



COMPLYING TO GOVERNMENT LEGISLATION

The CPD Standards Office is a unique organisation and was founded with the vision of understanding and enabling positive and successful CPD and learning experiences. As a highly specialised expert team, our university led research has equipped us with extensive expertise on all things CPD; including a thorough understanding of delivering professional CPD activities that comply with relevant Government policy legislation.

As an accreditation organisation, the CPD Standards Office has a responsibility to check that our training providers are legally compliant, and are not conducting unlawful services or activities. Whilst our assessment processes ask questions around this area, we do not work with other government departments, or pass this data on in any way.

This factsheet provides guidance for you, as a training, learning or coaching provider, to ensure compliance to relevant legislation. If this is the first time that you have considered these areas, then please let us know, and our friendly assessment team will gladly assist.

Complying with Government Legislation

Equal Treatment and Disability Discrimination

What is it?

As an individual or organisation that provides training or learning activities you must ensure that your activities are accessible to any potential individual delegate.

The Disability Discrimination Act of 2005, and Equal Treatment Act of 2010, mandate that any service provided within the UK must be accessible to any individual regardless of their age, race, gender, sexual orientation or disability.

How it applies to you:

As a responsible training or coaching provider, you need to ensure that your advertising indicates that your training is available to all, and that you are able to make provisions for any individuals with physical or



learning disabilities. It is also important to have a company policy in place that addresses these requirements.

To assist you in this area, the CPD Standards Office has a template for an Equal Treatment and Disability Discrimination policy.

You can easily demonstrate that you are a responsible provider in this area by clearly asking your delegates if they have special considerations prior to undertaking their learning with you. From there, you will be able to organise appropriate resources e.g. wheelchair access, handouts with larger print or hearing loops.

General Data Protection Regulation

What is it?

The General Data Protection Regulation of 2018 is focused on the processing of data on identifiable living people. It is recent legislation that was designed as a direct replacement for the Data Protection Act. Anyone who holds individual's personal data for business purposes must comply with this act.

The majority of training and learning providers accumulate masses of personal information on their delegates over time, and it is important to keep this information safe. Particularly as there are six key principles of the act, where training providers should note that:

- * All personal data collected should be relevant and adequate, and not overly excessive in relation to the purpose of training
- * Privacy notices must be provided to customers allowing them to make an informed decision on whether they consent to allow their data to be stored or used
- * Any personal data obtained for learning purposes should not be used in any other capacity without explicit permission of the delegate
- * Personal data shouldn't be kept for longer than is necessary for training purposes.

In April 2016, the EU Parliament approved the General Data Protection Regulation (GDPR) after four years of discussion, debate, consultation and drafting. This new legislation is a considerable advance on the protection of personal data and respect for privacy. It accounts for and has been drafted in the context of multi-national global corporations operating without borders across the internet.

In the UK, it will replace the Data Protection Act 1998 (DPA) and will take effect within two years, with a deadline now announced of 25 May 2018. The government has confirmed that the UK's decision to leave the EU will not affect the commencement of the GDPR.

How it applies to you:

As many businesses increasingly use cloud or web software and databases to store personal information about their clients and delegates, it is essential to ensure that you have a company policy on this area.

What is it?

Originally established in 1974, the Health and Safety at Work act is applicable to all individuals and organisations within commerce. Its primary purpose is to secure the health, safety and welfare of any individual at work.

How does it apply to you?

It is commonly misconstrued that this legislation only applies to providers who deliver training activities on their own premises. This is false - within any work environment everyone has a duty of care towards the individuals that they are working with and should ensure risk assessments are in place prior to any training activities taking place.

As a training provider, you have a duty of care towards your delegates which you should be mindful of at all times, especially in a face to face environment.

If you are uncertain about your responsibilities in the areas of Health & Safety, the CPD Standards Office recommends that you take legal advice.



Within the UK, it is illegal to offer, promise, give, request or accept bribes within your business. You should have an anti-bribery policy in place if there is a risk that someone who works for you, or on your behalf, might be exposed to bribery.

The Bribery Act of 2010 specifically focused on certain points, such as; rules about accepting gifts, donations, hospitality, guidance on business conduct and avoiding or stopping conflicts of interest.

How it applies to you:

CPD providers that are large organisations, or work on a global basis, are often vulnerable against this area of law, and should have a widely communicated policy on this area. There are many specialised advisory firms and legal practices in this area, and the CPD Standards Office recommends taking legal advice if you have concerns about bribery within your organisation.



Please note that this factsheet simply provides guidance and does not constitute formal legal advice.

We hope you have found this factsheet helpful.

Please see www.cpdstandards.com for more information on our accreditation services or call 0203 745 6463 for further advice.