

© LSC January 2003

Published by the Learning and Skills Council. Extracts from this publication may be reproduced for non-commercial, educational or training purposes on condition that the source is acknowledged and the findings are not misrepresented.

This publication is available in an electronic form of the Council's website: www.lsc.gov.uk
Publication enquiries: 0870 900 6800

Reference MISC/0341/03



Learning+Skills Council

Good Practice

Learners' Entitlements



Learning+Skills Council

Contents

Introduction	4
Before joining the programme	6
After starting the programme	8
Learners' responsibilities	11
Annex A – Accommodation of students	13
Annex B – Useful addresses	15

Introduction

The Learning and Skills Council (LSC) aims to 'raise participation and achievement through high-quality education and training which puts learners first'.¹

Education and training providers funded by the LSC should have a similar focus on the needs of the learner. A 'learners' entitlement describes not only what learners should expect from their learning provider, but also what is expected from them. The information contained in entitlement statements is very important in enabling learners to make the best of their studies.

The LSC expects the providers that it funds to make clear to learners:

- what they can expect from their learning provider;
- what is expected of them, both from their training provider, work-placement provider and, where appropriate, employers involved in work-based learning.

This guide aims to help providers funded by the LSC to develop learners' entitlement statements which are appropriate to the needs of particular groups of learners. It is divided into sections which cover the aim and purpose of entitlement statements, a list of the things that learners can reasonably expect (and what is expected of them) and examples of agreements or charters which have been adopted by different types of provider.

What do we mean by 'learners' entitlements?'

This is a general term used to describe the way in which learners are informed about what to expect from their learning programme and what is expected of them. The LSC expects that providers will normally develop written guidance for learners. The nature of that guidance will vary. Whatever the approach adopted, however, all providers funded by the LSC should produce their own learners' entitlement statements which reflect their individual circumstances and the needs of their learners. The statements should take into account the needs of particular groups, such as those with learning difficulties, visual or hearing impairment, or those whose first language is not English.

Introduction

It will be possible to incorporate some elements of learners' entitlements and responsibilities in other documents such as:

- prospectuses;
- brochures;
- existing written statements, including learning agreements;
- training plans or training agreements;
- induction or enrolment programmes;
- student charters;
- individual learning plans (ILP).

Many providers will want to use their intranet or web site to set out learners' entitlements, as well as using hard copies.

Wherever possible, providers should set measurable targets for the delivery of services to learners. The targets should be realistic but demanding; for example, that assignments will be marked and returned to learners within one week of submission, provided that they are submitted by the required deadline. Providers should aim to ensure that education and training are of the highest standard and that learners are given the best possible opportunity to learn effectively.

An assessment of the effectiveness with which entitlement statements are implemented should be part of each provider's self-assessment process. The key question for the provider will be 'Have learners received their entitlements?'

Local LSC staff will review providers' learners' entitlement statements as part of their regular monitoring visits, and will consider their impact when reviewing providers' self-assessment reports.

Colleges offering residential accommodation to students under 18 years of age must observe national minimum standards published by the Department of Health.² Details of these standards are attached at Annex A. Although the standards apply only to colleges, the principles and practices they describe offer a useful guide to good practice for anyone providing residential accommodation for learners.

What are the benefits of entitlement statements for learners?

Providers and learners work in partnership to make learning effective, and partnerships always work best when both sides know where they stand. If learners understand what is required of them they are more likely to make the necessary commitment to learning and to be successful in achieving their aims and ambitions. Entitlement statements may also help other partners, such as sub-contractors and employers, to understand what learners expect of them. Entitlement statements can make an important contribution to quality assurance. Statements of expected levels of service provide a framework for obtaining feedback on what is working well (and what needs improvement) and make clear the limits of the service provided.

In a large organisation or learning programme involving many different partners, it is particularly important to ensure that all staff (including sub-contractors and employers) and learners are aware of their rights and responsibilities.

The company's responsibilities

- To employ and/or provide training for the Apprentice named in this document and pay a salary in accordance with Statutory Industry guidelines where they exist;
- The Apprentice will commence on (day/month/year);
- To provide, as far as is reasonably practical, the experience, facilities and training necessary to achieve the training objectives specified in the Apprenticeship Plan;
- To use their best endeavours, with the assistance of various local groups/ networks, to arrange employment for the Apprentice for the duration of the training with another company if the training is terminated due to redundancy;
- To maintain a safe working environment to ensure the health and safety of the Apprentice;
- To ensure that all employment practices are non-discriminatory and comply with the Sex Discrimination Act, Race Relations Act and Disability Discrimination Acts.

Apprentice's responsibilities

- The Apprentice will comply with the terms and conditions of training and with any terms and conditions of employment as notified;
- Jointly with the company, the Apprentice will agree the Apprenticeship Plan, regularly review progress made in training, and agree any changes needed in the plan;
- The Apprentice will take reasonable care of his/her own health and safety and co-operate with the employer in all aspects of health and safety at work;
- The Apprentice may involve any third party of his/her choice in agreeing and reviewing the Apprenticeship Plan or in resolving any problem arising in connection with training.

(extract from an Advanced Modern Apprenticeship Training Agreement with a Work Based Learning provider)

Before joining the programme

What do learners need to know?

Learners need to know what to expect so that they can make an informed choice about the programme they wish to follow. Some of this information may be gained from sources other than providers; for example, from Connexions or the Careers Service. Providers, therefore, will want to make sure that any advisory service has clear and comprehensive information about the programmes that they offer.

Before joining a programme, learners need information on:

The learning programmes offered

- the courses or learning programmes on offer which match their experience, qualifications, interests and needs;
- the qualifications which may be acquired, where appropriate;
- the existing qualifications, knowledge or experience which learners must have to enter a particular programme, and discussion and independent advice on how well the learner meets such requirements, or whether other programmes may be more suitable;
- the credit learners may be given for previous learning, experience or qualifications;
- the aims of the learning programmes and how programmes might equip the learner for further study, employment or other opportunities;
- the broad structure of learning programmes: the duration of courses; patterns of study and required contact hours; methods of teaching, training and learning and assessment;

- the time learners will need to give to the programme, both while supervised and outside formal contact hours;
- the advice and support available if learners need to change their learning programme;
- the facilities and resources available for teaching, training and learning, and an opportunity to look round the provider's premises and facilities before making a final decision on the programme to be followed.

Costs

- typical costs that learners may incur, including fees, the cost of materials, clothing and visits, and the financial help which may be available to learners.

The provider's performance

- results, success rates and destinations of previous learners;
- outcomes of inspection.

Support and guidance

- the support available to learners, including financial assistance, crèche and childcare facilities and help with transport;
- admission arrangements, facilities and arrangements to support learners with learning difficulties and/or disabilities, as well as any information on any specific courses designed to meet their needs;
- support provided in basic skills including literacy and numeracy, and English for speakers of other languages;
- an initial assessment of the support learners may need, and advice on how this will be provided;
- where appropriate, the residential facilities and accommodation available to learners in the locality;
- where appropriate, the provision of personal protective equipment;
- where learners can go for further guidance, including careers guidance;
- any specific requirements and arrangements made for learners from overseas.

Support to students

The Institute will strive to provide:

- A broad and balanced range of activities to appeal to as wide a section of the community as possible;
- A friendly and prompt response to all inquiries informed by well-presented and accurate course information;
- An induction process for students which makes it clear what is expected of them as well as what the institute will provide;
- A balanced range of teaching and learning strategies which will suit the students' aims and experience and which are appropriate to the course content;
- Consistency, regularity and punctuality by all staff;
- Regular feedback and assessment on students' progress;
- The opportunity for students to evaluate their courses;
- Qualified and experienced staff who are supported by staff development;
- Fast, efficient and courteous processing of financial matters affecting students;
- A clear system for financial records and management information.

(extract from the charter of an adult and community institute in London)

After starting the programme

Having embarked on a learning programme, learners are entitled to receive:

Learning programme

- a comprehensive introduction or induction programme;
- where appropriate, an individual learning plan based on the outcomes of initial assessment;
- information on the methods of teaching or training that will be used;
- information on the content of the programme and what they can expect to have learned by the end of it;
- where relevant, details of the form of certification and qualifications which may be acquired and the timescales involved;
- details of programme timetables, attendance times and holidays;
- information about how much homework or private study will be required;
- information on any further fees or charges, and where appropriate, allowances and pay;
- information on opportunities to broaden their knowledge, experience and range of skills, including access to ICT, the use of libraries and other resource centres;
- opportunities to take additional qualifications, educational visits and work placements;
- information on opportunities to provide feedback on provision, and how to make use of complaints and appeals procedures if necessary.

Where learners transfer to a new programme, providers need to ensure that learners receive all these entitlements within the context of the new programme.

Assessment and feedback

- help to deal with identified needs such as the need for support with literacy, numeracy, English for speakers of other languages and study skills;
- regular reviews of progress, regular and constructive advice, support and feedback on achievements;
- regular fair and accurate assessment and recording of achievements;
- information on appeals procedures;
- where relevant, information on the awarding body with which the learner is registered, and details of the qualification for which the learner is aiming, including candidate number;
- where appropriate, details of the internal verification process and the name of the internal verifier.

Teaching and training

- high quality teaching and training which takes account of individuals' needs and abilities;
- teachers and trainers who set high professional standards and who are knowledgeable, competent and well qualified in their subject or vocational area;
- well managed and well co-ordinated learning programmes;
- punctuality from teachers/trainers, and postponement, rescheduling or cancellation of classes only in exceptional circumstances;
- prompt marking of learners' assignments and rapid feedback to learners.

As a student you can expect:

- An initial interview to agree your course and explain what will be expected of you;
- A caring and friendly place in which serious and committed students can study;
- High quality teaching and a commitment to the promotion of learning;
- A learning environment free from discrimination;
- Regular reviews with your personal tutor;
- Guidance and support from tutors and teachers;
- Ongoing internal assessment and a profile of your progress at regular intervals;
- Specific guidance and support from the librarian, library assistants, college nurse, chaplain and careers advisers;
- Expert help and impartial advice on progression to the job market, training, Modern Apprenticeships, higher and further education and how to apply;
- Access to multimedia learning facilities and open access to ICT;
- An opportunity to compile your post-16 Record of Achievement;
- An opportunity to participate in our European Links programme;
- Opportunities to express views through your elected representatives on the Academic Board, College Executive and Council;
- Access to a formal complaints procedure;
- Information about student activities.

(extract from a college charter)

Advice and support

- regular support during their learning programme, including the name of their supervisor, adviser or tutor, and where they may be contacted;
- advice on how to access counselling and support in order to deal with personal difficulties, and health and welfare issues;
- guidance on their responsibilities and what is expected of them, and information on the provider's rules, disciplinary procedures and other procedures;
- information on how attendance will be monitored and the implications of poor attendance;
- information on services for learners, such as catering arrangements, sports facilities and group/union representation within the organisation;
- timely payment of any allowances once they have been agreed;
- information on reward systems, such as Educational Maintenance Allowance bonuses, Connexions Cards and life skills rewards;
- An assurance that personal information will remain confidential unless this conflicts with any legal requirement;
- information about any statutory requirements and entitlements and, where appropriate, employment legislation;
- support for learners leaving the programme, for whatever reason, in planning their next steps, whether moving into employment or further study;
- clear information and impartial advice on opportunities for progression, scope for further study and possible jobs and careers from the provider, the careers service and/or the Information, Advice and Guidance (IAG) partnership, as appropriate.

After starting the programme

Health and safety for learners

- a safe, healthy and supportive environment wherever learning takes place;
- an induction to health and safety when starting their learning or training and at each new location or placement;
- full information on the provider's (and where appropriate the work-placement or employer's) health and safety policy, responsibilities and procedures;
- the procedure to adopt in the case of an accident;
- information on supervision arrangements;
- information on any risks associated with the learning programme;
- advice on, and ready free access to, suitable personal protective equipment or facilities;
- information on restrictions which apply to any action or activity on the part of the learner; for example, restrictions on the use of certain machinery or vehicles;
- training on health and safety issues and the appropriate use of equipment;
- advice that, in the event of an accident at work, non-employed learners may claim disablement benefit.³

Students with Learning Difficulties want



● The right to speak up



● The right to have support



● The right to be treated as adults with respect



● The right to have good teaching



● The right not to be bullied

(extracts from a charter for learning for students with learning difficulties produced by NIACE)

Note 3: From the DfES Analogous Industrial Injuries Scheme. The local LSC will forward the application form directly to the learner when notification of the accident is received.

Learners' responsibilities

Learners have responsibilities too. Providers can expect appropriate behaviour from learners, and should set out their expectations and requirements alongside learners' entitlements.

During their learning programme learners should:

- make a positive commitment and contribution to their own development and learning;
- attend their learning programmes as required, punctually and regularly;
- work hard;
- complete and submit work on time;
- participate fully in sessions at which their progress is reviewed by listening to the comments of their teachers/trainers and expressing their own views;
- notify intended absences in good time.

Behaviour expected of learners

In class, on training and in social and common areas learners should:

- co-operate with teachers/trainers, supervisors and other staff;
- respect others, regardless of differences in culture, ability, race, gender, age or sexual orientation;
- behave responsibly and safely at all times;
- not give offence to others by their use of language, actions or behaviour;
- take care of equipment, facilities and buildings, and show respect for other people's property;
- bring any concerns which may affect their learning promptly to the attention of a member of staff, so that appropriate support can be offered.

What the college expects from you:

- Personal commitment to your college course and the individual learning goals;
- Punctual attendance at all required activities and explanation of any absences to your Course Manager;
- Immediate contact with the college to notify absences;
- Completion of course related work and the acceptance of any conditions or specific requirements laid down in the Student Guide to the course;
- Behaviour in a way which does not offend others, is not discriminatory in terms of race, gender or disability, and shows care, consideration and respect to all staff and fellow students;
- Acceptance of responsibility to keep the college clean and tidy;
- Compliance with the requirements of the Health and Safety Act 1974;
- Compliance with college rules and regulations.

(extract from a college charter)

Learners' responsibilities

Health and safety

Learners should:

- take reasonable care for the health and safety of themselves and others who may be affected by their actions;
- co-operate with providers and employers on health and safety matters, including the appropriate use of all equipment.

Equality of opportunity

- information on how equality of opportunity will be promoted throughout all aspects of learning and/or training;
- support for and the due regard to be paid, to any learning difficulties and/or disabilities;
- support from the provider should learners encounter harassment or bullying in any part of their learning programme.

Opportunity to comment on provision and complaints

- regular opportunities to express their views on the quality of the learning programme;
- information on the learning provider's complaints and appeals procedures and details of how to complain and who to complain to, including information on how to take complaints further if the provider does not provide satisfaction;
- the LSC's complaints procedure;
- information, as appropriate, on the awarding bodies' appeals procedures.

It is important that providers clearly set out learners' entitlements and explain their responsibilities so that learners can:

- make an informed choice about the course or programme they are embarking on;
- get the most out of their studies, be successful and progress.

Providers will need to review their entitlement statements to make sure that they remain relevant as circumstances change, that they are effective and that they add value to learning and learner's achievements

Annex A – Accommodation of students

Accommodation of students under eighteen by further education colleges: National minimum standards

The National Minimum Standards for further education colleges' provision of accommodation for students under 18 years of age are published by the Department of Health. Although these standards apply only to further education colleges, they offer a useful guide to all learning providers who offer residential accommodation to learners of any age.

All parts of the National Minimum Standards are of relevance to those providing accommodation. Standards 1-7, which deal with 'Welfare Policies and Procedures' are particularly relevant to this guide. In summary, the National Minimum Standards are as follows:

Standard 1: Residential provision and student support

A clear statement of the principles of residential provision and student support at the college must be made available to those needing this information. The statement may be included in a prospectus, handbook or similar document, and should be up to date, reviewed annually and made available and accessible to parents, prospective parents, staff and students. The statement should cover the following issues:

- the college's admission policies and procedures affecting residential students;
- the nature and organisation of accommodation at the college;
- whether or not students under 18 are accommodated separately from older students;

- whether any students under 18 are accommodated other than in college owned and run premises, and, if so, the nature of and the extent to which the college inspects and monitors such other accommodation arranged by or for the college, and the basis for selection of students under 18 to be accommodated elsewhere than in college premises;
- how rooms are allocated to students, the extent of choice in selection of accommodation, and the extent to which students may request a change of accommodation;
- an outline of the welfare and support facilities and provision available to students;
- the nature, extent and limitations of the college's supervision and monitoring of students under 18, specifically including evenings, weekends and at night;
- the college's policies and practice in meeting or supporting the needs of students with learning difficulties and/or disabilities or students with particular religious, dietary, language or cultural needs;
- an outline of the recreational provision and any activity programme provided or organised for students.

Standard 2: Anti-bullying, Harassment and Discrimination

The college must have and follow an appropriate policy on countering bullying and any form of harassment or discrimination. These should be known to students and staff and should be effective in practice.

Annex A – Accommodation of students

Standard 3: Student Protection

The college must have and follow an appropriate policy on the protection of students under 18 from abuse. It should be a written policy that is consistent with the requirements of Working Together to Safeguard Children (Department of Health, Home Office, DfES, 1999) and any local Area Child Protection Committee procedures. Its response to allegations or suspicions of abuse must be consistent with local Area Child Protection Committee procedures, and should be made known to staff and students.

Standard 4: Disciplinary Policy

The college must have and follow a fair and appropriate student disciplinary policy in relation to unacceptable behaviour and breaches of student discipline, which is known to students, staff and parents. Procedures must show the timescale to be followed and who within the college may exclude a student for either a fixed period or permanently. Procedures should detail arrangements to appeal against the decision of the college.

Standard 5: Complaints Policy

The college must have and follow an appropriate written policy on responding to complaints from students and parents about the college's role in safeguarding and promoting the students' welfare, which is known to students, parents and staff. Procedures must show the timescale to be followed and who within the college will investigate complaints. Procedures should detail arrangements to appeal against the decision of the college.

Standard 6: Under Age Drinking/ Substance Abuse

The college must have and follow appropriate policies on countering and responding to under age purchase of alcohol, excessive consumption of alcohol, substance abuse, and possession of obscene material, which are known to students and staff and are effective in practice.

Standard 7: Individual Student Records

Where students and parents provide personal information to the college, in respect of individual students' health and welfare needs and other issues, the college must keep adequate records. The college will also maintain records which specifically set out any individual health needs that are required to be met while the student is at college (where the college has been informed of them), and the means by which the college will meet, or assist the student in meeting these needs.

Annex B – Useful addresses

Association of Colleges

5th floor, Centre Point
103 New Oxford Street
London WC1A 1DD
t: 020 7827 4600
e: enquiries@aoc.co.uk
w: www.aoc.co.uk

Association of Learning Providers

Seymour House, 30-34 Muspole Street,
Norwich, Norfolk NR3 1DJ
t: 01603 623262
e: enquiries@learningproviders.org.uk
w: www.learningproviders.org.uk

Commission for Racial Equality

Elliot House, 10-12 Allington Street
London SW1E 5EH
t: 0207 828 7022
e: info@cre.gov.uk
w: www.cre.gov.uk

Department for Education and Skills

Sanctuary Buildings, Great Smith Street
Westminster
London SW1P 3BT
t: 0870 0012345
e: info@dfes.gov.uk
w: www.dfes.gov.uk

The Disability Rights Commission Helpline

FREEPOST MID02164
Stratford-upon-Avon CV37 9HY
t: 08457 622 633
textphone: 08457 622 644
e: enquiry@drc-gb.org
w: www.drc-gb.org

Equal Opportunities Commission

Arndale House, Arndale Centre
Manchester M4 3EQ
t: 0161 833 9244
e: info@eoc.org.uk
w: www.eoc.org.uk

Higher Education Funding Council for England

Northavon House, Coldharbour Lane
Bristol BS16 1QD
t: 0117 931 7317
e: hefce@hefce.ac.uk
w: www.hefce.ac.uk

National Union of Students

Nelson Mandela House
461 Holloway Lane
London W7 6LJ
t: 0207 561 6500
e: nusuk@nus.org.uk
w: www.nusonline.co.uk

Qualifications and Curriculum Authority

83 Piccadilly
London W1J 8QA
t: 0207 509 5555
e: info@qca.org.uk
w: www.qca.org.uk

SKILL: National Bureau for Students with Disabilities

Chapterhouse, 18-20 Crucifix Lane
London SE1 3JW
t: 0207 450 0620
e: info@skill.org.uk
w: www.skill.org.uk

The British Council

Bridgewater House, 58 Whitworth Street
Manchester M1 6BB
t: 0161 957 7000
e: general.enquiries@britcoun.org
w: www.britishcouncil.org

UK Council for Overseas Student Affairs

9-17 St Albans Place
London N1 0NX
t: 020 7288 4330
w: www.ukcosa.org.uk