

## Code of Practice

# Leadership Management Australasia

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## Document Control Sheet

### *Revision History*

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2.0	17/7/2008	Shane Lee/ Jan Crittenden	Updated for AQTF 2007 requirements, reformatted.
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4.0	6/05/2010	Jenny Ward	Updated information regarding RPL and Credit Transfer , fees and plagiarism policy. Table of Contents added
5.0	18/05/2010	Shane Lee	Updated AQTF information – incorporated items from the AQTF Quality Manual into the Code of Practice. (AQTF Quality Manual has now been deleted).
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## **Introduction**

This Code of Practice provides the basis for best practice in the marketing, operation, financing and administration of education and training services by LMA, under the auspices of the Australian Skills Quality Authority (ASQA) and the New Zealand Qualifications Authority (NZQA).

For the purposes of this Code “Participant” refers to any person participating in training delivered by this organisation. A “Client” is a person or organisation who may enter into a contract with this organisation for the delivery of training and/or services.

## **Admission Process**

Recruitment of Participants will be conducted at all times in an ethical and responsible manner that is consistent with the principles of social justice.

Recruitment of Participants will comply with equal opportunity legislation and all other relevant legislation.

Potential Participants will be given a clear indication of the existing skills and knowledge required to achieve the stated outcomes.

Participants will be enrolled in training courses on a first-come-first-serve basis.

## **Course Information**

LMA will set out detailed, relevant and precise information to Participants relating to their course content, including all course competencies, vocational outcomes, fees and hours. A procedure for Recognition of Prior Learning (RPL) and Credit Transfer is available to all Participants on request and further information regarding the Recognition

## **Recruitment and Induction**

LMA will conduct recruitment of Participants in a fair and accountable manner and in line with Equal Opportunity Legislation. Participant assessment will be based on the competency standards for entry into each course, given the applicants’ qualifications, ambitions and proficiencies. All Participants will be given a copy of this Code of Practice or may download a copy from our website – [www.leadershipmanagement.com.au](http://www.leadershipmanagement.com.au)

Prior to the commencement of any training course conducted by LMA, an Overview Session is held for Participants. The purpose of the Overview Session is to ensure that all training and assessment information is provided prior to the commencement of the course.

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Participants will receive the following materials and/or information in this Overview Session:

- Course Resource Materials
- Assessment processes
- Course Timetable
- Information on Recognition of Prior Learning (RPL) and Credit Transfer
- Complaints and Appeals Procedure
- Fees and Refunds Procedure
- Participant responsibilities in relation to training and assessment
- LMA responsibilities in relation to training and assessment
- Information on relevant legislation
- The credential to be issued to the Participant on completion or partial completion of the course
- Details of facilities and equipment

All information will be regularly reviewed to ensure its accuracy and relevance.

## **Marketing and Advertising**

LMA markets its vocational education and training products with integrity, accuracy and professionalism, avoiding vague and ambiguous statements. In the provision of information, no false or misleading comparisons are drawn with any other training organisation or training product.

Marketing and advertising materials will not include any reference to clients or Participants without their prior written permission.

Marketing and advertising materials will conform to the standards required of RPrivate Training Establishments, particularly:

- clearly identify which courses are nationally recognised within the scope of our registration
- advertise only those NZQA qualifications or course competencies we are registered to issue
- comply with the names and titles of courses as endorsed or recognised by the relevant bodies
- provide clear course information, including actual content and vocational outcomes

## **Strategies for Flexible Training Delivery and Assessment (including re-assessment)**

LMA has developed learning and assessment strategies for each course/qualification and accredited course on our scope of registration that clearly identifies proposed target groups, learning and assessment methods, re-assessment, assessment validation processes and pathways.

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LMA has personnel with appropriate qualifications and experience to deliver the training and facilitate the assessment relevant to the training products offered. Assessment will meet the Rules of Evidence and the Principles of Assessment (including Recognition for Prior Learning). First rate facilities, equipment and training materials will be utilised to ensure the learning environment is conducive to the success of Participants.

- Facilitators will be skilled in vocational training techniques and have a thorough knowledge of topics being delivered, will have relevant vocational competencies.
- Facilitators will demonstrate current industry skills relevant to the training being delivered and will continue to develop their vocational education and training (VET) knowledge and skills.
- LMA will ensure that assessments are conducted by a person who has as a minimum the Assessor Skills Set or be studying towards achieving it:
- Or the Certificate in Adult Education and Training (Level 3) (NZQA) or equivalent.
- LMA incorporates adult learning principles throughout the delivery of its training courses. Participants are encouraged to take responsibility for their own learning and to actively participate in the learning and assessment process
- Delivery methods and assessments will incorporate a variety of methods to ensure a safe, equitable, participatory and stimulating training environment. Assessment tools are closely linked to both the training course and workplace requirements
- All training notes will be written in plain English. Notes will be in a format that encourages Participants to take notes and modify techniques to their specific situation
- The health and safety of Participants will be the primary consideration when selecting venues
- Training will be designed to meet the identified needs of Participants
- All personal information gained through questionnaires, activities and general discussion will remain confidential unless permission to disclose this information is granted by the Participants
- LMA will offer Participants the opportunity to apply for Recognition of Prior Learning.

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## **Deferment of Training**

For a Participant to be able to carry through credits for the work they have completed, there is a six (6) month deferment time-line for the period between when the Participant defers and when they may re-commence their course. The Participant must complete a "Participant Deferment/Transfer Application Form" and pay the appropriate Deferment/Transfer Fee (refer Deferment/Transfer Fees document). If the period is beyond 6 months they will be re-enrolled as a new Participant and will be required to re-do the course work. This will attract an additional standard facilitation fee. In the case where a Participant is no longer employed by the employer, so does not request a deferment, LMA will submit the unit standards that have been successfully completed. There is no cost to Participants for submitting results, provided all course fees have been paid.

All LMA courses must be completed with the nominal duration set for the qualifications by the government. In most cases, the maximum number of times a Participant can defer from a course within the nominal duration is twice. Participants who do not re-enrol to complete their course within the nominal duration will be required to re-commence their course as a new enrolment.

## **Assessments conducted at LMA**

- Assessments undertaken will be consistent with Rules of Evidence and the Principles of Assessment and Course Marking Guides
- LMA will provide valid and reliable assessments of achievements against industry competency standards or units of competency from accredited courses within the scope of our registration
- LMA will offer a variety of assessment options appropriate to the qualification outcome.
- LMA will offer on a needs basis opportunities to discuss recognition of Current Competencies (RCC) and/or Recognition of Prior Learning (RPL)

## **Assessment Appeals**

Appeals are deemed to be dissatisfaction with the procedures, quality or outcomes of the assessment process. An appeal is deemed to be formal when it is made in writing to LMA.

- (i) each appeal and its outcome, is recorded in writing.
- (ii) each appeal is heard by an independent person or panel.
- (iii) each appellant has an opportunity to formally present his or her case
- (iv) a re-assessment will be carried out, if necessary
- (v) each appellant is given a written statement of the appeal's outcomes, including reasons for the decision.

If the Participant is not satisfied with the appeal process, LMA will refer the matter to a mutually agreed, impartial, accredited assessor for re-evaluation.

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## **Recognition of qualifications issued by other Tertiary Education Institutes (TEI's) (Credit Transfer arrangements)**

LMA recognises the Qualifications and Statements of Attainment issued by any other TEI.

The Participant shall provide original documentation to the LMA Facilitator who will verify the authenticity of the Qualification or Statement of Attainment. A copy of the Qualification or Statement of Attainment will be retained by LMA and placed in the Participant's file. The Participant shall be given credit for all of the direct correlation of units of competencies or for the full Qualification. Where there is no direct correlation, the process of RPL shall be conducted.

## **Learning Environment & Access and Equity**

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

LMA is committed to providing a learning environment which is free from discrimination and harassment and abides by the the principles of access and equity. LMA will ensure its training and assessment courses are relevant, fair and inclusive by promoting our courses to the community in a manner that includes and reflects the diverse client population, to ensure that all prospective clients such as indigenous peoples, people from culturally and linguistically diverse backgrounds, people with disabilities, clients in remote locations and youth are well informed on the options available to meet their individual training needs. LMA complies with all requirements of the New Zealand Equal Opportunity Act and takes into account the Human Rights and Responsibilities Act when developing policies and delivering services.

Provision for language, literacy and numeracy assistance is available on request for all fee for service enrolments.

LMA will comply with all laws relevant to occupational health and safety and fire safety regulations and the LMA OHS Policy (Facilitators and Coaches) to ensure that the training premises are of a proper size and have appropriate heating, cooling, lighting and ventilation. The LMA OHS Policy (Facilitators and Coaches) also ensures that training facilities, equipment and resource materials are acceptable for the courses being delivered, are maintained in good order and that any hazards, risks and incidents are recorded, reported and acted on.

As an NZQA accredited PTE, LMA is required to abide by the National Privacy Principles as set out in our Privacy Statement. It is our internal policy that Participants can access personal information held by LMA. As set out on enrolment forms, LMA may be required to provide government departments with Participant and training activity data, which may include information provided on the enrolment forms. This

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information may be used by governments for issuing of unit standards, planning, administration, policy development, program evaluation, communication, resource allocation, reporting and/or research activities.

LMA's Feedback Online (FBOL) system provides all Participants with timely access to current and accurate records of their personal details, participation and progress. The online competency log in FBOL provides up to date information relating to the attainment of competency. Feedback on progress from Facilitators, Coaches and Manager/Mentors is also provided via FBOL.

Participants may request corrections to personal information that is incorrect or out of date. This information can be updated by lodging a request with the LMA Learning & Delivery Quality Manager.

## **Complaints Policy**

Any person wishing to make a complaint against LMA concerning its conduct as a PTE, whether a grievance, appeal or other matter, will have access to the complaints procedure. All formal complaints will be heard and decided within 15 working days of the receipt of the written complaint by LMA at the address: 1400 Malvern Road, Glen Iris, Victoria 3146. The LDQM will keep a 'Complaints Action Register' which documents all formal complaints and their resolution.

### **Complaints procedure**

Persons with a complaint concerning the manner that LMA conducts its responsibilities as a PTE, have access to the following procedure:

#### **Informal complaint**

The initial stage of any complaint will be for the complainant to communicate directly with the operational representative of the organisation, e.g. the Facilitators, who will make a decision and record the outcome of the complaint:

- person(s) dissatisfied with the outcome of the complaint to the Facilitators may then complain to the LDQM, who will make a decision and record the outcome of the complaint
- person(s) dissatisfied with the outcome of the complaint to the LDQM may initiate a 'formal complaint'.

#### **Formal complaint**

- formal complaints may only proceed after the informal complaint procedure has been finalised
- the complaint and its outcome will be recorded in writing
- on receipt of a formal complaint the MD will convene an independent panel to hear the complaint; this will be the 'complaint committee'
- the 'complaint committee' will not have had previous involvement with the complaint and should include representatives of:
  - Industry or enterprise PTE management personnel
  - an independent person/s

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- the complainant will be given an opportunity to present his/her case to the committee and may be accompanied by one other person as support or as representation
  - the relevant staff member will be given an opportunity to present his/her case to the committee and may be accompanied by one other person as support or as representation
  - the complaint committee will make a decision on the complaint
  - the complaint committee will communicate its decision on the complaint to all parties in writing within five (5) working days of making its decision.

## **Participant Complaints and Appeals**

LMA has in place a process and procedure for fair and equitable settlement of actual or perceived Participant complaints. If a settlement cannot be agreed upon between the two parties, Participants will be referred to the appropriate professional or government department. In New Zealand, you may lodge a formal complaint in writing to NZQA if your complaint is not resolved to your satisfaction.

- LMA recognises the right of a Participant to lodge a complaint
- If a Participant wishes to lodge a complaint against any staff member, the Participant, or their chosen representative should make a formal or informal approach, to the CEO
- If the complaint involves the Facilitator, the approach needs to be made to the Facilitation/Coaching Co-ordinator
- If the complaint is lodged informally, the Facilitation/Coaching Co-ordinator will immediately clarify the matter in writing and forward a copy to the Participant and any chosen representative for confirmation
- Any complaint and the process of its resolution will remain confidential between the parties involved
- 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
- The Facilitation/Coaching Co-ordinator will make every effort to resolve the complaint internally between the parties involved
- If the complaint cannot be resolved internally, an independent Facilitator will be approached immediately to act as an impartial arbitrator
- The Participant will be consulted about the selection of the independent arbitrator

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- 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.

## **Continuous Improvement Policy**

As per the Standards for Private Training Establishments the CEO and LDQM are responsible for ensuring that internal audits are conducted and opportunities for improvement are acted upon. The results of our latest NZQA EER reports can be provided by contacting the NZ Quality Assurance Manager on 0274481518 or the Learning and Delivery Quality Manager (LDQM) on 03 98221301.

The LDQM, QAM and the Delivery Quality Team will collect and analyse stakeholder and Participant feedback annually as part of the internal review. Feedback from course evaluations will also be reviewed on a weekly basis. This information will be used to focus continuous improvement in training and learning strategies. The management team will use this data to inform its focus on continuous improvement.

## **Disciplinary Procedures**

If a Participant's action at training creates or increases a health and safety risk to themselves or others, fails to perform activities/tasks in accordance with the training program and instructions of Facilitators or acts in a wilfully negligent way the disciplinary procedure shall be used.

- 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 Facilitation/Coaching Co-ordinator
- If the discipline notice (written notice) is lodged informally, the Facilitation/Coaching Co-ordinator 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 Facilitation/Coaching Co-ordinator 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

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- The outcome of any discipline procedure will result in one of the following:
    - The Participant may be taken out of group training for one on one sessions
    - The Participant may choose not to continue with the course
    - The Employer may choose to withdraw the Participant from the training course

The CEO may also be called upon to discuss the issue and corrective action on an informal basis where the issue is not of a serious nature.

Please also refer to the LMA Assessment Policy for information on disciplinary procedures that apply to assessment misconduct, including plagiarism and collusion.

## **Fees & Charges**

LMA will ensure that all costs involved with its training services are provided to Clients and Participants prior to the commencement of any training and/or assessment services. All LMA course fees and assessment services can be provided when requested. Fees relating to deferments are provided on the "Participant Deferment/Transfer Application Form".

## **Refund Policy**

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.

On 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 *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.

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## **Legislative Requirements**

LMA will meet all legislative requirements pertaining to its operations in New Zealand. In particular, Workplace Health and Safety, Workplace Relations and Vocational Placement Standards will be met at all times.

We will ensure that Workplace Harassment, Victimisation and Equal Employment Opportunity information is available to Participants and staff members alike. Other legislation and regulations that LMA abides by includes:

- Occupational Health and Safety legislation
- Workplace harassment, victimisation and bullying legislation
- Anti-discrimination, including equal opportunity, racial vilification, disability discrimination legislation
- Privacy Legislation
- Anti-Bullying and Harassment Policy
- Access and Equity legislation

## **Issuance of Qualifications and/or Credits (NZ )**

For all courses that are mapped to unit standards, LMA will submit results to NZQA within 30 days of the completion of a course so that Participants receive recognition for the credits that have been achieved. LMA will liaise with NZQA to ensure that each Participant receives any formal qualification when enough credit points have been achieved.

## **Quality Management Focus**

LMA has a commitment to providing a quality service and a focus on continuous improvement. We value feedback from Participants, staff and employers for incorporation into future courses. LMA will conduct monthly, quarterly and yearly internal audits across all areas of its operations and will collect and analyse feedback. Staff development and succession planning is also key to our continuous improvement process and strategy. The ongoing professional development of Facilitators, Course Coaches and Manager/Mentors will also form part of LMA's continuous improvement policy.

## **Client Service & Participant Welfare**

We have sound management and administration policies and practices to ensure effective client service. In particular, we have client service standards to ensure the timely issue of Participant assessment results and qualifications. These will be appropriate to competence achieved and issued in accordance with national guidelines. Our quality focus includes an Assessment Policy, a Recognition Policy, a fair and equitable Refund Policy, a Complaints and Appeals Policy, an Access and

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Equity Policy and Participant welfare and guidance services. Our enrolment process includes a pre-training review that allows Participants to articulate any special needs they have or support they require. Where necessary, arrangements will be made for those Participants:

- requiring literacy and/or numeracy support programs; or
- requiring reasonable adjustment to our assessment processes

We will take every opportunity to ensure that this information is disseminated, understood and valued by personnel, clients and Participants.

Our Participant information will ensure that all fees and charges are known before enrolment, that course content and assessment procedures are explained and that vocational outcomes are outlined.

LMA does not require or permit students to attend scheduled classes (including time allocated for self paced or online studies) for more than eight hours (or outside of 0800hrs to 2200 hrs) in any one day. Please refer to our Learning & Assessment Strategies for more detailed information.

During the Course Overview, our Facilitators detail any relevant security /safety measures to be taken to maximise Participant security and safety in attending and in travelling to/from the our premises, and provide additional information about the security/safety measures available to Participants prior to and after enrolment.

## **Version Control and Records Management Policy**

LMA has effective administrative and records management systems in place to secure the accuracy, integrity and currency of records, to keep documentation up to date and to safeguard any confidential information obtained by the organisation and committees, individuals or organisations acting on its behalf. Refer LMA Quality Documents, Records and Materials Register and the Risk Management Strategy.

## **Record-keeping procedures**

LMA keeps complete and accurate records of the attendance and progress of Participants, as well as financial records that reflect all payments and charges and the balance due, and provides copies of these records to Clients on request. Clients wishing to obtain a copy of their records must do so in writing together with proof of identity. The LMA Resource Centre will process your request within ten (10) working days. LMA documents and implements procedures to assure the integrity, accuracy and currency of records at all times. We ensure all records are stored securely (including backup of) and our systems allow for effective retention, archiving and retrieval of sufficient information on Participants at all times. We have systems in place for the following:

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- safe backup of records and the record keeping system, (FBOL, enrolments, Participant attendance, assessment records and tools, Qualifications/Statements of Attainment issued, RPL applications, complaints and appeals records etc.)
  - the retention, archiving, retrieval and transfer of all other records consistent with contractual and legal requirements and the requirements of the state or territory registering body
  - safeguarding any confidential information obtained by LMA and committees, individuals or organisations acting on our behalf
  - ensuring information about a Participant is not disclosed to a third party without the written consent of the Participant and they have access to their personal records.

Records are kept and maintained including:

- Participant enrolments through the online system
- evidence of staff qualifications and experience are held by the LDQM. It is the Facilitator's responsibility to maintain their records of currency and pass this information onto the LDQM.
- fees paid and refunds given
- all documentation necessary to develop, implement and maintain LMA's quality system.

The *'Register of Complaints'*, *'Register of Qualifications Issued'*, *'LMA Quality Documents, Records and Materials Register'*, *'Register of Consent'*; and the *'Register of MOU's'* are held in the Support Centre.

Records of results, qualifications and Statements of Attainment for Participants currently enrolled are stored electronically at Support Centre. Electronic files are kept up to date and backed up regularly. *Refer to Risk Management Strategy*

Qualifications are issued on completion of courses or within 21 days of a Participant completing the training.

#### **Archiving of records:**

- Participant's completed assessment items – March 31 of the following year
- assessment instruments – 7 years
- Participant results – 30 years
- records of qualifications – 30 years.
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*Refer Facilitation and Assessment Responsibility Flow-Chart*

All results will be recorded and kept up to date on the online management system.

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## **Confidentiality procedure**

Information about a Participant, except as required by law or as required under the Standards for NZQA registered PTE's is not disclosed without the Participant's written permission. Where a Participant consents to disclosure of information, this consent is kept on the 'Register of Consent'. Participants have access to their personal records. People external to the organisation who act on its behalf, e.g. on complaints committees or technical experts in internal audits, are made aware of these procedures before they begin work with LMA.

Refer to LMAs Privacy Policy on our website

## **Version control procedure**

LMA utilises version control procedures for managing materials that relate to its scope of registration (including Training Packages, accredited course documents and learning/assessment materials). The LDQM will authorise the issue of all documents, course materials etc relating to LMA's PTE scope of registration. LDQM will ensure that the latest versions are being used via version control identifiers on all training and assessment materials.

*Note that the 'LMA Quality Documents, Records & Materials Register' will be updated every time an update is made to any of the documents that relate to a particular course. The LDQM maintains this Register and it records all documents held within the organisation.*

Electronic master files of all documents and/or training materials must be maintained by the LDQM. Record of version control must be applied within the document when changes occur to any of the training documentation. Electronic copies of this document as well as RTO relevant forms, course materials, marketing materials can be accessed via S Drive: s\AQTF\Internal Audit Compliance\LMA Compliance Documents.

## **Internal Review Policy**

All aspects of LMA's operation as an PTE will be reviewed at least once each year using the LMA Annual Self-Assessment Plan The CEO must sign-off compliance with the standards identified during the internal reviews and ensure recommended improvements are implemented.

The QAM and LDQM are responsible for coordinating the review process and may use internal or external resources as required to assist with the process. A review team consists of one or more people with the necessary skills and knowledge to carry out the review.

### **Internal review procedure**

When conducting internal reviews, LMA personnel will complete the Internal Review A Checklist and Internal Review Results Report by collecting objective evidence. They will use the following processes to ensure that the stated policies and procedures of the organisation are being circulated, understood and implemented consistently throughout LMA and that these procedures are compliant with the Standards for NZQA Registered PTE's.

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- examining documents and systems such as policies and procedures, Participant instructions, relevant components of Annual Operational Plans, Facilitator/Assessor qualifications
  - examining records of actual training conducted
  - perusing a sample of Participant files
  - analysing resources for delivery and assessment required by the relevant Training Package or course, including assessment tools
  - questioning the auditee to further explore evidence
  - holding interviews with Management, Facilitators, Participants and any other stakeholders
  - observing processes such as assessment and learning activities; and
  - looking at facilities and observing training and assessment activities.

The CEO, QAM and the LDQM will review internal review reports to ensure ongoing compliance with the standards. They will act on all opportunities for improvement.

## **Management and Administration**

LMA has policies and management strategies that ensure sound financial and administrative practices. Management guarantees the organisation's sound financial position and safeguards any Clients' fees until used for training/assessment. As stated, we have a Refund Policy, which is fair and equitable. Participant records are managed securely and confidentially and are available for Participant perusal on request. LMA has adequate insurance policies.

## **External Review**

LMA has agreed to participate in external monitoring and review processes required by NZQA. This covers random quality reviews (internal and external), reviews following complaints and reviews for the purposes of continual registration status.

**LMA will honour all guarantees outlined in this Code of Practice.**

