and revising any policy or practice that could disadvantage individuals or groups
- Provision of regular CPD/updates for staff, members, and learners
- Ensuring all staff, members and learners know how to offer feedback and register complaints
- Effective complaints procedures which will be used to resolve complaints of discrimination with a full and prompt consideration under this policy, breaches of this policy will be dealt with through LBD Tuition Centre complaints procedures.

Monitoring and Review

This policy and its procedures will be reviewed regularly for improvements as part of our quality assurance requirements. This will ensure it is fit for purpose, reflects the services we deliver to our customers and that we provide services which are relevant to the requirements of individual needs. Regular reviews will ensure that we are adhering to our quality policy statement.

LBD Tuition Centre

[Please click here to view contact details for LBD Tuition Centre.](#)

Invoicing Policy

Introduction

1 General

1.1 This policy specifies the processes to be followed in relation to the payment, retention and content of invoices issued by LBD Tuition Centre

2 Invoice Issue - Product Fees

2.1 Invoices for product fees are issued at the point of enrolment/registration when centres submit a learner's intent to complete a qualification / programme through our online services (ORS).

2.1.1 Centres may have as many online (ORS) accounts as they wish but each account holder must be authorised by the person registered with us as the main Examinations / Administration Officer.

Permissions may be restricted to one or more of the following:

- Read Only Access;
- Submit Enrolments;
- Submit Registrations and Claims.

2.1.2 Centres are advised that staff:

2.1.3

- to whom submission rights are given for creating courses, adding learners to courses, requesting examinations and claiming awards, must have the authority to raise an invoice; and must keep their passwords confidential.

2.2 An email with a copy of the invoice content is generated and sent to both the member of centre staff who created the enrolments and to the centre's Finance Department to confirm an invoice has been raised.

2.3 ORS account holders must download the invoice generated, authorise it and send that authorisation immediately to their Finance Department to submit payment within the terms specified.

3 Invoice Issue - Other Fees

3.1 Other fees are usually invoiced at the point where services have been completed.

3.1.1 Other fees are published on the website and include but are not limited to those for centre recognition and qualification approvals, qualification advisory visits, additional moderation, additional certification, enquiries and appeals, gateway progression.

3.2 We reserve the right to charge other fees prior to the completion of services, including, but not limited to the following circumstances:

3.2.1 where a centre is a private or voluntary training organisation and the invoice relates to the first centre recognition and/or qualification approval visit.

3.2.2 where a centre has a history of bad debt.

4 Invoice Content

All invoices contain a summary of the services purchased.

4.1 Product Fees. The invoice contains:

- the centre's Purchase Order (PO) number or the name of the person who has requested the services if no PO number was submitted;
- approved centre address details;
- the product title;
- the number of learners enrolled and the total qualification fees;
- the total credit fees (where applicable) based on the choice of units;
- details of late enrolment / entry fees⁴ where applicable.

4.2 Other Fees. The invoice contains:

- approved centre address details;
- a summary of the service given.

5 Invoice Payment and Credit Control

5.1 Payment terms are the standard 30 days from the date of the invoice. All payments must be made against the respective invoice.

5.2 We will contact a centre's Finance Department if invoices have not been paid within the period stated above, requesting payment to be made immediately.

5.3 Centres with overdue balances will receive a statement at least monthly listing the outstanding invoices /credit notes.

5.4 Where no response or payment is received we reserve the right to invoke our credit control procedures which may include invoking an additional charge of 8% above the Bank of England base rate and which can result in the suspension of services until any debt is repaid.

5.5 We will not be held responsible if a centre's authorised users do not comply with their own centre policies / processes for issuing PO numbers and will pursue any payments withheld in respect of this in line with our credit control and sanction procedures.

6 Credit Payments

6.1 Centres must offset credits owing against future invoices within 12 months of the date on the credit note, otherwise the credit note will expire. Outstanding credit notes will be listed on statements sent to centres.

7 Retention of Invoices

7.1 Copies of invoices relating to services to centres are stored electronically on secure business systems and are retained in line with current financial legislation.

8 Refunds

8.1 We DO NOT refund fees unless exceptional circumstances can be demonstrated.

9 Quality Assurance

9.1 This policy and guidance is reviewed annually to ensure it continues to meet the needs of our Regulators

Malpractice and Maladministration Policy

Introduction

This policy is aimed at our staff, who are delivering, assessing or learners who are involved in suspected or actual cases of malpractice and/or maladministration.

This policy applies to LBD Tuition Centre staff who are suspected of being involved in such cases. It is also for use by our staff to ensure they deal with all malpractice and maladministration investigations in a consistent manner.

It sets out the steps the centre, and learners or other personnel must follow when reporting suspected or actual cases of malpractice and/or maladministration and our responsibilities in dealing with such cases. It also sets out the procedural steps to be followed when reviewing any cases of malpractice and/or maladministration.

LBD Centre's Responsibility

It is important that all LBD personnel involved in the management, delivery, assessment and quality assurance of regulated qualifications, and learners, are fully aware of the contents of the policy and that LBD Centre has arrangements in place to prevent and investigate instances of malpractice and/or maladministration.

A failure to report suspected or actual cases of malpractice and/or maladministration cases or have in place effective arrangements to prevent such cases, may lead to sanctions being imposed on the personnel involved (see the [Sanctions Policy](#) for details of the sanctions that may be imposed).

If you wish to receive guidance and/or advice from LBD Tuition Centre on how to prevent, investigate, and deal with malpractice and maladministration then please [contact us](#) and we will happily provide you with such advice and/or guidance.

Should an investigation be undertaken by LBD centre, the centre management team must:

- Ensure the investigation is carried out by competent investigators who have no personal involvement in the incident or interest in the outcomes
- Ensure the investigation is carried out in an effective, prompt and thorough manner and that the investigator(s) look beyond the immediate reported issues to assure that arrangements at the centre are appropriate for all qualifications
- Respond speedily and openly to all requests relating to the allegation and/or investigation
- Co-operate and ensure their staff co-operate fully with any investigation and/or request for information.

Definition of Malpractice

Malpractice is defined as any deliberate activity, neglect, default or other practice that compromises the integrity of the internal or external assessment process and/or validity of certificates of a qualification awarded by LBD Tuition Centre. It covers the deliberate actions, neglect, default or other practice that compromises, or could compromise the following:

- The assessment process

- Integrity of a regulated qualification
- The validity of a result or certificate
- The reputation and credibility of LBD Tuition Centre qualifications
- The qualification of the wider qualification's community.

Malpractice may include a range of issues from the failure to maintain appropriate records or systems to the deliberate falsification of records in order to claim certificates.

For the purpose of this policy this term also covers misconduct and forms of unnecessary discrimination or bias towards certain learners.

Examples of Malpractice

The categories listed below are examples of centre and learner malpractice. Please note that these examples are not exhaustive and are only intended as guidance on our definition of malpractice:

- Denial of access to premises, records, information, learners and centre personnel to any authorised LBD Tuition Centre representative and/or the regulatory authorities
- Deliberate misuse of our logo, brand, name and trademarks or misrepresentation of a relationship with LBD Tuition Centre and/or its recognition and approval status with LBD Tuition Centre
- Deliberate failure to continually adhere to LBD Tuition Centre recognition and/or qualification approval requirements or actions assigned.
- Intentional withholding of information from LBD Tuition Centre, which is critical to maintaining the rigour of quality assurance and standards of qualifications
- Deliberate failure to carry out internal assessment, internal moderation or internal quality assurance monitoring in accordance with our requirements
- The unauthorised use of inappropriate materials/equipment in assessment settings, e.g. mobile phones
- A loss, theft of, or a breach of confidentiality in, any assessment materials
- Insecure storage of assessment materials
- Inappropriate circulation/distribution of assessment materials
- Unauthorised amendment, copying or distributing of assessment papers/materials
- Inappropriate assistance/support to learners by the centre's personnel, e.g. unfairly helping them to pass a unit or qualification
- Plagiarism by learners or centre personnel
- Cheating by learners or centre personnel
- Personation, assuming the identity of another learner or having someone assume their identity during an assessment
- Collusion or permitting collusion in assessments
- Deliberate contravention by learners of the assessment arrangements we specify for our qualifications
- Fraudulent claim for certificates and/or deliberate submission of false information to gain a qualification or unit
- False records
- Deliberate failure to adhere to our learner registration and certification procedures
- Deliberate failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Learners still working towards qualification after certification claims have been made
- Selling certificates for cash

- Selling papers/assessment details
- Extortion
- Fraud
- Threatening or abusive behaviour that threatens the safety of centre personnel and/or staff and/or is intended to put undue influence on the outcomes of an assessment/award.

Definition of Maladministration

Maladministration is defined as any activity, neglect, default or other practice that results in the tutor, assessor, learner or quality assurer not complying with LBD Tuition Centre requirements, LBD Tuition Centre tutor and IQA agreements, the General Conditions of Recognition, or regulatory principles.

Maladministration is in effect any activity or practice which results to non-compliance with administrative requirements and regulations, this includes the application of persistent mistakes or poor administration within the centre including inappropriate learner records.

Examples of Maladministration

The categories listed below are examples of centre and learner maladministration. Please note that these examples are not exhaustive and are only intended as guidance on our definition of maladministration:

- Persistent failure to adhere to learner registration and certification procedures
- Persistent failure to adhere to centre approval criteria and/or qualification requirements and/or associated actions assigned to the centre
- Late learner registrations (both frequent and persistent)
- Unreasonable delays in responding to requests and/or communications from LBD Tuition Centre
- Inaccurate claim for certificates
- Late learner certification requests, e.g. beyond the certification end date for the qualification
- Failure to maintain appropriate auditable records, e.g. certification claims and/or forgery of evidence
- Withholding or the delaying of information, by deliberate act or omission, from us which is required to assure LBD Tuition Centre's ability to deliver qualifications appropriately
- Misuse of our logo and trademarks or misrepresentation of a relationship with LBD Tuition Centre and/or its recognition and approval
- Poor administration arrangements and/or records
- Persistent mistakes in relation to our delivery arrangements

Process for Making an Allegation of Malpractice or Maladministration

Anybody who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately notify LBD Tuition Centre. In doing so they should put this in writing/email and enclose appropriate supporting evidence (staff and other parties such as learners, parents or whistle-blowers may contact us directly).

All allegations must include (where possible):

- Learner's name and reference number
- LBD Tuition Centre personnel's details (name, job role) if they are involved in the case
- Details of the course/qualification affected, or nature of the service affected

- Nature of the suspected or actual malpractice or maladministration and associated dates
- Details and outcome of any initial investigation carried out by the centre or anybody else involved in the case, including any mitigating circumstances.

In addition, we ask that the person making the allegation declares any personal interest they may have in the matter to us at the outset.

If LBD Centre has conducted an initial investigation prior to formally notifying us, they should ensure that staff involved in the initial investigation are competent and have no personal interest in the outcome of the investigation. We would expect that such investigations would normally involve the centre co-ordinator (if there is an investigation into allegations of malpractice and/or maladministration or irregularities against the centre co-ordinator or the management of the centre then such investigations should be carried out by the manager of the centre or his/her nominee). However, it is important to note that in all instances the centre must immediately notify us if they suspect malpractice or maladministration has occurred as we have a responsibility to the regulatory authorities to ensure that all investigations are carried out rigorously and effectively.

Confidentiality and Whistle Blowing

Sometimes a person making an allegation of malpractice or maladministration may wish to remain anonymous, although it is always preferable to reveal your identity and provide us with contact details. However, if you are concerned about possible adverse consequences that may occur should your identity be revealed to another party then please inform us that you do not wish for us to divulge your identity and we will work to ensure your details are not disclosed.

We will always aim to keep a whistle-blower's identity confidential where asked to do so although we cannot guarantee this, and we may need to disclose your identity should the complaint lead to issues that need to be taken forward by other parties. For example:

- The police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud)
- The courts (in connection with any court proceedings)
- Other third parties such as the relevant regulatory authority (e.g. Ofqual in England).

The investigator(s) assigned to review the allegation will not reveal the whistle-blower's identity unless the whistle-blower agrees or it is absolutely necessary for the purposes of the investigation (as noted above). The investigator(s) will advise the whistle-blower if it becomes necessary to reveal their identity against their wishes.

A whistle-blower should also recognise that he or she may be identifiable by others due to the nature or circumstances of the disclosure (e.g. the party which the allegation is made against may manage to identify possible sources of disclosure without such details being disclosed to them).

Once a concern has been raised we have a duty to pursue the matter. It will not be possible to prevent the matter being investigated by subsequently withdrawing their concern as we are obliged by the regulators to follow-up and investigate allegations of malpractice or maladministration.

In all cases, we will keep you updated as to how we have progressed the allegation (e.g. we have undertaken an investigation) and the whistle-blower will have the opportunity to raise any concerns about the way the investigation is being conducted with the investigator(s). However, we won't disclose details of all of the investigation activities and it may not be appropriate for us to disclose full details of the outcomes of the investigation due to confidentiality or legal reasons (e.g. disclose full details on the action that may be taken against the parties concerned). While we cannot guarantee

that we will disclose all matters in the way that you might wish, we will strive to handle the matter fairly and properly.

Please see our [Whistleblowing Policy](#) for further information in relation to our whistleblowing arrangements.

Responsibility for the Investigation

In accordance with regulatory requirements all suspected cases of malpractice and/or maladministration will be examined promptly by LBD Tuition Centre to establish if malpractice or maladministration has occurred and we will take all reasonable steps taken to prevent any adverse effect from occurring as defined by the regulators.

All suspected cases of malpractice and maladministration will be passed to our Head of Centre Management and we will acknowledge receipt, as appropriate, to external parties within 48 hours. All high-risk cases of malpractice and/or maladministration will be escalated to the Centre Director to investigate further.

Centre Director will be responsible for ensuring the investigation is carried out in a prompt and effective manner and in accordance with the procedures in this policy and will allocate a relevant member of staff (e.g. a member of our centre management team/escalated to compliance and assurance) to lead the investigation and establish whether or not the malpractice or maladministration has occurred, and review any supporting evidence received or gathered by LBD Tuition Centre.

At all times we will ensure that LBD Tuition Centre personnel assigned to the investigation have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter.

Notifying Relevant Parties

In all cases we will tell the person who made the allegation who will be handling the matter, how they can contact them, what further assistance we may need from them and agree a timetable for feedback (see the above section on 'Confidentiality and Whistleblowing' for possible limitations in relation to the feedback and the section below, 'Investigation Timelines and Summary Process,' for details of our anticipated response times).

In cases of suspected or actual malpractice and/or maladministration at an ATC, we will notify the centre co-ordinator involved in the allegation (except when the centre co-ordinator or management is under investigation) that we will be investigating the matter.

In the case of learner malpractice, we may ask your ATC to investigate the issue in liaison with our own personnel. We will only ask the ATC to investigate the matter where we have confidence that the investigation will be prompt, thorough, independent and effective.

In all cases we may withhold details of the person making the allegation if to do so would breach a duty of confidentiality or any other legal duty.

We may engage and communicate directly with centre personnel who have been accused of malpractice if appropriate (e.g. the staff member is no longer employed by the centre) and/or communicate directly with a learner or their representative (e.g. if there is a contradiction in the evidence provided during an investigation or where the centre is suspected of being involved in malpractice).

Where applicable, LBD Tuition Centre' Director will inform the appropriate regulatory authorities if we believe there has been an incident of malpractice or maladministration, which could either invalidate the award of a qualification, or if it could affect another awarding organisation. In particular we will keep them informed of progress in large and/or any complex cases.

Where the allegation may affect another awarding organisation and their provision we will also inform them in accordance with the regulatory requirements and obligations imposed on LBD Tuition Centre by the regulators and/or seek to undertake a joint investigation with them if appropriate. If we do not know the details of organisations that might be affected, we will ask the regulators to help us identify relevant parties that should be informed.

If fraud is suspected and/or identified, we may also notify the police.

Investigation Timelines and Summary Process

Once LBD Tuition Centre has received an allegation of malpractice or maladministration you will be sent an acknowledgement of receipt within 7 working days. The allegation will be reviewed in line with our policies and procedures and an investigation will be conducted where necessary. To ensure a fair and thorough process is followed the duration of the investigation will depend on the nature and severity of the allegation we receive at this stage, or the complexity of the response required.

We do aim to provide this as soon as the outcome is available or within a maximum of 28 days. Please note that in some cases the investigation may take longer; for example, if an ATC visit is required. In such instances, we will advise all parties concerned of the likely revised timescale.

The fundamental principle of all investigations is to conduct them in a fair, reasonable and legal manner, ensuring that all relevant evidence is considered without bias. In doing so investigations will be underpinned by terms of reference and based around the following broad objectives:

- To establish the facts relating to allegations/complaints in order to determine whether any irregularities have occurred
- To identify the cause of the irregularities and those involved
- To establish the scale of the irregularities and whether other qualifications may be affected
- To evaluate any action already taken by the ATC
- To determine whether remedial action is required to reduce the risk to current registered learners and to preserve the integrity of the qualification
- To ascertain whether any action is required in respect of certificates already issued
- To obtain clear evidence to support any sanctions to be applied to the ATC, and/or to centre personnel, in accordance with our sanctions policy
- To identify any adverse patterns or trends.

In carrying out any investigation LBD Tuition Centre will be sensitive to the effect on, and reputation of, the ATC and/or those centre personnel who may be subject to an investigation. We will strive to ensure that the investigation is carried out as confidentially as possible and the organisation/person who is the subject of the allegation will have the opportunity to raise any issues about the proposed approach and the conduct of the investigation with the investigator(s) during the investigation.

The investigation may involve a request for further information from relevant parties and/or interviews with centre personnel involved in the investigation. In any interviews carried out with the person(s) accused of malpractice or maladministration they can choose to be accompanied by a representative, this could be a colleague, trade union representative, or other third party.

In addition, we will:

- Ensure all material collected as part of an investigation is kept secure. All records and original documentation concerning a completed investigation that ultimately leads to sanctions against an ATC will be retained for a period of no less than five years. If an investigation leads to invalidation of certificates, or criminal or civil prosecution, all records and original documentation relating to the case will be retained until the case and any appeals have been heard and for five years thereafter
- Expect all parties, who are either directly or indirectly involved in the investigation, to fully cooperate with us.

Either at notification of a suspected or actual case of malpractice or maladministration and/or at any time during the investigation, we reserve the right to impose sanctions on the ATC in accordance with our sanctions policy in order to protect the interests of learners and the integrity of the regulated qualifications. The Head of Compliance and Assurance will be responsible for regularly reviewing the application and maintenance of sanctions to ensure they continue to be appropriate and proportionate to the incident(s) and risk of future incidents occurring.

We also reserve the right to withhold a learner's, and/or cohorts, results for all the LBD Tuition Centre course/qualifications and/or units they are studying at the time of the notification/investigation.

If appropriate, we may find that the complexity of a case or a lack of cooperation from the ATC means that we are unable to complete an investigation. In such circumstances we will consult the relevant regulatory authority in order to determine how best to progress the matter.

Where a member of LBD Tuition Centre staff is under investigation we may suspend them or move them to other duties until the investigation is complete.

Throughout the investigation our Head of Compliance and Assurance will be responsible for overseeing the work of the investigation team to ensure that due process is being followed, appropriate evidence has been gathered and reviewed and for liaising with and keeping informed relevant external parties.

Investigation Report

If we believe there is sufficient evidence to implicate an individual/ATC in malpractice and/or maladministration we will:

- Inform them (preferably in writing) of the allegation
- Inform them of the evidence we found to support our judgment
- Inform them that information in relation to the allegation and investigation may be, or has been, shared with the regulators and other relevant bodies (e.g. police)
- Provided them with an opportunity to consider and respond to the allegation and our findings
- Inform them of the appeals policy should they wish to appeal against the decisions.

After an investigation, we will produce a draft report for the parties concerned to check the factual accuracy. Any subsequent amendments will be agreed between the parties concerned and ourselves. The report will cover the following areas:

- Identify where the breach, if any, occurred
- Confirm the facts of the case (and any mitigating factors if relevant)
- Identify who is responsible for the breach (if any)
- Contain supporting evidence where appropriate (e.g. written statements)
- Confirm an appropriate level of remedial action to be applied.

We will make the final report available to the regulatory authorities and other external agencies as required.

If it was an independent/third party that notified us of the suspected or actual case of malpractice and/or maladministration we may also inform them of the outcome, normally within 7 working days of making our decision. In doing so we may withhold some details if to disclose such information would breach a duty of confidentiality or any other legal duty.

If it is an internal investigation against a member of our staff the Head of Compliance and Assurance will agree the report with the relevant internal managers and appropriate internal disciplinary procedures may be implemented. In some circumstances the police or other external authorities may need to be alerted.

Investigation Outcomes

If the investigation confirms that malpractice or maladministration has taken place, we will consider what action to take to:

- Minimise the risk to the integrity of certification now and in the future
- Maintain public confidence in the delivery and awarding of qualifications
- Discourage others from carrying out similar instances of malpractice or maladministration
- Ensure there has been no gain from compromising our standards.

The action we may take includes (this list is indicative only and is not meant to form an exhaustive list):

- Impose actions in relation to the ATC with specified deadlines in order to address the instance of malpractice/maladministration and to prevent it from reoccurring such as:
 - Undertaking additional/increased visits to the ATC to provide them with a greater level of support and/or monitoring depending on their needs and performance
 - Requiring specific centre personnel to undergo additional training and/or scrutiny by the ATC if there are concerns about their ability to undertake their role in the delivery of LBD Tuition Centre qualifications effectively
 - Not permitting specific centre personnel to be involved in the delivery or assessment of LBD Tuition Centre qualifications (e.g. not permitting an individual to invigilate assessments)
 - Altering the way, and the period in which, centres receive assessment materials from LBD Tuition Centre if there are concerns around their ability to maintain the security and confidentiality of such materials
 - Appointing independent invigilators to observe an assessment at the ATC if there are concerns around the ATCs arrangements and/or the ATC is unable to resource particular assessments
 - Appointing independent assessors to undertake assessments at the ATC if there are concerns around the ATCs arrangements or resource level.
- Impose sanctions on your ATC, these will be communicated in accordance with the Sanctions Policy along with the rationale for the sanction(s) selected
- Take action against a learner in relation to proven instances of malpractice and/or maladministration such as some or all of the following (which may be communicated to the learner by LBD Tuition Centre and/or the learner's ATC):
 - Issuing a written warning that if the offence is repeated further action may be taken
 - Loss of all marks/credits for the related work/unit

- Disqualification from the unit(s)/qualification
- Placing a ban from taking any further qualifications with us (e.g. for a set period of time).
- In cases where certificates are deemed to be invalid, inform ATC(s) concerned and the regulatory authorities why they are invalid and any action to be taken for reassessment and/or for the withdrawal of the certificates. We will also ask the ATC(s) to let the affected learners know the action we are taking and that their original certificates are invalid and ask the ATC where possible to return the invalid certificates to LBD Tuition Centre. We will also amend our database so that duplicates of the invalid certificates cannot be issued, and we expect the ATC to amend their records to show that the original awards are invalid
- Implementing disciplinary or dismissal procedures against LBD Tuition Centre staff if they have been found to be responsible/involved in the malpractice and/or maladministration
- Amend aspects of our qualification development, delivery and awarding arrangements and if required assessment and/or monitoring arrangements and associated guidance to prevent the issue from reoccurring
- Inform relevant third parties of our findings in case they need to take relevant action in relation to the ATC
- Carry out additional, related investigations if we suspect the issue may be more widespread at the ATC and/or at other ATCs.

In proven cases of malpractice and/or maladministration by the ATC LBD Tuition Centre reserves the right to charge the ATC for any resits and reissuing of certificates and/or additional quality assurance activities/ATC monitoring visits. The fees for which will be the current LBD Tuition Centre prices for such activities at the time of the investigation.

In addition to the above, the Head of Compliance and Assurance will record any lessons learnt from the investigation and pass these onto relevant internal colleagues to help LBD Tuition Centre prevent the same instance of malpractice and/or maladministration from reoccurring.

If the relevant party(ies) wishes to appeal against our decision to impose sanctions, please refer to our [Enquiries and Appeals Policy](#).

Monitoring and Review

We will review this policy annually as part of our quality assurance requirements and revise it as and when necessary in response to ATC and learner feedback, changes in our practices, actions from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous allegations.

In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of malpractice and maladministration remain effective.

If you would like to feedback any views, please contact us via the details provided at the end of this policy.

Contact Us

[Please click here to view contact details for LBD Tuition Centre.](#)

Reasonable Adjustment and Special Considerations Policy

Purpose

This policy is aimed at our centres and learners who are undertaking or have completed a LBD Tuition Centre qualification. We are committed to complying with all current and relevant regulation and legislation to the development and delivery of our qualifications. Our aim is to facilitate open access for all learners who are eligible for reasonable adjustments or special considerations in assessments, whilst ensuring the assessment of understanding, knowledge, skills and competence is not compromised in any way for all of the protected characteristics within the Equality Act 2010. Please refer to our Equal Opportunities Policy for more information.

This policy will also be used by our staff to ensure they are dealing with all reasonable adjustments and special considerations requests in a fair and consistent manner.

This policy outlines the following:

- Arrangements for making reasonable adjustments and special considerations in relation to the delivery and assessment of our qualifications
- How learners qualify for reasonable adjustments and special considerations
- Reasonable adjustments we will accept and requests that are required prior to them being applied
- What special considerations can be granted for learners.

Definition of a Reasonable Adjustment

A reasonable adjustment relates to any actions that help to reduce the effect of a disability or difficulty, which may place the learner at a disadvantage during the delivery of a qualification or an assessment situation. They are applied to an assessment process for a qualification to enable a learner with a disability or difficulty to demonstrate his or her knowledge, skills and understanding of the levels of attainment required in the qualification specification.

When a reasonable adjustment has been applied, the work produced by the learner will be marked to the same standards and assessment requirements as the work assessed of the other learners.

Definition of a Special Consideration

Special consideration is a post-assessment adjustment to the marks of a learner's assessment paper or rearrangement of an assessment time and/or date.

A special consideration can be granted after an assessment has taken place if a learner may have been disadvantaged.

Policy

Assessment should be a fair test of learners' knowledge, skills and ability. The standard format of assessment may not be suitable for all learners, our aim is that our assessments and qualifications do not prevent any learners from attaining them.

At LBD Tuition Centre, we recognise that reasonable adjustments or special considerations may be required at the time of assessment where the following applies:

- Learners have a permanent disability or specific learning needs
- Learners have a temporary disability, learning needs or medical condition
- Learners are not available at the time of assessment

Reasonable adjustments and special consideration arrangements are available to ensure all learners receive recognition of their achievement providing there is evidence that the equity, validity and reliability of the assessments can be assured. These arrangements should not be used to make assessments easier for learners or give learners a head start and should not disadvantage other learners.

All requests for reasonable adjustments and special considerations will be reviewed on an individual basis and all the information received will be considered.

Principles of Granting Reasonable Adjustments

LBD Tuition Centre will support our learners making these reasonable adjustments by ensuring that the following applies:

- Reasonable adjustments granted provide learners with the opportunity to demonstrate their attainment
- The reasonable adjustment compensates for any disadvantage imposed by the disability or difficulty but do not disadvantage others
- Certificates issued do not mislead anyone regarding the learner's attainment
- The assessments were rigorous and fair
- The assessment activity is valid and is measurable against the assessment criteria
- Assessment results are reliable.

Reasonable adjustments that may be requested are as follows:

Modified enlarged manuals or assessment papers

For learners with a visual impairment where enlarged text would allow them access to fair delivery and assessment (pre-assessment notice is required).

Assessment extension time

Extra time is not permitted in practical skills performance. An allowance of 25% extra time is permissible for assessment papers if the learner has learning difficulties, supported by an assessment report evidencing the need for the adjustment.

Use of a reader

For learners with a visual impairment whose reading skills have been tested and defined as below average or where English is a learner's second language. The reader is a responsible adult who reads the questions to the learner but must not be the course tutor, assessor, relative, friend or peer to the learner. The reader must only read the question paper instructions and the questions, they must not explain or clarify. They may if requested repeat instructions, read back what has been written or give the spelling of a word on the paper.

Use of a scribe

For learners who have learning difficulties and are unable to write legibly. The scribe is a responsible adult who writes down the learner's dictated answers to the questions, they must not be the course tutor, assessor, relative, friend or peer to the learner. The use of computer software that produces a hard copy of the learner's dictated speech is permissible.

Use of a sign interpreter

For learners who communicate by using sign language. The interpreter is a responsible adult who is proficient in the use of sign language, they must not be the course tutor, assessor, relative, friend or peer to the learner. The interpreter must only sign the question paper instructions and the questions, they must not explain or clarify. They may if requested repeat instructions, learners are only permitted to sign their answers in coursework and exams where the answers required involve single words.

Centres may reject requests in situations as follows:

- Reasonable adjustments must not invalidate the assessment requirements set out in the qualification specification
- The content and delivery of the chosen course of study would prevent the learner from fulfilling a major section of the course affecting the assessment requirements
- Must not give the learner an unfair advantage compared to other learners for whom a reasonable adjustment has not been granted.

Procedure to Request a Reasonable Adjustment

Centre co-ordinators, tutors and assessors must endeavour to identify learner needs as soon as possible to request the appropriate adjustments are reviewed by LBD Tuition Centre, once approved these can be implemented.

The process for requesting access arrangements and the evidence required may vary dependent upon the qualification specification, the learner's circumstances and any other factors that need to be taken in to consideration.

Reasonable adjustments may cover all of the course content and not just the assessment. We ask that a request is submitted to LBD Tuition Centre prior to the course starting, if the adjustment is to an assessment paper a minimum of 14 days' notice is required. All arrangements for adjustments must be approved by LBD Tuition Centre before being implemented.

The LBD Tuition Centre reasonable adjustments and special considerations form is available on the website / handed by admin team upon request.

All requests for reasonable adjustments and special considerations will be reviewed on an individual basis and all the information received will be considered.

LBD Tuition Centre will not approve any adjustments that may compromise the assessment criteria and that may disadvantage other learners.

Centre co-ordinators, tutors and assessors may assist learners in choosing an appropriate course of study, making them aware of the qualification specification requirements. Learners may still decide to undertake/complete a qualification knowing they are unable to fulfil the assessment requirements, in this situation a certificate of attendance may be issued.

Failure to comply with this policy may constitute malpractice and the resulting disqualification of the learner.

Principles of Granting Special Considerations

Learners must have attended the course for the appropriate amount of guided learning hours and have been fully prepared by the tutor to take the assessment. If their performance in the assessment or in

the production of coursework is affected by adverse circumstances beyond their control, a special consideration may be granted for a learner if they have temporarily experienced any of the following:

- Illness or injury
- An event out of the learners control which has or is likely to have an impact on the learner's ability to take an assessment or demonstrate their levels of attainment during the assessment.
-

Any special considerations granted must:

- Treat all learners fairly
- Require the learner to fully meet the assessment requirements
- Maintain the relevance, reliability and comparability of the assessment.

They must not invalidate the assessment requirements set out in the qualification specification. Special considerations should not give the learner an unfair advantage, neither should it mislead an employer/training provider regarding the learner's achievements for certification. The learner's results must reflect the achievement in assessment and not their potential ability.

If a special consideration is granted this may result in a post-assessment adjustment to the marks of the learner. The adjustment will depend on the circumstances and reflect the difficulty faced by the learner.

Note: It may not be possible to grant a special consideration where an assessment requires the learner to demonstrate practical competence or when assessment criteria must be fully met, or in a case the qualifications confer a license to practice.

Procedure to Request a Special Consideration

Following an assessment, a centre co-ordinator, tutor or assessor may wish to submit a reasonable adjustment and special consideration form, in recognition of the difficulty a learner has encountered. The LBD Tuition Centre reasonable adjustments and special considerations form is available to complete on the website / handed by admin team upon request. This should be submitted with all the paperwork at the end of the course within 7 working days of the assessment conclusion.

Please indicate on the form the exact nature of the adverse condition(s) that you consider make the learner eligible for a special consideration, supply copies of any appropriate evidence to support your request and securely upload to the Synergy account prior to submitting the form to LBD Tuition Centre. Please note that there will be occasions when learners are too unwell or distressed to complete an assessment and occasionally learners do under perform.

All requests for special considerations will be reviewed on an individual basis and all the evidence received will be considered.

If the request for a special consideration is successful, the learner's performance will be reviewed based on the evidence that was submitted. A successful request of a special consideration will not necessarily change a learner's result.

LBD Tuition Centre will not approve any special considerations that may compromise the assessment criteria and that may disadvantage other learners. Failure to comply with this policy may constitute malpractice and the resulting disqualification of the learner.

Centre Responsibility

It is important that all centre personnel involved in the management, assessment and quality assurance of all LBD Tuition Centre qualifications, are fully aware of the contents within this policy and ensure their learners are made aware of the policy when undertaking or completing any of our qualifications.

When an EQA visits a centre, they may ask personnel and learners some questions to identify if they are aware of the policies contents and purpose.

Arrangements Not Covered Within This Policy

If any circumstances arise relating to internal or external assessment not covered within this policy you should contact our compliance manager at LBD Tuition Centre to discuss prior to the assessment taking place.

Appeals

If you wish to appeal against our decision to decline a request for a reasonable adjustment or special consideration please refer to our Enquiries and Appeals Policy, this is available on our website or you can request a copy by contacting us.

Monitoring and Review

This policy and its procedures will be reviewed regularly for improvements as part of our quality assurance requirements. This will ensure it is fit for purpose, reflects the services we deliver to our approved training centres and we provide services which are relevant to the requirements of individual needs.

Contact Details

LBD Tuition Centre

Please [click here](#) to view contact details for LBD Tuition Centre.

Recognition of Prior Learning (RPL) Policy and Procedures

Introduction

Recognition of Prior Learning (RPL) is a method of assessment (leading to the award of a qualification) that considers whether learners can demonstrate that they can meet the assessment requirements for a unit through knowledge, understanding or skills they already possess and do not need to develop through a course of learning.

This policy applies to all LBD Tuition Centre qualifications; however, qualifications that require an external or practical assessment will still require the learner to undertake the assessment to verify competency.

RPL enables recognition of achievement from a range of activities using any appropriate assessment methodology. Provided that the assessment requirements of a given unit or qualification have been met, the use of RPL is acceptable for accrediting a unit, units or a whole qualification. Partial unit completion is not acceptable.

LBD Tuition Centre encourages the use of RPL where it is of value to learners in facilitating assessment. The use and application of RPL enables learners to gain all or part of a qualification without having to undertake a formal learning programme. RPL focuses on assessment and awarding prior learning which may count as evidence towards:

- A unit accumulated towards a full qualification
- A full qualification.

LBD Tuition Centre when carrying out RPL will ensure that:

- Identification of any achievement through RPL is prior to learners registering to taking a qualification
- Records of assessment are maintained, as for any other unit/qualification
- Certification and claims are made according to normal procedures
- All relevant evidence is assessed before assessment decisions are confirmed
- There are designated personnel with the appropriate expertise to support and assure the RPL process.

Evidence of Learning

All evidence must be evaluated using the stipulated learning outcomes and assessment criteria from the qualification or unit being claimed. In assessing a unit using RPL the assessor must be satisfied that the evidence produced by the learner meets the assessment standard established by the learning outcome and its related assessment criteria.

Example of evidence that may be submitted include:

- Certificates—copies of previous qualifications
- Qualification Specifications—in order to map the learning outcomes and assessment methods, the assessor must see qualification units and previous assessment methods

- Witness Statements—signed by a reliable person such as a line manager as evidence of practical experience.

All evidence of learning must be:

Valid

Addresses the elements and performance criteria. Reflects the skills, knowledge and context described in the qualification specification.

Authentic

The evidence being submitted is in its original format, can be verified as genuine and can be confirmed as the work of the learner.

Sufficient

The assessor must see sufficient evidence to cover all aspects of the unit, units or qualification being claimed. The evidence must demonstrate competence over a period of time and that is able to be repeated.

Current

The evidence must demonstrate the learner's current skills and knowledge and must comply with current best practice guidance. For example, witness statements for practical experience must be within the last 5 years.

Reliable

Evidence must be from a reliable source and in a reliable format, on organisation headed paper or certification. All translated documents must be translated by an official translator to ensure authenticity.

RPL Procedure

To apply for LBD Tuition Centre RPL, learners/centres must submit:

- A completed RPL application form
- Copies of all prior learning evidence including certificates, qualification specifications, witness statement where applicable; please note all evidence must be in English
- Payment of the RPL assessment fee (£50).

To submit an application for RPL assessment, all of the above must be submitted to:

RPL Process

Step 1. Contact LBD Tuition Centre or Download RPL Application Form

[RPL APPLICATION FORM](#)

Step 2. Submission

Submit completed RPL application form and all supporting evidence to:

LBD Tuition Centre will contact for payment, and assess evidence and notify the learner/centre within 28 days.

Step 3. Assessment of Evidence

The assessor will review and evaluate all evidence and map prior learning to qualification units. The assessment process will be subject to the standard quality assurance procedures to ensure the integrity of the qualification/units.

If the evidence is sufficient, LBD Tuition Centre will notify the learner on the assessment requirement in order to gain the qualification/units.

If the RPL evidence is judged not to be sufficient to meet all the requirements of the relevant qualification/unit, then the learner will be required to complete the normal course of learning.

Sanctions Policy

Introduction

This policy is aimed at centres delivering LBD Tuition Centre regulated qualifications or units and independent tutors, assessors and IQAs sub-contracted in by centres to undertake specific tasks (following prior agreement with LBD Tuition Centre) and who have failed to meet aspects of our delivery and assessment requirements and/or the LBD standards laid down by the regulatory authorities in respect of regulated qualifications and units.

This policy is also aimed at learners who are in breach of any requirements set out in the assessment criteria. If there has been a failure to comply with LBD Tuition Centre policies or procedures or breached the term of any agreement with LBD Tuition Centre ('non-compliance'), this policy sets out the sanctions LBD Tuition Centre may impose in such situations.

It is also for use by our staff to ensure they apply any sanctions in a consistent manner.

Centre's Responsibility

It is important that all personnel, including independent tutors, assessors and IQAs involved in the delivery and assessment of LBD Centre regulated qualifications are fully aware of the contents of this policy and its possible implications should they fail to comply with the requirements specified by LBD Tuition Centre (some of which are required of us by the regulators; i.e. Ofqual).

Ensuring the LBD Standards of Our Qualifications and Units

LBD Tuition Centre has a responsibility to the learners completing our qualifications and the UK regulatory authorities to ensure that centres and their centre personnel, including independent tutors, assessors and IQAs involved in the delivery and assessment of LBD Tuition Centre regulated qualifications, deliver and assess in accordance with the relevant LBD Tuition Centre qualification specification.

LBD Tuition Centre work alongside external quality assurers (EQA) to monitor the centres effectiveness against the approval criteria and LBD standards that have been agreed to. If an EQA identifies an issue of non-compliance they will report this to LBD Tuition Centre and will work collaboratively to impose the appropriate level of sanctions.

Approach to Sanctions

LBD Tuition Centre has a range of sanctions that can be imposed on their centre personnel, including independent tutors, assessors and IQAs involved in the delivery and assessment of LBD Centre regulated qualifications depending on the seriousness of the situation, the level and track-record of the centre's and centre's personnel of non-compliance, the performance of any independent tutor, assessor and IQA and the risk to the interests of learners and the integrity of the qualifications and units.

We reserve the right to apply conditions and sanctions on centre personnel, including independent tutors, assessors and IQAs which we have determined as having an issue of non-compliance to ensure certification of learners is accurate and reliable and that the standards of our certifications and qualifications are maintained.

Nonetheless LBD Tuition Centre aims to ensure that the application of sanctions is a last resort and through our approach to staff support and management, and the creation of appropriate action plans, we will work with personnel (who are primarily responsible for any independent tutors, assessors and

IQAs they employ or sub-contract) to prevent situations arising that would warrant a sanction being imposed.

If there are any concerns about a potential issue of non-compliance, then LBD Tuition Centre and/or the allocated EQA will complete a risk assessment to determine the level of risk involved and the security of the certification.

If sanctions are required then we will not hesitate to apply them, with the sanction(s) being applied depending on our determination of the nature and severity of the non-compliance. Below is a list of example situations where we, having determined that there is an issue of non-compliance, may decide that it is appropriate to impose a sanction. These are only indicative and are not meant to form an exhaustive list:

- Outstanding actions
- Poor records to confirm assessment decisions
- No internal quality assurer (IQA) in place
- Proven collusion or persistent bad marking of marked assessments
- Suspected or proven cases of maladministration/malpractice at the centre and/or the services provided by third parties
- Made certification claims before learners have completed the unit(s)/qualification(s)
- An increased likelihood of an adverse effect occurring (e.g. something that is likely to have an adverse effect on the standards of the qualifications they are delivering or public confidence in qualifications)
- Refused access to premises and/or records to the staff of LBD Tuition Centre or the regulatory authorities
- Breached any requirement contained in the centre agreement and/or qualification approval application submitted by the centre co-ordinator and accepted by LBD Tuition Centre
- Repeatedly breached requirements contained in the centre agreement and/or qualification approval application submitted by the centre co-ordinator and accepted by LBD Tuition Centre in such a manner as to reasonably justify doubts about its ability or intention to deliver our qualifications and services in accordance with the terms of outlined in the application(s).

Sanctions That May Be Imposed on Centres

Sanctions that may be imposed as part of a centre approval, qualification approval decision, monitoring activity or investigation into a complaint, appeal or allegation of malpractice and/or maladministration include withholding certificates (e.g. suspending certification status) and preventing further learner registrations by the centre (e.g. suspending registration status):

- A single qualification
- An entire qualification sector
- An entire qualification type
- All qualifications.

Recommendations by the EQA in relation to the above types of sanctions will be reviewed by the Head of Compliance and Assurance at LBD Tuition Centre, and if there is clear evidence of non-compliance by the centre and/or a sufficient rationale then the sanction will be imposed on the centre. Any expenses incurred in ensuring compliance with any informal measures or sanctions applied by us must be covered by the centre.

In all instances the nature of the sanction and the rationale for its application will be communicated in writing to the centre.

If a centre disagrees with the decision the first point of contact is the assigned EQA then refer to LBD Tuition Centre' Enquiries and Appeals Policy.

Only where we determine that there are exceptional circumstances of extremely serious non-compliance or the persistent failure of the centre to address outstanding actions, and/or the failure of previous sanctions to address the issue.

LBD Tuition Centre expects that it would never impose the immediate withdrawal of approval for a qualification or range of qualifications without:

- The centre being given an opportunity to address the area(s) of non-compliance
- First of all imposing one of the previous sets of sanctions
- There being evidence that the non-compliance poses a significant threat to the interest of learners or the integrity of the qualifications and units.

Should a centre have its approval for a LBD Tuition Centre qualification(s) removed, we will take all necessary steps to protect the interests of any learners that are currently registered against the qualification in question. For example, we will either certificate them for any achievements to date and/or seek to transfer them where possible to another LBD Tuition Centre ATC to enable them to continue with their learning.

In addition, upon the removal of approval, the centre personnel:

- Immediately cease to offer LBD Tuition Centre qualifications and services and shall at its own expense immediately deliver to LBD Tuition Centre all relevant and specified deliverables (e.g. assessment materials) and/or dispose of materials if instructed to do so by us. If the ATC fails to do so we may take action to recover such materials where relevant.
- Immediately cease to operate as a centre by LBD Tuition Centre and shall immediately cease to describe, promote, market or advertise itself as a centre by and/or offering the relevant qualification(s)/service(s).

Sanctions That May Be Imposed on Learners

Should a learner, or range of learners, be found to have committed malpractice then the following sanctions may be imposed on them in accordance with the arrangements outlined in our Malpractice and Maladministration Policy (which may be communicated to the learner by LBD Tuition Centre and/or the learner's centre):

- Issuing a written warning that if the offence is repeated further action may be taken
- Loss of all marks/credits for the related work/unit
- Disqualification from the unit(s)/qualification
- Placing a ban from taking any further qualifications with us (e.g. for a set period of time).

Sanctions That May Be Imposed on Independent Tutors, Assessors and IQAs

Should an independent tutor, assessor and IQA be found to have committed malpractice then the following sanctions may be imposed on them in accordance with the arrangements outlined in our Malpractice and Maladministration Policy (which may be communicated to the independent tutor, assessor and IQA by LBD Tuition Centre and/or the ATC they are employed by or sub-contracted to):

- Revoking approval for the ATC to use a specified independent tutor, assessor and IQA if there are concerns around their performance.
- Revoking approval for a range of centres to use a specified independent tutor, assessor and IQA (if they work across more than one) if there are concerns around their performance. In doing so we will ensure any notification is legal and factual so as not to adversely affect their reputation.

Appealing a Decision

If an ATC wishes to appeal a decision to impose a sanction then please refer to our Enquiries and Appeals Policy, which can be found on our website or you can request a copy by contacting us.

Ensuring Consistency in our Approach

The length of time any of the above sanctions will be imposed for will depend on our assessment of the situation that warranted their introduction.

The Head of Compliance and Assurance will be responsible for regularly reviewing the application and maintenance of sanctions to ensure they continue to be appropriate and proportionate to the incident(s) and risk of future incidents occurring.

Monitoring and Review

We will review the policy annually as part of our quality assurance requirements and will revise it as and when necessary in response to customer feedback, trends from our internal monitoring arrangements, changes in our practices, actions from the regulatory authorities or external agencies or changes in legislation.

If you would like to feedback any views, please contact us via the details provided at the end of this policy.

Contact Us

Please [click here](#) to view contact details for LBD Tuition Centre.

Withholding Learner Achievement Policy and Procedure

1. Scope of policy

1.1 This policy applies to all approved centres in the UK and internationally

2. Policy purpose

2.1 The purpose of this policy is to clarify when Pearson or our centres may withhold results or certificates from learners.

2.2 We are committed to:

- Making sure our qualifications are fit for purpose and delivered with integrity in a way which best promotes and protects the interests of learners.
- Ensuring that all learners who have successfully demonstrated the required level of achievement will receive their results and certificates in a timely manner.

3. Policy statement

3.1 There are very few cases where we would withhold results or certificates from learners. This may be necessary where:

- There are cases of alleged centre or learner malpractice.
- A result is issued in error.
- There is reasonable evidence that there is a risk to the integrity of the results.

3.2 We may ask you to withhold results or certificates from learners because there is an allegation of malpractice or a result has been issued in error. In such events, we will ask you to hold or return results or certificates until any investigation is completed and any issues are resolved.

3.3 We won't withhold learner results or certificates on financial grounds.

3.4 Any learner who is entered for an examination should expect to be awarded a certificate on successful completion of the relevant assessment. Except in cases described in 3.2 above, you cannot withhold results or certificates from learners under any circumstances, including non-payment of fees. We recommend that you should aim to have secured payment of course fees by the time you register a learner for an examination.

3.5 If you would like to report suspected malpractice relating to the issuing of certificates, guidance can be found in the Whistleblowing Policy. You can also report an incident or discuss your concerns with us.

4. Regulatory and other references

4.1 UK regulators require all awarding organisations to establish and maintain their compliance with regulatory conditions and criteria. As part of this process, policies that relate to LBD Tuition Centre status as an Accredited Training Centre will reference the conditions and criteria that they address.

Whistleblowing Policy

Whistleblowing and Confidentiality

Whistleblowing is a term used when an individual discloses information relating to malpractice or wrongdoing or covering up any malpractice or wrongdoing. This is often committed by the individual's employer, although this is not always the case.

On occasions, someone making an allegation of malpractice or maladministration or any other issue may wish to remain anonymous, it is always preferable to reveal your identity and provide us with your contact details. If you are concerned about possible adverse consequences that may occur if your identity is revealed to other parties, please inform us that you do not wish for us to divulge your identity and we will ensure we do not disclose your details.

LBD Tuition Centre are not obliged to disclose information, if to do so would be a breach of confidentiality and/or any other legal duty. However, on occasions to progress an investigation it may not be possible to entirely anonymise individuals, third parties may need to be involved, in this instance this would be discussed in advance with the whistle blower/person who made the allegation. We may need to disclose identity to the following:

- The police, fraud prevention agencies or other law enforcement agencies (to investigate or prevent crime, including fraud)
- The courts (in connection with court proceedings)
- Any other person to whom we are required by law to disclose your identity.

The investigator assigned to review the allegation will not reveal the whistle-blower's identity unless permission has been granted or it is absolutely necessary for the purposes of the investigation (as above). The investigator will notify the whistle-blower if it becomes necessary to reveal their identity against their wishes.

A whistle-blower should recognise that they may be identifiable by others due to the nature of circumstances of the disclosure.

Once a concern has been raised LBD Tuition Centre has a duty to pursue the matter, it is not possible to prevent the matter being investigated by subsequently withdrawing a concern as we are obliged by the regulators to follow up any allegation of malpractice or maladministration and investigate accordingly.

We will consider each disclosure of information sensitively and carefully and decide upon an appropriate response.

In all cases we will update you to confirm if an allegation will be investigated and will keep you updated with how this is progressing, a whistle-blower will have the opportunity to raise any concerns to the investigator about the way the investigation is being conducted. However, LBD Tuition Centre are not obliged to disclose any information, if to do so would be a breach of confidentiality and/or any other legal duty.

Whilst we cannot guarantee we will disclose all matters in a way that you might wish, we will strive to deal with the investigation fairly, thoroughly and promptly.

Notifying Relevant Parties

LBD Tuition Centre will tell the person who made the allegation who will be handling the matter, how they can contact them and any further assistance we may need from them. We will keep them updated as to how the allegation has progressed and if an investigation has commenced, timeframes may depend upon the complexity of the case. However, we will not disclose any details of the investigation activities and it may not be appropriate to disclose any details of the outcomes due to confidentiality or legal reasons.

In all cases of suspected or actual malpractice or maladministration at a centre, we will notify the head of the centre involved in the allegation (unless they are under investigation in which case communication may be with the next appropriate person of authority) that we are investigating the matter.

In cases of learner malpractice, we may ask the centre to investigate the issue whilst liaising with personnel at LBD Tuition Centre. We will only ask the centre to investigate the matter when we have confidence that the investigation would be prompt, thorough, fair, independent and effective.

We may communicate directly with centre personnel who have been accused of malpractice if appropriate and/or communicate directly with a learner or their representative if deemed necessary when reviewing the evidence.

Where applicable LBD Tuition Centre' Director will inform the appropriate regulatory authority of a suspected case or a proven case of malpractice and/or maladministration, which may invalidate the award of a qualification or if it could affect another awarding organisation. We will also keep them informed if we are investigating a large or complex case.

For more information on LBD Tuition Centre' investigation process please refer to the LBD Tuition Centre [Malpractice and Maladministration Policy](#) on our website, or you can request a copy by contacting us.

Monitoring and Review

We will review this policy annually as part of our quality assurance requirements and revise it as and when necessary in response to centre and learner feedback, changes in our practices, actions from the regulatory authorities or external agencies, changes in legislation, or trends identified from previous allegations.

In addition, this policy may be updated in light of operational feedback to ensure our arrangements for dealing with suspected cases of malpractice and maladministration remain effective.

If you would like to feedback any views, please contact us via the details provided at the end of this policy.

Contact Details

LBD Tuition Centre

[Please click here to view contact details for LBD Tuition Centre.](#)