

# Professional and Career Development Loans

## Requirements for Registration as a Learning Provider

August 2011

▶ For guidance

ⓘ For information

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# Professional and Career Development Loans

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Update August 2011

### 1 Introduction

- 1.1 Professional and Career Development Loans are administered by the Young People's Learning Agency (YPLA), on behalf of the Chief Executive of Skills Funding Agency, and participating banks. There are currently two banks participating in the programme, Barclays and The Cooperative Bank.
- 1.2 This document sets out the requirements for inclusion on the Professional and Career Development Loans register of learning providers. Learning providers must read, and ensure they have understood, these requirements prior to applying for registration.
- 1.3 This document was produced in May 2011 and replaces all other versions of the requirements. Learning providers should ensure they destroy any previous versions they may have in hard copy and that they refer only to this latest version.
- 1.4 The YPLA may, from time to time, make changes to the requirements for registration. These will be notified to learning providers by e-mail if the changes are deemed to have a significant impact. However, less significant changes will be made directly to this document and an updated version will be placed on the YPLA's website. Learning providers should ensure they review the requirements regularly to ensure they continue to be aware of, and able to comply with, them.
- 1.5 Although this document is aimed primarily at learning providers (both those who are applying for registration and those who are already registered), other Professional and Career Development Loans stakeholders, for example, providers of information, advice and guidance and the banks who participate in the programme may also find it a useful reference point.

### 2 Professional and Career Development Loans: an overview

- 2.1 Professional and Career Development Loans aim to support and encourage individuals to take responsibility for, and to invest in, their own learning. A Professional and Career Development Loan is a commercial bank loan which individuals can use to help pay for learning related costs (such as materials and equipment), course fees and living costs. The Government pays the interest on the loan whilst an individual is in learning and for one month afterwards. The individual must then commence repayments as they would any other commercial loans product.
- 2.2 More general information about Professional and Career Development Loans can be found on DirectGov, the citizen-facing website:  
[www.direct.gov.uk/adultlearning](http://www.direct.gov.uk/adultlearning)

- 2.3 The participating banks provide the loan capital and all lending decisions relating to the loan are solely the responsibility of the bank. The banks ensure that individuals satisfy the eligibility conditions, including residency and that the individual intends to seek employment in the UK, EU or EEA on completion of their course. They also assess an individual's credit worthiness and assure themselves that the individual will be able to repay the loan. The banks will refuse loan applications where the individual does not pass the appropriate checks. The individual is responsible for choosing the bank to which they wish to apply for a Professional and Career Development Loan; and for ensuring that they can afford to repay the loan on completion of their course. The agreement relating to the loan is between the bank and the individual.
- 2.4 The individual is responsible for choosing the learning or training they wish to undertake and for choosing the learning provider where they wish to study. The YPLA strongly advises individuals to seek impartial advice, for example, from Next Step (by calling 0800 100 900) and to assure themselves that the course and learning provider are right for them. The agreement relating to the learning is between the learning provider and the individual.
- 2.5 The YPLA's role in Professional and Career Development Loans is:
- to undertake checks for the banks relating to any previous history the individual may have with the Professional and Career Development Loans programme (formerly the Career Development Loan programme);
  - to check to ensure the course chosen by the individual is eligible to be funded with a Professional and Career Development Loan i.e.: whether it leads directly into employment and is not an access or conversion course leading to further learning etc; and
  - to maintain an administrative register of learning providers who have met the requirements for registration set out in this document.

### **3 The purpose of the Professional and Career Development Loans register of learning providers**

- 3.1 The primary purpose of the register of learning providers is to ensure that any learning provider who wishes to offer courses funded by a Professional Career Development Loan is a legitimate training business which has a track record of trading to minimise the risk to public funds being used to support the Professional and Career Development Loans programme. The register also ensures that the learning provider has in place clear learner facing information about Professional and Career Development Loans.
- 3.2 The register **is** maintained for administrative purposes. It in no way infers a contract or any other binding legal relationship between the YPLA or the Chief Executive of Skills Funding and any learning provider included on the register. Neither the YPLA or the Chief Executive of Skills funding are liable for any loss suffered by a learning provider as a result of a decision to refuse their application for registration; to remove a learning provider from the register; or as a result of a decision taken by the banks to refuse any applications from a prospective learner for a loan.
- 3.3 The register **does not** provide any assurance about the quality of learning delivered by learning providers included on it. Individuals are entirely

responsibility for assuring themselves about the quality of the course and that it meets their learning needs.

- 3.4 Only learning providers who meet the requirements for registration set out in this document will be accepted for inclusion on the Professional and Career Development Loans register of learning providers. The YPLA will ensure compliance with the requirements on an ongoing basis via general monitoring; by re-running certain checks when learning providers apply to amend their registration; and/or through the investigation of specific allegations made by third parties, such as banks or learners.
- 3.5 As the programme is led by demand from learners, only a learning provider that has been approached by an individual who wishes to undertake a course with them with the support of a Professional and Career Development Loan may apply for inclusion on the register. Any speculative applications by learning providers will automatically be declined by the YPLA.

#### **4 The requirements for registration**

- 4.1 This section sets out the YPLA's requirements for inclusion on the Professional and Career Development Loans register of learning providers. Learning providers must meet all the requirements set out in the document at the point of registration and must continue to do so once they are registered.

##### *4.2 Introductory note*

- 4.2.1. Learning providers should note that *Form A – Application for Professional and Career Development Loans registration* requires them to provide information about their organisation, for example, their company status etc; and the specific course details the provider is seeking to register i.e.: course names, length etc. Both the organisation and the course must meet the requirements in order for an application for registration to be accepted.

##### *4.3 Prospective Professional and Career Development Loans learners*

- 4.3.1. Learning providers must be applying for registration because they have been approached by an individual, who wishes to study with them with the support of a Professional and Career Development Loan, i.e.: their application is the result of demand from a learner and is not a speculative application. Learning providers must supply names and contact details for the learner(s) who have approached them. This information must clearly state the courses the individuals wish to undertake and the length and cost of the course.

##### *4.4 The learning provider*

- 4.4.1. Learning providers must have been operating for at least one year as a learning provider.
- 4.4.2. The learning provider's directors and/or senior managers must not have previously owned, managed or worked for any previous learning provider which has been removed from the Professional and Career Development Loans (formerly the Career Development Loans) register of learning providers or that has ceased trading, impacting on learners.

- 4.4.3. The learning provider must pass a credit check undertaken by Experian to give the YPLA assurances about their financial viability. Their credit rating must be a 3 star or above Delphi rating and the report received by the YPLA must not show evidence of any outstanding County Court Judgements (CCJs), winding up petitions or an intention to dissolve. NB: Providers should note that the Experian check will be undertaken for each new application they may submit. The YPLA may also require providers to submit their organisation's financial statements.
- 4.4.4. If the learning provider is a Sole Trader, a Partnership, overseas learning provider or is otherwise not listed on Experian they must provide a letter from their accountant on letter headed paper stating that the learning provider is a legal business entity. The learning provider's **business** bank account statements for the last 12 months must also be supplied.
- 4.4.5. The learning provider must pass a check with Companies House to give YPLA assurances about their trading status/history.
- 4.4.6. Learning providers must confirm on Form A that their business is not reliant on Professional and Career Development Loans for funding and that they would be financially viable if their income from Professional and Career Development Loans supported learners was removed.
- 4.4.7. The application for registration must be from the learning provider that is actually delivering the learning. Applications will be declined if they are from an organisation that intends to subcontract training delivery to another provider.
- 4.4.8. Learning providers must supply a copy of the **Learning Agreement** they have with individuals. This is an agreement between the provider and individuals who are studying with them which sets out the terms and condition on which the learning provider is delivering learning to the individual. YPLA expect this to contain, as a minimum, the learners details; course details; course costs; course start date and anticipated end date and general terms and conditions. The document (s) must include spaces for signature by both the learner and the learning provider. The Learning Agreement must be available to all learners (not just those supported/looking to be supported by a Professional and Career Development Loan). Providers may describe this document by another name (or may use a number of separate documents to fulfil this purpose – if so, the YPLA must be supplied with copies of all documents with together comprise the Learning Agreement).
- 4.4.9. Learning providers must supply a copy of their **Refund Policy**. This must be transparent, i.e.: it must be easily understood and clear about when refunds will be made and when they will not. It must apply to all learners on the course the provider is seeking to register, not just those supported by Professional and Career Development Loans.
- 4.4.10. Learning providers must supply a copy of their **Complaints Policy**. This must be transparent, i.e.: it must be easily understood and clear. It must be supplied to all learners at the provider not just those supported by a Professional and Career Development Loan.
- 4.4.11. The learning provider must not make reference to a 'cash back element'/'job guarantees'/'refunded course fees' or any other item that could be interpreted as an inducement to learners to study with them.

#### 4.5 *Learning programmes/courses*

- 4.5.1. Only courses in which a prospective Professional and Career Development Loans learner has expressed an interest can be considered for registration. The course(s) name and length must be stated in full on Form A.
- 4.5.2. Learning providers must have been delivering the course(s) they wish to register for a minimum of 12 months. To note: learning providers must have been delivering the courses they have registered with Professional and Career Development Loans for 12 months before any further courses can be added to their registration – see section 8 for further information about amending registrations.
- 4.5.3. The course the learning provider is seeking to register must be eligible for Professional and Career Development Loans support, i.e.: it must be intended to lead directly into employment in the UK, EU or EEA; must not be a course which leads directly into a further course or a course that is required to progress into further learning.
- 4.5.4. Internships and Apprenticeships are not eligible for Professional and Career Development Loans support.
- 4.5.5. How the learning provider delivers the learning or training must be clearly set out on Form A, i.e.: the location and methodology (full time, part time, distance learning etc). The learning provider must also clearly state where monies are to be paid by learners.
- 4.5.6. Professional and Career Development Loans normally provide support for a maximum of two years. However, if the course includes a placement (this might be a regular weekly placement or a placement for a longer block of time, up to a maximum of a year in total) support may be given for three years. If the course exceeds the maximum length, Professional and Career Development Loans support will usually only be made for the final two years of the course.
- 4.5.7. Where courses have flexible lengths depending on the number of hours an individual chooses to undertake each week, only the minimum course length will be registered for Professional and Career Development Loans.
- 4.5.8. Full time and part time courses are both eligible for support from Professional and Career Development Loans. The YPLA generally expects that full time learning will involve 16 hours or more of study per week and part time learning will involve 5 hours or more of study per week.
- 4.5.9. For learning providers based in the EU/EEA; the equivalent course and qualification must not already be available in the UK.
- 4.5.10. For learning provides based outside the EU/EEA, the equivalent course and qualification must not already be available in the UK or EU.
- 4.5.11. If the learning provider offers careers counselling which forms a substantial part of the course they are seeking to register, the provider must confirm that there is no intent to use Professional and Career Development Loans funding to pay for this.

- 4.5.12. If learning offered by the learning provider leads to a franchise arrangement, the learning provider must confirm that only the learning element will be funded by Professional and Career Development Loans. The franchise must not be a compulsory part of the learning which is being delivered.
- 4.5.13. If the course fees charged by the provider include costs for course materials, food, travel and accommodation, the provider must provide a breakdown of the costs showing the price for each different element. Providers should note that the course fees will be paid directly to them by the bank, if the individual's loan application is successful, but any other costs (such as accommodation) will be paid separately to them by the individual.
- 4.5.14. Learning providers must note that where course fees are over £2,000 and the course lasts for over three months, the Professional and Career Development Loan staged payments process will apply. This process will over-ride any other fees payments process normally applied by the provider – providers must accept the staged payments process (if appropriate); as such acceptance is deemed to be a requirement for registration. See section 7 for more information about staged payments.
- 4.5.15. The learning provider must supply evidence that they are assessing an individual's suitability for the course they have expressed an interest in. This typically takes the form stating prerequisite qualifications or skills which are required for the course or a pre-course assessment test.
- 4.5.16. The learning provider must supply a copy of their course brochure with **Form A – Application for Professional and Career Development Loans registration**. This must be current, and the course prices listed must offer value for money. The YPLA will assess this as part of the application for registration.
- 4.5.17. If the course, qualification or learning provider is accredited, the provider must supply evidence of this with **Form A – Application for Professional and Career Development Loans registration**, i.e.: confirmation from the awarding body.

## 5 How to apply for registration

- 5.1 Learning providers must complete all sections of **Form A – Application for Professional and Career Development Loans registration**. They must also provide the evidence that is required to support their application (set out above and restated on Form A). Incomplete applications will be returned to the learning provider.
- 5.2 By submitting **Form A – Application for Professional and Career Development Loans registration**, the learning provider is confirming that they have read, understood and agree to comply with the requirements for registration set out in this document. The learning provider **must** sign the declaration at the end of Form A to confirm this. Form A must be submitted in hard copy, along with the evidence required to support the application.
- 5.3 If the YPLA requires clarification about information supplied by the provider, or which is missing from their application, they will write to the learning provider to

explain what is required. Once the YPLA has all the information required, the learning provider's application for registration will be assessed and the outcome notified to the provider. All applications will be responded to within 30 working days.

## **6 The outcome of the registration application**

6.1 Once the learning provider's application has been assessed, the outcome will be notified in writing to the provider.

### *6.2 Successful applications*

6.2.1. If the learning provider's application is successful, the YPLA will confirm their inclusion on the register in writing and will allocate the provider a Professional and Career Development Loans registration number. The learning provider must quote this number accurately to learners who request it from them for their loan application and on the written confirmation that the bank will request to confirm that an individual has started their course. It must also be quoted in all correspondence with the YPLA.

6.2.2. The registration number only applies to the learning provider to which it has been allocated. It cannot be transferred to any other learning provider linked directly or indirectly to the provider it has been allocated to.

6.2.3. Any loan applications from learners or confirmation of course starts to banks that quote an incorrect registration number will be rejected. Persistent inaccurate reporting of the number may result in the removal of the learning provider's registration.

6.2.4. Learning providers whose applications are successful will also be sent a sample Professional and Career Development Loans application pack for reference.

### *6.3 Unsuccessful applications*

6.3.1. If the learning provider's application for registration is declined, the YPLA will write to the provider to explain why. The letter will also state whether/when a learning provider may apply for registration again.

6.3.2. If a learning provider is declined because of an unsatisfactory Experian report, they may apply again for registration six months after the date of the letter notifying them of their unsuccessful application – **if** the provider has prospective Professional and Career Development Loans learners.

6.3.3. If a learning provider's application for registration is declined on three consecutive occasions, either because of an unsatisfactory Experian report or due to other requirements for registration not being met (or a combination of these), no further applications from the provider will be accepted until two years after the third application was declined.

6.3.4. If a learning provider does not agree with the outcomes of the registration assessment, they have the right to appeal – see section 9 for more information about appeals and complaints.

## 7 The administration of the loan, including staged payment of course fees

### 7.1 *The Course Start Notification Form*

- 7.1.1. The bank that has made the Professional and Career Development Loan agreement with the individual will pay the course fees for that individual direct to the learning provider. The course fees will only be released by the bank once they have received written confirmation from the learning provider that the individual has started their course.
- 7.1.2. The mechanism for confirming that the individual has started their course is the **Course Start Notification Form**.
- 7.1.3. The **Course Start Notification Form** is given to the individual by their bank. The individual completes the first part of the form and will give it to the learning provider when they start their course. The learning provider must complete the second part of the form **ONLY** when they can confirm that the individual has started learning. The start date is the date the individual actually commences the course. For distance learning it is the date the individual receives the course materials. This date must be clearly stated on the **Course Start Notification Form**.
- 7.1.4. **The form must only be completed when the individual has actually started the course.** Learning providers must submit the completed **Course Start Notification Form** to the bank when they have completed it. Any forms submitted prior to an actual start will be rejected by the bank.
- 7.1.5. Upon receipt of the completed form from the learning provider, the bank will initiate payment of the course fees.

### 7.2 *Staged payments*

- 7.2.1. Where course fees are over £2,000 and over three months in duration, a staged payments process for fees will apply (as referenced in section 4).
- 7.2.2. The payments will be divided equally over set intervals throughout the course duration and are set based on the length of the course. For example:
- A course lasting over three months but less than 12 months. Course fees will be paid in two stages in two equal amounts.
  - A course lasting 12 months. Course fees will be paid in three stages (month one; month six and month nine) in three equal amounts.
  - A course lasting 24 months. Course fees will be paid in four stages (month one; month six, month 12 and month 18) in four equal amounts.
- 7.2.3. The first payment will be made at the start of learning when the bank has received the completed **Course Start Notification Form** (see above). Once learning providers have received the course fees from the bank they must refund any money advanced by an individual as a deposit no later than one calendar month after they have received the fees from the bank. However, if staged payments apply, learning providers must not demand any 'upfront' payments of the total course fees from the learner.

7.2.4. If the learning provider receives course fees from the bank that are greater than the true cost of the course for any reason, the excess must be paid back to the bank. **Under no circumstances should a learning provider give any surplus amount to the individual.**

### 7.3 *Early course completion by an individual*

7.3.1. If an individual completes their course earlier than originally planned or an individual chooses to leave their course early for any reason, the learning provider must notify the YPLA within four weeks of the leaving date.

7.3.2. This should be done by completing and submitting to the YPLA **Form D – Early Course Completion.**

7.3.3. If any refund is due with respect to course fees, the learning provider must repay this to the bank.

## **8 Amending a registration**

8.1 Providers included on the Professional and Career Development Loans register of learning providers must notify the YPLA of any changes which impact on, or change their registration in any way, or if they wish to make any amendments/additions to the courses which they have registered.

### 8.2 *Form B - Change of details*

8.2.1. Providers should notify the YPLA of a change of contact details or details relating to their organisation's name/address/company number etc by using **Form B – change to registration details.** Providers should notify the YPLA within one month of the change occurring.

### 8.3 *Form C – Update to list of registered courses*

8.3.1. Providers should submit **Form C – Update to list of registered courses** to the YPLA if they wish to add a new course to their registration. Learning providers must have been delivering the courses they have registered with Professional and Career Development Loans for 12 months before any further courses can be added to their registration.

8.4 Providers should be aware that the YPLA will undertake the checks set out in section 4, relating to both the provider and the course they are seeking to register, when assessing whether to agree to the amendment.

8.5 If all checks are satisfactory, the YPLA will write to the provider confirming the change has been made. If the checks are unsatisfactory, the YPLA will write to the provider to explain why and to set out what action (if applicable) is required from the provider or which the YPLA intends to undertake as a result.

## **9 Appeals and Complaints**

### 9.1 *Appeals and complaints about the registration decision*

9.1.1. Learning providers have the right of appeal against a decision taken by the YPLA to decline their application for registration. Appeals must be submitted in writing to the address shown in section 14.

- 9.1.2. On receipt of an appeal, the YPLA will consider any specific issues raised by the provider and/or re-assess the provider's application for registration, if appropriate. The YPLA will notify the provider in 10 working days of the outcome of the appeal. If the appeal is upheld the process to include the provider on the Professional and Career Development Loans register of learning provider will be completed in the usual way. If the appeal is not upheld, the YPLA will write to the provider to explain why.
- 9.1.3. If a learning provider is not satisfied with the outcome of an appeal, they have the right to submit a complaint. Complaints must be submitted in writing to the address shown in section 14 and must clearly set out the provider's grievance.
- 9.1.4. On receipt of a complaint, the YPLA will escalate this internally; investigate the complaint and/or re-assess the provider's application, if appropriate. The YPLA will notify the provider in 10 working days of the outcome of the complaint. If the complaint is upheld the process to include the provider on the Professional and Career Development Loans register of learning provider will be completed in the usual way. If the complaint is not upheld, the YPLA will write to the provider to explain why.
- 9.1.5. If a learning provider is not satisfied with the outcome of a complaint, they may choose to submit a further complaint via the YPLA's general complaints process. A website and e-mail address is provided at section 14.

## 9.2 *Complaints about learning providers*

- 9.2.1. As the YPLA does not contract with learning providers with regard to Professional and Career Development Loans, the YPLA does not routinely undertake detailed investigations of complaints brought by learners.
- 9.2.2. However, if the YPLA receives complaints about a learning provider on the register and initial investigation indicates there is a potential risk that the actions of a provider may bring the programme into disrepute, the YPLA reserves the right to remove that learning provider from the register.
- 9.2.3. If the YPLA receives a complaint which indicates that a learning provider may be in breach of the requirements for registration set out in this document, the YPLA will write to the learning provider setting out the details of the alleged breach. The YPLA will also notify the banks of any such complaint. The provider's registration may be temporarily suspended as may the processing of loan applications for individuals who are applying for programme support with the learning provider until the investigation is completed.
- 9.2.4. Learning providers will be given the opportunity to respond to the information about the alleged breach. The response must be in writing and be received by the YPLA within 10 working days from the date of the letter to the provider detailing the allegations. The YPLA will consider any representation made by the provider as part of their investigation.
- 9.2.5. On completion of the investigation, the YPLA will write to the learning provider setting out their findings and the outcome. Possible outcomes may include confirming that the allegation was unfounded, requiring the provider to take specific action as a condition of their continued registration or removing the learning provider from the register for a specified period. If the breach is

deemed to be serious and to potentially bring the programme into disrepute, the YPLA reserves the right to refuse the provider any further involvement in the programme.

- 9.2.6. If a learning provider is removed from the register as a result of an investigation, any new applications from individuals for Professional and Career Development Loans support for courses with that provider will be declined from the date of the removal (or from the date of suspension, if that is then followed by removal from the register).

## **10 Roles and responsibilities of learning providers on the Professional and Career Development Loans register**

10.1 Once included on the Professional and Career Development Loans register of learning providers, providers have a responsibility to ensure that they continue to adhere to the requirements for registration set out in this document.

10.2 Specifically, learning providers must:

- complete and submit to the banks, a *Course Start Notification Form* for each individual studying with them with the support of a Professional and Career Development Loan. No course fees will be released by the bank until they have received this form from the provider;
- advise the YPLA promptly of any changes to their registration details (i.e.: change of contact details) and/or course details, no later than one calendar month after the change. **Form B – Change to registration details** should be used for changes to registration details and **Form C – Update to list of registered courses**;
- notify the YPLA within four weeks of an individual's last day of attendance on the course if the individual completes or leaves the course early, using **Form D - Early Course Completion**;
- confirm their acceptance to any changes to the requirements for registration which the YPLA make, if asked to do so, within 10 working days;
- maintain records of individuals and learning supported by the programme and make these available upon request to the YPLA;
- encourage the use of and signpost learners to Government supported information, advice and guidance services, including Next Step. Learners should be directed to: [www.direct.gov.uk/adultlearning](http://www.direct.gov.uk/adultlearning) or to call Next Step on 0800 100 900;
- respond accurately and within two weeks, unless otherwise agreed, to requests from the YPLA for information, including the **Continuous Training Check survey** (see section 12 for more information about this) and in regard to any complaints being investigated by the YPLA;
- abide by the Data Protection Act 1998 when handling data on individual learners;
- use only the approved YPLA wording set out below with regard to Professional and Career Development Loans on their websites and in any learner facing materials. This information should be used only as part of a general summary of funding available. There must be no references to the learning provider being sanctioned, approved or authorised in any way by the YPLA.

### 10.3 The YPLA approved wording is as follows:

**‘Professional and Career Development Loans** are commercial bank loans that can be used to help pay for work related learning. You can borrow between £300 and £10,000 to help support the cost of up to two years of learning (or three years if it includes one year’s relevant unpaid practical work). The Government will pay the interest on the loan while you are learning and for one month afterwards. You will then need to start repaying the loan as you would any other commercial loans product. The loan can be used to pay course fees or other costs such as travel and living expenses. You can also use the loan to supplement other forms of support such as grants or bursaries.

As the Professional and Career Development Loan is a commercial loan product, you should make sure you have investigated all the funding options that may be open to you to ensure you take an informed decision about whether the Loan is right for you. For further information on financial assistance to support your learning, visit [www.direct.gov.uk/adultlearning](http://www.direct.gov.uk/adultlearning) or contact Next Step on 0800 100 900.

Our learning provider registration number is: *<insert number here>*.’

### 10.4 **Please note that any failure to use the approved wording may result in de-registration.**

#### 10.5 Learning providers must not:

- change course start and end dates without prior agreement with the learner as this may affect the terms of the individual’s agreement with their bank;
- use the programme as an inducement to encourage individuals to enrol on their courses, for example, by:
  - recommending any particular bank to learners or contacting the banks on behalf of learners. As stated above, learning providers must refer individuals who require information or advice about Professional and Career Development Loans to [www.direct.gov.uk/adultlearning](http://www.direct.gov.uk/adultlearning) or Next Step on 0800 100 900;
  - aiding or encouraging individuals to apply for or obtain Professional and Career Development Loans by deception;
  - attempting to obtain Professional and Career Development Loan application packs. One ‘sample’ copy will be sent to the provider on registration, to be held for information only;
  - making any reference (to a ‘cash back element’/‘job guarantees’/‘refunded course fees’ or any other item that could be interpreted as an inducement to learners to study with them);
  - making any references to the learning provider being sanctioned, approved or authorised in any way by the YPLA;
  - using any wording to describe the programme which varies from that approved by the YPLA (set out previously in this document);
  - assisting learners in completing Professional and Career Development Loan application forms. Only the *Learning Provider’s endorsement* on the application form should be completed by the learning provider. If a bank believes that any part of the application form has been completed by someone other than the applicant, the bank may refuse to approve that loan and subsequent loans for learning with that provider.

10.6 Learning providers should note that in addition to the checks the YPLA undertakes directly with them, the YPLA will also undertake separate learner facing checks as part of its ongoing activity to check learning provider compliance to the requirements for registration. The YPLA reserves the right to remove from the register any learning providers who breach the requirements set out in this document.

## **11 Temporary suspension of registrations and re-registration**

### *11.1 Temporary suspension of registrations*

11.1.1. The YPLA may temporarily suspend from the register learning providers who it believes are not fully complying with the requirements for registration. For example, if a learning provider does not acknowledge agreement to changes to these requirements if asked to do so by the YPLA, or if direct communication from the YPLA to the learning provider (i.e.: via the **Continuous Training Check survey**) does not elicit a response from the provider within a reasonable timeframe.

11.1.2. The YPLA may also temporarily suspend a provider's registration if it receives reports of the insolvency or business closure of a learning provider while it investigates whether the learning provider is continuing to trade.

11.1.3. If the YPLA temporarily suspends a provider's registration, they will write to the provider to notify them and to explain the reason for it. The YPLA will reinstate the provider's registration if they have investigated and cleared a specific issue, however, if any investigation confirms that a provider is in breach of the requirements or that they are no longer continuing to trade etc, then the YPLA reserves the right to remove the provider from the register.

### *11.2 Re-registration*

11.2.1. The YPLA reserves the right to require learning providers to re-register for the purposes of Professional and Career Development Loans at any time.

## **12 Roles and responsibilities of the Young People's Learning Agency**

12.1 The YPLA will endeavour to assist learning providers with any queries or concerns they have in relation to their registration. However, in order to ensure a clear audit trail with regard to information communicated to learning providers, providers should note that the YPLA asks providers to submit questions by e-mail where possible.

12.2 Learning providers are reminded that they should be professional in their dealings with the YPLA at all times and should respect the right of YPLA staff not to be subjected to abusive telephone calls or correspondence. Where a learning provider or its agents or employees persistently subject YPLA staff to abuse, the YPLA may remove the learning provider from the register or refuse registration to a provider who behaves unacceptably.

12.3 The YPLA has a responsibility to maintain the reputation of the programme. It undertakes compliance monitoring to ensure that providers are adhering to the requirements for registration, both by investigating specific complaints and fulfilling a more general monitoring role, including annual audits. If the YPLA

believes the actions of a specific learning provider may bring the programme into disrepute or that a provider no longer meets the requirements for registration in any way, the YPLA may remove the provider from the register (see also section 8).

- 12.4 The YPLA will undertake checks to ensure that the programme is operating effectively. From time to time, the YPLA will ask learning providers to complete a **Continuous Training Check survey** – providers are required to respond to these surveys within 10 working days.
- 12.5 The YPLA may also contact learning providers to obtain their views on programme administration or to undertake case studies of Loan-supported learners. In registering with the programme, learning providers agree to allow the YPLA reasonable access to undertake these functions.
- 12.6 The YPLA may share information about learning providers with the banks, companies contracted to the YPLA for the purposes of research and evaluation, the Department for Business, Innovation and Skills, the Skills Funding Agency, the National Audit Office and any other Government Department as necessary. The YPLA is required to comply with the Freedom of Information Act and may provide information about learning providers in response to requests from the public.
- 12.7 Any requests for information submitted by learning providers will be responded to by the YPLA within 20 working days of receipt, in line with the requirements of the Freedom of Information Act.

### **13 Roles and responsibilities of the participating banks**

- 13.1 A Professional and Career Development Loan is a commercial loan agreement between the bank and the individual. As set out in section 2, the participating banks provide the loan capital and all lending decisions relating to the loan are solely the responsibility of the bank.
- 13.2 If the banks have concerns about applications for loans for courses run by a particular learning provider they may decide to suspend the processing of, or refuse to approve, applications. The YPLA undertakes factual checks on course eligibility for the programme and on individual's previous history with the programme but does not influence any decision that may be made by a bank.
- 13.3 If all, or a majority of, the banks decide not to approve any further Professional and Career Development Loans for courses delivered by a particular learning provider, then the YPLA will remove that learning provider from the register. The YPLA will write to the provider to notify of this and to explain why.
- 13.4 The bank is responsible for releasing payment for course fees to the learning provider, on receipt from the provider of the **Course Start Notification Form**. If there are any issues about late payment of the course fees, the provider should discuss this with the individual and ask them to resolve this with their bank.

## 14 Contact information and sources of further information and advice

14.1 Applications for registration should be submitted on **Form A – Application for Professional and Career Development Loans registration**, to the address below:

Professional and Career Development Loans  
PO Box 16211  
Birmingham B23 3JL

14.2 Learning providers can send queries by e-mail to:  
[PCDLproviders@yplalearnersupport.co.uk](mailto:PCDLproviders@yplalearnersupport.co.uk)

14.3 The helpline for learning providers can be contacted on: 0845 000 0045.

14.4 The address above should also be used to submit the following:

- **Form B – Change to registration details**
- **Form C – Update to list of registered courses**
- **Form D – Early course completion**
- Appeals/complaints against registration decisions

14.5 If providers are not satisfied with the way their appeal or subsequent complaint has been dealt with, they may wish to make a formal complaint to the YPLA Solicitors at:

Cheylesmore House  
Quinton Road  
Coventry CV1 2WT.

14.6 Complaints can also be e-mailed to: [complaints@lsc.gov.uk](mailto:complaints@lsc.gov.uk).

### 14.7 *Information for learners*

14.7.1. Any learners approaching learning providers for information about Professional and Career Development Loans should be directed to the following website: [www.direct.gov.uk/adultlearning](http://www.direct.gov.uk/adultlearning) or Next Step telephone helpline: 0800 100 900.

Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT  
0845 337 2000  
[ypla.gov.uk](http://ypla.gov.uk)

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Young People's Learning Agency

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