

P5 S10 Workable Improvement Procedure



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1. PURPOSE OF PROCEDURE

The Workable Improvement Notice Procedure is a mechanism to facilitate the communication of areas identified as needing to be addressed and where improvements can be made. The notice is highlighting to the individual where there is a noncompliance. This procedure is to assist the recipient to properly understand the issue that has arisen and to provide guidance to address the issue to support a positive outcome.

Users of this policy should be fully aware of its purpose and how it links to risk mitigation. The forms relating to this policy addresses the following categories of risk:

1. Academic Risk

Academic risks are those associated with Forus Training's academic activity.

They are primarily concerned with areas such as research risks, teaching risks and can be influenced by political risks such as funding streams.

Reputational risks should also be considered as they give way to threaten the delivery of provision to learners; in terms of the quality of teaching and learning, insufficient teaching resources, the physical environment, inadequate, improper, inappropriate and/or unfair testing methods lacking consistency or compliance to accredited standards. The Learners position in having information to make informed choices, to feel confident and to feel in control; being listened to and talked to as an equal; being treated with honesty, respect and dignity are also areas of risk that require measuring. Those Learners who do not complete their programmes pose an academic risk in that, given their status, the provider may be tempted to expedite their completion at the expense of academic standards or norms. Teacher related risks refer to those trainers who are unable to disseminate information and/or impart knowledge. This also includes trainers who are using additional outdated, irrelevant or erroneous material. All of these risk variables affect the quality.

2. Commercial Risk

Risks which threaten the organisation's ability to deliver its services and serve the community.

Commercial risks include financial risks such as;

- insufficient registrations for programmes
- insufficient funds for research/scoping programme development
- continuous professional development (cpd) for trainers
- maintenance and development of quality systems (this could include externality in

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self-evaluation studies)

The unavailability of sufficient funds to support what the provider believes is the minimum necessary for its sustainable operation presents a grave risk to that provider.

This risk becomes aggravated if the shortage of funds continues over a long period of time.

In that case, either the provider may have to adjust its size, activities and aspirations to its financial capabilities - or it may go into bankruptcy.

This may mean the provider having to close down or, in the best case, reorganising the provision.

Mis-understanding or not being aware of the profile of local, regional and national competition also exposes the provider to risk - understanding key competitors weaknesses can enhance business performance.

3. Ethical Risk

These are those risks that relate to the core values of academic provision.

These risks include:

1. Plagiarism: using the work of others without giving them the proper credit (Trainers lack of referenced material and not appropriately promoting accurate referencing with learners).
2. Unethical research practices: ignoring safety rules, ignoring regulations and practices - in particular when it comes to research involving humans, misuse of research funds, untrue reporting of results, achievements or discoveries of un-informed consent and involvement, confidentiality, and harm to learners and other stakeholders.
3. Unethical exploitation of learners: for private purposes, unauthorized experiments, or assistance in teaching.
4. Unethical grading: allowing improper influences to dictate the grades given to learners. This risk may be the result of external influences (like trainers or management) or it may be the result of personal biases or preferences, unrelated to the learner's performance in the course.

4. Management & Leadership Risk

Further education and training has variable management structures than most other adult learning organizations, and thus has an added collection of risks, including two specific risks:

Inability to replace a poor performing employees/trainers in a timely manner (or at all, in some

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cases) in spite of clear evidence of non-performance.

This risk is the result of a multitude of current shortages in the adult learning teaching sector - we are currently experiencing high employment and a move towards increased permanent contracts with department of education providers (compared to contracted trainers in the privately owned sector of training and education).

It is difficult for a privately owned provider to offer permanent contracts to trainers as the provision of courses is much more limited and are supplied according to demand.

5. Legal & Insurable Risk

Effective management of insurable risk is crucial to the financial health overall quality assurance of a small privately owned training provider.

There are 4 main types of legal and insurable risk;

1. Personal Risk
2. Property Risk
3. Liability Risk
4. Employment Practices

Key examples of insurable risk include injury (after being exposed to a hazard), loss of life, health, fraud and loss of property from fire, weather, water damage and theft.

Forus Training must be diligent to claims management also.

Reputational risk may also be included (as a request) in liability insurance in the context of (online) defamation particularly as should invasion of privacy, copyright infringement, damages to intellectual property as well as non-compliance with regulatory provisions (such as Safety & Health in the Workplace).

6. Data Protection Risk - GDPR

Data risk management addresses data quality issues and threats that could exploit weaknesses and vulnerabilities on data held by the provider.

The implementation Data Protection Impact Assessment processes are to be adopted and conducted as a function of risk identification - per defined projects rather than organisational operations as a whole - and specifically against high risk projects.

The fundamental GDPR challenges for QQI providers arise from the collection of learner personal data specifically PPSN and DoB details for certification purposes.

QQI state in their notice to voluntary providers, August 2018 that providers ...cannot process

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this data, for example by accessing it or by storing it, except for the single purpose of registering the learner with QQI for the purposes of the making of the relevant award.

The PPSN should not be processed by you for any other purpose and should not be retained by you or in your records once used for the sole purpose for which it was collected.

The document also clearly states that providers must comply with the GDPR Legal Requirements by entering into a legal arrangement, the purpose of which is to obtain written and signed legal consent to collect such personal data solely for the purpose of which it is intended.

2. DEFINITIONS

Workable Improvement Notice (WIN) sets out minor breaches whereby a learner / staff member/ trainer has been found to have contravened a provision of policy and therefore has not taken appropriate / practical or reasonable steps to address the issue.

3. SCOPE

This procedure is applicable to learners, staff members and trainers.

4. ASSOCIATED POLICIES

[P2 S3 C1 Quality Policy](#)

[P1 S8 Risk Management Policy](#)

[P2 S2 C2 Dignity and Respect Policy](#)

[P2 S2 C3 Learner Code of Conduct](#)

[P5 S10 C1 Trainer Code of Conduct](#)

5. PROCEDURES AND PRACTICES

Please read in line with the associates form.

Section 1 2 and 3 - Issuing a WIN Notice

WINs are issued by a person who is in a position of authority and has sufficient evidence to reasonably believe that the notice is warranted.

WINs can be issued by the following personnel

- o Head of Centre
- o Head of Certification
- o Course Coordinator

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- o Operations Manager
- o Trainer to Learner (Minor breaches, attendance)

The form details the issue (categorised by risk area) and indicates appropriate remedial action with an associated time-frame. These time-frames are not definitive and are subject to change according to the reasons as to why a WIN has been deemed an appropriate corrective action strategy.

The issuer then signs the form in section 3

Section 4 – The recipient’s response / feedback

The recipient is then afforded an opportunity to write an account of how they intend to improve and propose a time-line within which they are going to take action.

The time-line must be agreed by all parties before the form is signed by the recipient and returned to the issuer.

Section 5 – Agreed Resolution

The issuer e-mails the recipient agreeing with the planned course of action or alternative actions should the proposed remedial action not resolve the issue.

Process of continuous improvement

The issuer will bring the form to the weekly team meeting and will make recommendations to all staff as to preventative actions or policy considerations that might arise. Personal details of the recipient will not be disclosed. The learning is brought forward to the team where issues can be managed and mitigated against in the form of learning and information exchange.

**The WIN notices serve to draw attention to clusters and themes of non-conformances.*

**It is important that this process applies to learners and trainers/staff only*

Section 6 – Appeals

If a person is aggrieved by an Improvement Notice, then they have a right to appeal and information on the appeal process. This is then referred to the P1 S4 Quality Assurance & Academic Governance Council (QAAGC) who follow the general appeal process.

6. RELATED DOCUMENTS

A. RELATED POLICIES PROCEDURES AND FORMS

[P9 S6 Workable Improvement Notice Form - Learners](#)

[P5 S10 Workable Improvement Notice Form - Trainer/ Staff](#)

B. LEGISLATION / STANDARDS

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1. Qualifications & Quality Assurance (Education & Training) Act 2012
2. Further Education & Training Act 2013
3. QQI Insights: Quality in Irish Further Education & Training – September 2019

7. ROLES AND RESPONSIBILITIES

There is an important role for the management team to ensure that there is fair and consistent application of this policy, that it serves to reduce / mitigate risk and plays a key role in supporting a culture of quality improvement and the maintenance of academic standards.

8. COMMUNICATION PLAN

This policy is communicated to whom it applies at Staff / Trainer and Learner Induction The WIN procedures are formulated to tackle issues head on and keep stakeholders directly informed of matters that attain to them. It is designed to promote a culture of transparency and responsiveness to issues as they arise.

If a person is aggrieved by an Improvement Notice, Contravention Notice, Prohibition Notice, or Information Notice then they have a right to appeal and information on the appeal process

9. ACTIONS TO BE FOLLOWED IF THE POLICY IS NOT IMPLEMENTED

Disciplinary action is taken should this policy not be followed, the procedure is in place to mitigate identified risks and those who do not implement the procedure are viewed as not working to uphold academic standards as expected.

10. CONTACT INFORMATION

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