



**Empowered people.
Better results.**

LMA Code of Practice (NZ)

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1. Introduction

1.1. Welcome

Congratulations on taking this important step towards developing and enhancing your vocational skills and knowledge.

The purpose of this Code of Practice is to provide you with information about your rights and obligations as a Leadership Management Australasia (LMA) Participant, which will assist in making your learning journey with us both enjoyable and successful.

The information in this Code of Practice is current at the time of printing but may be updated from time to time due to changes in legislation or LMA policy. The latest version of the Code of Practice is always available for download from our website at <https://leadershipmanagement.co.nz/>

2. About Leadership Management Australasia (LMA)

Leadership Management Australia (LMA) has been creating exceptional results through people for over 40 years.

LMA is an Australasian business that works with organisations to boost their bottom line by:

- Developing the leadership of their key people
- Improving their employees' performance and productivity.

LMA courses have already enhanced the leadership skills, performance, productivity and sales skills of over 120,000 people from thousands of organisations across Australia and New Zealand.

At LMA, we don't train people – we develop them through our unique development process – and there's a massive difference.

Information received through traditional training methods is quickly forgotten. However, if you can actually change and improve the way people think, work, interact and live, their value to the organisation will continue to grow indefinitely.

As a recognised leader of training and development in Australasia, the unique LMA process delivers permanent behavioural change, impacting people's lives both personally and professionally.

3. Enrolment

3.1. Participant Selection, Enrolment and Induction

Generally, Participants are nominated by employers to undertake programs. Information may be provided to us by employers about a Participant's job role and previous qualifications, to ensure the most appropriate course is offered.

There are no mandatory requirements for entry into our vocational qualifications, although Participants should possess numeracy, language and literacy skills that will see them achieve the relevant learning outcomes.

3.2. Change of Address, Name or Contact Details

It is a requirement that we have the correct name and contact details for all Participants enrolled with us. If a Participant changes their address, name or contact details after enrolment they are required to update these details in the User Details screen on the Feedback Online (FBOL) system. Instructions for using the (FBOL) system along with log in details are provided to Participants prior to course commencement.

4. Attendance

Attendance and punctuality in workshops are important factors that contribute to successful completion of our courses. LMA expects Participants to attend at least of 80% of workshops to ensure they fully engage in the discussion of ideas and concepts that underpin successful completion of the learnings. Participants are asked to advise their facilitator in advance if they are unable to attend a workshop for any reason.

5. Course Orientation/Induction

An Overview session is run for Participants and their Manager/Mentors prior to course commencement. The purpose of the Overview session is to ensure that all training and assessment information is provided prior to the commencement of the course.

Topics covered at the Overview include:

- Qualification outcomes
- Course duration and time commitment
- Delivery strategy – how the course will actually be delivered
- Learning resources
- Assessment requirements
- Additional support available to Participants while undertaking the course
- Recognition of Prior Learning (RPL) or Credit Transfer for prior study
- Complaints and appeals processes

Participants and Manager/Mentors are encouraged to contact the Facilitator or Client Support if they have any questions, or are not sure about any aspect of the course.

6. Deferral of Studies

For a Participant to be able to carry through credits for the work they have completed, there is a six (6) month deferral time-line for the period between when the Participant defers and when they must re-commence their course. The Participant must complete a “Participant Deferral/Transfer Application Form” and pay the appropriate Deferral/Transfer Fee (refer Deferral/Transfer Fees document). If the period of deferral is beyond 6 months they will be re-enrolled as a new Participant and will be required to re-do the course work.

In most cases, the maximum number of times a Participant can defer from a course is twice.

If you withdraw prior to completion, LMA will ensure that you receive formal accreditation from NZQA for the unit standards completed.

7. Issuance of Qualifications

Once you have been assessed as competent in all the required units standards you will be issued with a national qualification by NZQA. If you do not complete all the unit standards required for a qualification, you will be issued with accreditation for the unit standards successfully achieved.

Your records of achievement are recorded by NZQA.

8. Participant Support, Welfare and Guidance Services

8.1. Provision for Language, Literacy and Numeracy assessment (LLN)

As language, literacy and numeracy are essential requirements for workplace performance; Participants are required to undertake a Language, Literacy and Numeracy (LLN) pre-assessment exercise to identify any LLN needs that may impact on their course progress or outcomes.

We support the provision of additional LLN assistance where required. Information is provided about external support services to Participants regarding assistance and support for language, literacy and numeracy where this need is identified. Any fees incurred for additional language and literacy support will be the responsibility of the Participant or employer.

8.2. Participant Support

Our Facilitators are available to help you achieve your learning objectives and successfully graduate from your course. If you are having difficulties with the course material, managing your time and commitment to your course, or any other course related matter, do not hesitate to speak with your Facilitator and ask for guidance.

8.3. Workplace Health and Safety

LMA is committed to ensuring the health and safety of staff, Participants and other persons throughout all areas of its activities in accordance with New Zealand OHS legislation and relevant Codes of Practice.

It is the responsibility of all LMA staff to ensure the implementation of safety systems appropriate to their delegated operational authority.

Participants have an obligation for their personal welfare and the welfare of their fellow Participants. Participants must follow safe working procedures at all times, take reasonable care to prevent personal injury or injury to others and reasonable care to prevent damage to the training facilities.

A copy of our OHS Policy is available on request.

8.4. Access and Equity

LMA prides itself on creating a 'unique learning experience' for all of our Participants. We incorporate the principles of Adult Learning in our delivery to encourage active participation in all our programs. LMA's unique Feedback Online (FBOL) system ensures that all of the Learning Partners - Participant, Manager/Mentor, LMA Client Support and LMA Facilitator, communicate and work synergistically to support the success of the Participant.

LMA is committed to providing a learning environment responsive to the diverse needs of all clients. We provide a learning environment that is free from discrimination and harassment and abides by the principles of access and equity.

LMA ensures its training and assessment courses are relevant, fair and inclusive by acting ethically in selection of Participants and does not discriminate on grounds of gender, ethnicity, religion, political belief, family responsibility, sexuality or social and educational background.

9. Training Delivery

Wherever possible, LMA offers flexible approaches to learning and assessment. We aim to contextualise all training and assessment activities to enable real workplace application by the Participant in their own workplace and job role.

LMA customises training to suit the specific needs of our clients and the Participant's work role wherever possible. Assessment options must comply with qualification rules and any other accreditation requirements.

LMA incorporates adult learning principles throughout the delivery of its training courses. Although your Facilitator will assist you with advice and support during your course, you are encouraged to take responsibility for your own learning and to actively participate in the learning and assessment process.

10. Assessment Procedures

LMA undertakes to provide all Participants with an assessment process that is fair, valid, and reliable and shows flexibility for individual circumstances. Assessment is carried out by qualified assessors. Assessment activities or tasks are available for Facilitators and Participants online through the LMA Feedback Online system. Assessment activities are also available in paper-based format.

Facilitators conduct assessments using the approved assessment activities or tasks as specified for each module.

Assessment of your achievement is conducted in a number of ways depending on the program and may include:

- Workplace Projects
- Observations
- Case Studies
- Questioning

- Work samples
- Written or verbal questions

You will be informed at the commencement of your course of the types of assessment you will complete during the course, when they are due and any resubmission procedures.

Resubmissions: Participants will be given a further assessment opportunity if deemed not yet competent after their first assessment attempt. A new, quality assured assessment activity may be provided. If after a second attempt the Participant is still not yet competent further learning may be required before assessment is attempted.

10.1. Results

Results for overall program performance will be determined on the basis of the stated criteria outlined in the assessment procedure for each programme. Participants undertaking our courses will receive a result of Competent (CO) or Not Yet Competent (NYC). Where the result of the assessment is that you are 'Not Yet Competent', you can discuss with the Facilitator the options of re-assessment or to have further training that will give you the opportunity to develop competence in the required areas.

10.2. Reasonable Adjustments

Reasonable adjustment may be provided for individuals with a special need (such as low literacy, hearing or sight impairment) according to their personal circumstances. Please speak to your Facilitator if you have concerns about your ability to undertake an assessment. Your Facilitator will work with you to identify whether it is possible to adjust the assessment in such a way that still allows you to demonstrate you have met the required outcomes.

10.3. Appealing the Results of Assessment

- In the first instance concerns about an assessment decision should be raised with your Facilitator. Should you believe that you have been unfairly assessed or believe you have grounds for appealing an assessment decision, you may formally appeal the result of the assessment. An appeal must be lodged within 10 working days of the date you were advised of the assessment outcome. Appeals must be made in writing to the Quality & Compliance Manager at LMA.
- To ensure independence, the Quality & Compliance Manager will seek the assistance of an assessor not involved in the original assessment to consider the appeal. The process must begin within ten days of the receipt of the written appeal and be completed within a reasonable timeframe, but not exceeding 4 weeks. You will be given the opportunity to present your case in writing or in person and you will be advised that you can bring a support person for assistance at any meetings.
- You will be provided with documentation outlining the process undertaken which will include a written statement of the appeal outcome including the reason/s for any decision.
- If the appeal process results in a decision that supports your appeal, LMA will immediately implement any decision or corrective and preventative actions required and advise you of the outcome.

10.4. Plagiarism

All work that you submit for assessment must be your own. Plagiarism is taking someone else's work and/or ideas and passing them off as your own. It is a form of cheating and is taken seriously by LMA.

The following are examples of plagiarism:

- Copying sections of text and not acknowledging where the information has come from
- Mashing together multiple 'cut and paste' sections, without properly referencing them, to form an assessment response
- Presenting work that was done as part of a group as if it were just your own work
- Using information (pictures, text, designs, ideas etc.) and not citing the original author(s)

11. Grievance and Appeals Procedures

LMA is committed to providing quality training and assessment services to Participants and their employers. We value feedback from Participants, staff and employers as an opportunity for continuous improvement. Any person, who is dissatisfied with the services delivered by LMA, our staff, licensees and third parties on our behalf, is encouraged to raise the issue at the earliest opportunity to enable it to be addressed promptly. Complaints or concerns may also be raised about the behaviour of fellow Participants undertaking our programs.

11.1. Complaints Procedure

Informal complaint

- LMA has a process and procedure for fair and equitable settlement of complaints.
- The initial stage of any complaint will be for you to raise your concerns as soon as possible with the individual(s) concerned, the aim being to resolve the problem directly and informally.
- If you feel unable to approach the individual concerned directly, or are not satisfied with the initial response to the grievance, you should contact the Quality and Compliance Manager.
- The Quality and Compliance Manager will contact you and the parties involved with the aim of satisfactorily resolving the issue.
- If you are not satisfied with the outcome, you will be informed of your right to lodge a formal complaint in writing to the CEO.

Formal complaint

- If you wish to lodge a formal complaint against any staff member, you, or your chosen representative should make a formal written complaint to the CEO.
- The CEO will acknowledge receipt of the complaint and may contact you or your representative to seek clarification of any information relevant to the complaint.

- Facilitators or staff members of LMA against whom a complaint is lodged, have the right to view the written complaint and access any evidence provided by the Participant. The staff member or Facilitator is entitled to present a defence against the complaint and may nominate a chosen representative to act on their behalf
- Any complaint and the process of its resolution will remain confidential between the parties involved
- The CEO will make every effort to resolve the complaint internally between the parties involved
- If a complaint remains unresolved after following the internal complaints procedures, Participants are advised of external organisations to which they can appeal.
- Both the Participant and the Facilitator or staff member may nominate a chosen representative to act on their behalf in any subsequent discussions or arbitration.

For a copy of our Complaints Policy and procedure visit <https://leadershipmanagement.co.nz/>

This policy does not take away your right to take further action under New Zealand’s consumer protection laws, nor does LMA’s complaints and appeals process limit your right to seek other legal options.

12. Misconduct and Disciplinary Procedures

LMA provides an adult learning environment and all staff and Participants are expected to act responsibly, and to treat all staff and fellow Participants with courtesy and respect. It is important that Participants also act responsibly and understand acceptable social interaction and standards in all communications.

12.1. Misconduct

Misconduct may include but is not limited to:

- Aggressive or violent behaviour
- Use of abusive or inappropriate language
- Discrimination, harassment, intimidation or victimisation of any person
- Behaviour which creates a health and safety risk to self or others
- Refusing to carry out lawful and reasonable instructions
- Behaviour which impacts negatively on the rights of fellow Participants to learn in a supportive environment
- Theft
- Being affected by alcohol or drugs

12.2. Disciplinary Procedures

LMA reserves the right to discipline a Participant where appropriate.

- If a Facilitator wishes to discipline a Participant, he/she should make a formal or informal approach, to the RTO Learning Delivery Quality Manager.
- If the discipline notice (written notice) is lodged informally, the RTO Learning Delivery Quality Manager will immediately clarify the matter in writing and forward a copy to the Participant and any chosen representative for confirmation.
- Any discipline procedure and the process of its resolution will remain confidential between the parties involved.
- The Participant is entitled to present a defence against the notice and may nominate a chosen representative to act on their behalf.
- The RTO Learning Delivery Quality Manager will make every effort to resolve the disciplinary action internally between the parties involved.
- If the action cannot be resolved internally, an independent person will be approached immediately to act as an impartial arbitrator.
- The Participant will be consulted about the selection of the independent arbitrator.
- Both the Participant and the Facilitator may nominate a chosen representative to act on their behalf in any subsequent discussions or arbitration.
- The outcome of any discipline procedure will result in one of the following:
 - The Participant may continue in the course
 - The Participant may choose not to continue with the course
 - The Employer may choose to withdraw the Participant from the training course
 - LMA may terminate the Participant's enrolment.

Please also refer to the LMA Assessment Policy for information on disciplinary procedures that apply to assessment misconduct, including plagiarism and submitting work of another Participant or person as your own work.

If you are undertaking the qualification under the auspices of your employer, you remain subject to the disciplinary policies and procedures of your employer.

13. Withdrawal and Refunds from Courses or Programmes

The following refunds are available for courses or programmes.

Domestic students are entitled to a refund if they withdraw from a programme or training scheme as per [section 235 of the Education Act 1989](#), and if:

- the course is of three months duration or more
- the withdrawal occurs up to the end of the eighth day after the start of a course.

LMA will refund an amount equal to the sum of the amount paid less a deduction of the lesser of 10 per cent of the fees paid or \$500.

For courses under 3 months under section 235(1A) of the Education Act 1989:

Course length	Withdrawal period	Refund amount
For courses of two days or less	None	Any refund is at the PTE's discretion
For courses of more than two days but under five weeks	Up to the end of two calendar days of the course commencing	A minimum of 50% of the amount the student paid in respect of the course
For courses of five weeks or more but less than three months	Up to the end of five calendar days of the course commencing	A minimum of 75% of the amount the student paid in respect of the course

The following refund conditions apply for courses with a duration of greater than three (3) months.

Should LMA cancel or postpone any course, Participants are able to re-enrol into the next available course as a refund in this instance does not apply. Where the client, in consultation with LMA, pays a deposit of 10 - 50% and the potential Participant(s) cannot attend, the client will replace the Participant(s) with another one, or re-enrol the original applicant(s) into a future course, as a refund in this instance also does not apply. There is no refund available for any LMA courses once the Overview date of the course has passed, with the exception of courses with a duration of less than three (3) months.

13.1. Special Refund Conditions for new Clients enrolling Participants into The Performance Edge Course (Only)

The following terms and conditions the enrolment fees for new Clients will be refunded in full, if at the conclusion of the Mid-Term Review Meeting, they are not satisfied with the results received:

- The Client enrolls a minimum of two (2) and a maximum of four (4) Participants into The Performance Edge course
- The enrolment fees are paid prior to commencement of the course
- The Participants and their Manager/Mentor attend the Overview Meeting on the actual course commencement date
- The Participants actively take part in the workshops and complete the activities and Feedback Online requirements
- The Manager/Mentor supports the Participants as requested through the use of the Feedback Online system and meets with Participants after each module to review the content, relevance and application to their work environment.

14. Privacy Act and Freedom of Information

14.1. Participant Records and Privacy

LMA collects and securely safeguards the personal information necessary for the creation and maintenance of Participant records. This information includes all personal information collected on your enrolment form as well as attendance records, assessment results and program evaluations.

LMA is required to provide Government Authorities such as NZQA with Participant and training activity data.

Course progress and attendance information may be disclosed to the Participant's employer, where the Employer is paying for the program, or where the Participant is undertaking the training through a traineeship. With the exception of Employers as mentioned above, information is not disclosed to any other person, without the Participant's written permission unless LMA is required to do so by law. If you consent to disclosure of information, this consent is kept on the Register of Consent.

LMA may take photos of Participants and/or their project work for the purpose of documenting assessment activities. Occasionally, photographs may also be used for publicity purposes. The names and details of Participants in photos are not released or published.

Staff members will always identify when they are taking photos so Participants who don't wish to have their photo taken can exclude themselves from the photo. If you do not wish to be photographed please ensure you advise the staff member at the time the photo is being taken to ensure you are excluded from the photo.

Refer to LMAs Privacy Policy on our website <https://leadershipmanagement.co.nz/>

14.2. Access to Records

You have the right to access your current records of participation and progress, and to correct any personal information held about you.

To access your Participant records you must do so in writing together with proof of identity. LMA will process your request within ten (10) working days.

15. Legislative Requirements

LMA will meet all legislative requirements including those relating to:

- Education Act 1989
- Occupational Health and Safety legislation
- Workplace harassment, victimisation and bullying legislation
- Anti-discrimination, including equal opportunity, racial vilification, disability discrimination legislation
- Privacy Legislation
- Access and Equity legislation/New Zealand Bill of Rights legislation