

Commitment Statement of the Board of Directors of LCL Awards

The Board of Directors (BoD) is committed to ensuring that LCL Awards continues to be a competent business able to meet its legal and business obligations and objectives whilst ensuring that it has the capability and capacity to build upon its current position in the marketplace and to grow and prosper the business even further.

To assist in meeting that commitment, the BoD endorses the following commitments and responsibilities.

The Board of Directors of LCL Awards

The Board of Directors (BoD) is responsible for all matters pertaining to;

- (a) Business development strategy.
- (b) The operational performance of LCL Awards.
- (c) Legal and financial controls.
- (d) Setting, reviewing, and measuring business performance targets.
- (e) Identifying and reviewing new business opportunities.
- (f) Ensuring that LCL Awards remains compliant with all regulatory and legal requirements in the conduct of the business.

Ensuring where there is a change of control in relation to LCL Awards, the BoD will;

- (a) Take (and procure that every other relevant person takes) all reasonable steps to ensure that the change of control does not have an Adverse Effect or significant non conformance and
- (b) Where required, put in place a plan designed to ensure that the interests of learners will be protected.

Ensuring that LCL Awards has the capacity to undertake the development, delivery and award of Managed Learning Programmes (MLP), courses and qualifications which LCL Awards makes available, in accordance with its conditions of recognition or accreditation.

Ensuring that LCL Awards has available sufficient financial resources and facilities to enable it to develop, deliver and award MLP, courses and qualifications in accordance with its conditions of recognition.

Ensuring LCL Awards establishes and maintains;

- (a) Arrangements which will ensure that it retains at all times a workforce of appropriate size and competence,
- (b) Arrangements for the retention of data which will ensure that adequate information is available to it at all times,
- (c) Arrangements which will ensure that sufficient technical equipment and support is available to it at all times,
- (d) Appropriate management resources, and
- (e) Appropriate systems of planning and internal control.

Ensuring that an individual is at all times appointed to act as its Responsible Officer.

The BoD will;

- (a) Regularly review its ongoing resource requirements and make appropriate changes to take into account the findings of each review, and
- (b) Adequately plan any new developments which LCL Awards proposes to introduce, and allocate sufficient resources to ensure that such developments are effectively introduced.

The BoD will ensure that, where;

- (a) The LCL Awards Responsible Officer makes a statement to a qualification regulator or accreditation body (other than one which is required to be made by the (BoD), the qualification regulator or accreditation body will be entitled to rely on that statement as being accurate and made on behalf of LCL Awards.
- (b) The qualification regulator or accreditation body gives to its Responsible Officer a statement, request, or notice addressed to LCL Awards, the regulator or accreditation body will be entitled to treat that statement, request, or notice as having been given to LCL Awards.

The BoD is responsible for identifying, declaring and mitigating any personal, vested or conflict of interest between LCL Awards and other businesses owned by LCL Awards shareholders.

The BoD will ensure that there are proper risk management and internal control mechanisms in place and which are implemented across all aspects of the business.

The roles and responsibilities.

The roles and responsibilities of the BoD are to ensure that the day to day activities of LCL Awards are conducted in accordance with the overall strategic aims and objectives of the business. The executive directors of the board have specific areas of responsibility within the business, those responsibilities are;

- a) Strategic business planning.
- b) Sales & marketing
- c) IT support.
- d) Human resources,
- e) Financial and data control

The BoD has appointed the Operations Director (OD) as the responsible officer and single point of responsibility for the operations, quality standards, performance, and conduct of LCL Awards in delivering and awarding qualifications, and all other regulated activities for which the qualification regulators recognise LCL Awards.

The Company Secretary (CS) is responsible for ensuring proper and legal financial controls are in place and operated by LCL Awards. The CS has no direct responsibility in the day to day business of LCL Awards operations.

The BoD has the accountability and responsibility to ensure the effective governance of LCL Awards by ensuring;

Its suitability for continuing recognition and or accreditation

LCL Awards will not, by means of any act or omission which has or is likely to have an Adverse Effect, a significant non conformance, render itself unsuitable to continue to be recognised or accredited for the award of a relevant qualification.

For these purposes, an act or omission may include in particular one which results in LCL Awards;

- (a) Being convicted of a criminal offence,
- (b) Being held by a court or any professional, regulatory, or government body to have breached any provision of Competition Law, Equalities Law, or Data Protection Law,
- (c) Being held by a court or any professional, regulatory, or government body to have breached a provision of any other legislation or any regulatory obligation to which it is subject, or
- (d) Becoming insolvent or subject to corporate financial restructuring.

Ensuring the suitability of Senior Officers

LCL Awards will ensure that each of its Senior Officers is at all times a person suitable to be engaged in that role in LCL Awards that is recognised for the award of the relevant qualifications.

For these purposes, a Senior Officer may in particular be unsuitable for that role by virtue of;

- (a) Any criminal convictions held by him or her,

- (b) Any finding by a court or any professional, regulatory, or government body that he or she has breached a provision of any legislation or any regulatory obligation to which he or she is subject,
- (c) Any proceedings in bankruptcy or any individual financial arrangement to which he or she is or has been subject,
- (d) Any disqualification from holding the directorship of a company or from public office, or
- (e) Any finding of malpractice or maladministration, in relation to a qualification (whether a regulated qualification or a qualification which is not regulated), to which he or she is or has been subject.

LCL Awards senior officers' sign a declaration annually of their suitability and in the interim bring to the attention of the BoD any changes affecting that suitability.

Safeguards on change of control

Where there is a change of control in relation to LCL Awards, it will;

- (a) Take (and procure that every other relevant person takes) all reasonable steps to ensure that the change of control does not have an Adverse Effect or cause a significant non conformance, and
- (b) Put in place a plan designed to ensure that the interests of learners will be protected.

Review of approach

LCL Awards keeps under review, and enhances where necessary, its approach to the development, delivery and award of courses and qualifications, so as to assure itself that its approach remains at all times appropriate.

LCL Awards has due regard to all information, comments and complaints received from users of qualifications in relation to the development, delivery and award of courses and qualifications.

LCL Awards identifies and gives due regard to any credible evidence which suggests that a change in its approach to the development, delivery and award of courses and qualifications is required in order to ensure that the approach remains appropriate.

Where an event relating to LCL Awards (or an event, of which it is or should be aware, relating to any other awarding organisation or certification body) has had an Adverse Effect or causes a significant non conformance, LCL Awards will review and revise where necessary its approach to the development, delivery and award of courses and qualifications to ensure that its approach remains appropriate.

Compliance of qualifications with regulatory documents

LCL Awards ensures that any course or qualification which it makes available, complies with any requirement relating to that course or qualification which is set out in a regulatory document.

LCL Awards ensures that in the development, delivery and award of any course or qualification which it makes available, it has regard to any guidelines and principles of good practice relating to that course or qualification which is set out in a regulatory document.

LCL Awards undertakes to;

Operate a system that meets the needs of learners and candidates.

Develop and maintain examination and assessment arrangements for courses and qualifications, submitting courses and qualifications for recognition and or accreditation, examining and assessing learner achievement reliably, consistently and independently from any external influences.

Make examinations and assessments available to all learners who wish to undertake such examinations and assessments provided they meet any entry requirements for access

Conduct examinations and assessments according to the requirements of the course or qualification.

Apply the LCL Awards diversity and equality policy to ensure that all learners with the relevant competence can have their achievements certificated.

Operate its activities in such a manner that gives learners and stakeholders confidence, trust and reliability in LCL Awards certificated learners.

Provide cost effective, competitive and value for money examinations, assessments and certification through a network of approved centres.

Conduct its business in a manner that is compliant with relevant safety, diversity and equality and data protection legislation.

Conduct its business in a courteous, professional and efficient manner.

Monitor and analyse its performance on an ongoing basis in order to identify areas for improvement.

Have procedures in place to monitor compliance with regulated documents.

Provide opportunities for learners to contribute to the review and evaluation processes in place and for learners to support continuous improvement of the business of LCL Awards.

Provide details of the outcome of its review and evaluation activities to the qualification regulators or accreditation body as required.

Allow the qualification regulators or accreditation body unfettered access to premises, meetings, documents and data relating to the function it performs.

The BoD has delegated the following corporate responsibilities to the Operations Director (OD)

The OD is responsible to and reports directly to the BoD.

The OD is responsible for ensuring that all quality and operational quality management standards, processes and procedures are adhered to and maintained as appropriate and in accordance with;

The Ofqual & CCEA Regulation General Conditions of Recognition in England and Northern Ireland and the Standard Conditions of Recognition in Wales including any statutory guidance issued by the regulators.

BS EN ISO/IEC 17024:2012 General Requirements for Bodies Operating Certification of Persons including qualification specific operational rules and guidance.

LCL Awards and Approved Centre Quality Management Systems.

The examination and assessment criteria.

The Rules of Combination for each qualification.

Other scheme or qualification rules within the scope of LCL Awards accreditation

Any changes subsequently made to any of the above documents.

LCL Awards Employees Terms and Conditions of Employment and Job Description.

The OD is also responsible for;

Conducting line manager annual performance appraisals.

Ensuring staff development, learning and performance appraisals are conducted by line managers and for monitoring the ongoing performance of staff.

Providing the BoD with reports from Standardisation and Management Review meetings.

Notifying the qualification regulators and accreditation body of key information including;

- (a) LCL Awards ownership and arrangements for governance of any regulated functions and the named single point of accountability.
- (b) The names of individuals responsible for maintaining the quality of the regulated and accredited functions, including a single named point of responsibility.
- (c) The management structures used to control the delivery of regulated and accredited functions.
- (d) Monitoring and reporting to the LCL Awards BoD the affects of other known LCL Awards business streams which could create a conflict of interest or compromise the integrity of courses and qualifications.

The approval, suspension and termination of centres.

The OD is the named single point of responsibility for LCL Awards MLPs, courses and qualifications.

The OD serves as the authoritative point of contact for the qualification regulators and accreditation body in relation to all activities undertaken by LCL Awards which are of interest to the regulators or accreditation body, including in particular;

- (a) Any matters relating to LCL Awards compliance with its conditions of recognition and accreditation,
- (b) LCL Awards ability to undertake the efficient development, delivery and award of MLPs, courses and qualifications,
- (c) The standards of MLPs, courses and qualifications that LCL Awards makes available or proposes to make available,
- (d) Any matters which may affect public confidence in MLPs, courses and qualifications, and
- (e) The accessibility of MLPs, courses and qualifications LCL Awards makes available, including its compliance with equalities law.

The OD will provide to the Qualification Regulators an annual statement. The statement will specify either;

- (a) That LCL Awards is fully compliant with its Conditions of Recognition at the date of the statement, or
- (b) That LCL Awards is not so compliant, in which case the statement must describe each instance of non-compliance and the date by which the awarding organisation expects to rectify the failure.

The statement will also specify either;

- (a) That LCL Awards has no cause to believe that it will be likely to fail to comply with any of its Conditions of Recognition during the period of twelve months immediately following the date of the statement, or
- (b) That LCL Awards does have such a cause for belief, in which case the statement must describe each instance of potential non-compliance, the grounds for believing it to be likely to occur, and the steps being taken by the awarding organisation in relation to it.

The statement will be formally approved by the BoD as the governing body and formally signed by the Chair and Responsible Officer.

The statement will be made in any form and on any date as may be notified to LCL Awards by the qualification regulators.

The OD will provide notification to the qualification regulators of certain events which could or have had an “Adverse Effect”.

The OD will promptly notify the qualification regulators and accreditation body if LCL Awards is, or if LCL Awards has cause to believe that it is likely to be, subject to;

- (a) A material change in its governance structure or legal status,
- (b) A change of control,

- (c) A merger between it and another body, or
- (d) Any insolvency or bankruptcy proceedings.

The OD will seek approval from the qualification regulators where LCL Awards proposes to make available a qualification which is substantially different in type or content to any which LCL Awards has previously made available or is not currently recognised or accredited to award.

When the OD notifies the qualification regulators of an event, or as soon as possible afterward, the OD will also notify the regulators of any steps that LCL Awards has taken or intends to take to prevent the event having an Adverse Effect or to correct or mitigate that Adverse Effect if it occurs.

The OD will not delay making a notification to the qualification regulators because relevant information is unavailable, but will notify based on all the information at that time and provide further information to the regulators once it becomes available.

Where the qualification regulator serves a written notice on LCL Awards requiring LCL Awards to provide it with any information that it seeks for the purpose of performing its functions, the OD will comply with the terms of that notice.

The OD will ensure that all information provided to the qualification regulator is accurate and complete.

The OD will provide the qualification regulator with all such assistance as it may request for the purpose of undertaking, in accordance with its functions, an investigation into, or other monitoring in relation to, the activities of LCL Awards.

Where a regulatory document requires LCL Awards to take or to refrain from taking any action, the OD will ensure LCL Awards complies with that requirement.

Where a regulatory document sets out guidelines or principles of good practice in relation to any behaviour on the part of LCL Awards, the OD will ensure that LCL Awards has regard to those guidelines or principles before it engages in that behaviour.

The OD will ensure LCL Awards complies with the requirements of any relevant undertaking given to the qualification regulator.

The OD will take all reasonable steps to ensure that LCL Awards undertakes the development, delivery and award of MLPs, courses and qualifications efficiently.

The OD will ensure that the qualification regulator and accreditation body are informed in writing of the name of the person from time to time appointed as the LCL Awards responsible officer.

The OD is responsible for overseeing the management of the following functions;

- Administration
- Qualification management
- External quality assurance
- Technical standards and support
- Course and qualification development

Reviewed 02.03.2020 by S Mulvany

Reviewed March 2023

Eric Holland

Added significant non conformance to relevant paragraphs