

# Ptlls theory2 assignment



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PTLLS Theory assignment 2: Summarise the key aspects of current legislative requirements and codes of practice relevant to your subject and the type of organisation within which you would like to work. It is important to recognise the difference between legislation and codes of practice.

Legislation defines, often broad, fundamentally binding responsibilities of teachers, organisations, and individuals. These have affect at the statutory level.

Codes of practice represent attempts by organisations to interpret these statutory responsibilities to create clearly defined working guidelines, which can be understood and implemented on a practical level. There is a variety of legislation, which defines the responsibilities of teachers/trainers and organisations, participating in the lifelong learning sector. Key legislation with broad implications is reviewed below.

These various acts are clearly related to fundamental issues of disability discrimination, sex discrimination, racial discrimination, health and safety at work, child protection, data protection, human rights, inclusion, equality, diversity, and entitlement. A working knowledge of these acts is important to help identify major areas of responsibility and issues of concern, for teachers and organisations active in the lifelong learning sector. An important legal requirement of professional teaching practice is the promotion of inclusion.

Inclusion relates to issues of equality, diversity, and entitlement. This requirement can be explicitly related to a variety of different acts, including the equality act, the sex discrimination act, the disability discrimination act, the race relation's act, and the human rights act. The Special Educational

Needs and Disability Act 2001 This act makes it unlawful to discriminate against people in respect of their disabilities in relation to employment, the provision of goods and services, education and transport.

It also imposes upon public authorities a positive duty to promote disability equality. In an educational setting, this will impose a fundamental responsibility to ensure the inclusion of disabled students within all group activities, and also to ensure that their disabilities are fully considered when planning such activities. They must receive full and equal access to education and all associated activities and resources. The Sex Discrimination Act 1975

This act protects people from discrimination on the grounds of gender or marriage; it also addresses the issue of protection from sexual harassment and discrimination on the grounds of sexual orientation. It places a statutory duty upon many public institutions to have due regard to the need to eliminate unlawful gender discrimination and harassment and to promote equality of opportunity between women and men. Once again the implications of this act are very fundamental for all teachers and organisations operating within the Lifelong Learning Sector.

It is a fundamental responsibility of all teachers and organisations to ensure that they do not operate discriminatory policies, or express discriminatory attitudes, or tolerate any form of sexual discrimination or harassment. The Race Relations Act 1976 and Race Relations (Amendment) Act 2000 This act makes it unlawful to discriminate in training or employment or in a wide

range of other contexts on the grounds of race, colour, nationality, or ethnic and national origin.

It also imposes a duty upon public authorities to work towards the elimination of unlawful discrimination and promote equality of opportunity. Once again the requirement to comply with this act and ensure that no such discrimination takes place is of critical importance for any individual or organisation operating in the Lifelong Learning Sector. The Equality Act 2010 This act actually replaces the three acts considered above, but it's effect is not to change the law outlined in these acts, but rather to consolidate a range of anti discriminatory law within a single act.

Therefore it is still entirely meaningful to consider the implications of these original acts as separate entities It further extends the concept of anti discrimination discussed above, to cover an even wider range of issues. This act requires equal treatment in access to employment as well as private and public services, regardless of the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, and sexual orientation.

It can be seen therefore be seen that great care must be taken by any professional working in a teaching environment to ensure that no discrimination takes places in respect of this broad raft of protected characteristics. This means that a teacher/tutor must develop an active and mindful awareness of these issues and be willing to challenge discriminatory attitudes and discriminatory practice. As well as considering the legal implications of discrimination, we should remember that feelings of sexual,

racial, or other disadvantage, can be expected to negatively impact on a student's learning experience.

The Health and Safety at Work Act 1974 This legislation explicitly imposes a number of very fundamental responsibilities on employers, workers, teachers, students, and everyone within the workplaces and training environment. A summary of the main points is as follows: Every individual must be mindful of the following responsibilities. They must take reasonable care for the health and safety of him/herself and of other persons who may be affected by his/her acts or omissions at work. They must Co-operate with employers or other persons so far as is necessary to enable them to perform their duties or requirements under the Act.

They must not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare. Employers and persons in positions of responsibility have even more particular responsibilities outlined under the act. It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his/her employees. It is clearly vitally important for a teacher/tutor to be vigilant and mindful of health and safety issues.

Some hazards and the issues which surround them, will be constant to all environments. Examples include tripping hazards, and fire safety hazards. Other hazards are going to be very much dependant on the type of environment in which training is taking place and the learner group with which the tutor is working. A tutor operating in the Life Long Learning sector may conceivably be required to visit a wide variety of workplaces, were they

may well encounter none standard hazards, so they must maintain a broad awareness of workplace hazards across a wide range of environments.

For example, if a tutor needed to enter a warehouse while visiting a learner who was working in a warehousing environment, the tutor would need to be mindful of the need to wear a hard hat, and would need to be mindful of the hazards posed by forklift trucks manoeuvring and falling objects.

Furthermore, a tutor might expect to take responsibility for ensuring that the students they are working with are made aware of important health and safety issues within the environment and are aware of their own rights and responsibilities in relation to them. No visit outside institutional premises should be undertaken without a risk assessment.

The Children Act 2004 This act sets out in detail what local authorities and the court should do to protect the welfare of children. It is associated with the Every Child Matters government initiative of 2003, much of the legislation within the 2004 Children Act is designed to give affect to the recommendations of the Every Child Matters initiative. This initiative states that every child, whatever their background or circumstances, should have the support they need to: be healthy, stay safe, enjoy and achieve, make a positive contribution, and achieve economic well being.

There is therefore a clear obligation on both individuals and organisations involved in teaching children, to develop procedures for notifying social service departments, NSPCC and the police where there are concerns over safety. It is important to be aware that the term children, for the purposes of this act, refers to anyone up to the age of 19, and in the case of persons with

learning difficulties, disabilities, or other vulnerabilities, up to the age of 25.

The Data Protection Act 1988 This act covers the protection of personal data.

The most important elements to be aware of are the following data protection principles outlined in the act: Data may only be used for the specific purposes for which it was collected. Data must not be disclosed to other parties without the consent of the individual whom it is about, unless there is legislation or other overriding legitimate reason to share the information. Individuals have a right of access to the information held about them, subject to certain exceptions (for example, information held for the prevention or detection of crime).

Personal information may be kept for no longer than is necessary and must be kept up to date. Personal information may not be sent outside the European Economic Area unless the individual whom it is about has consented or adequate protection is in place . The departments of a organisation that is holding personal information are required to have adequate security measures in place. Those include technical measures (such as firewalls) and organisational measures (such as staff training). Subjects have the right to have factually incorrect information corrected.

As a teacher is likely to be collecting and collating a variety of personal data, in relation to their students, they need to be mindful of all of the above data protection principles. Additionally they need to show discretion in not discussing any sensitive personal information in an inappropriate or unprofessional context. The Human Rights Act 1988 This Act is designed to give effect in UK law to the rights contained in the European Convention on

Human Rights. It is useful to be aware that UK law is subordinate to European Union Law.

Article 14 guarantees the right to protection from discrimination in relation to a broad range of issues, including sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. It is important therefore to ensure that, in accordance with this requirement, no such discrimination should be countenanced. There are also a variety of professional codes of practice with which any teacher in the Lifelong Learning Sector needs to be familiar.

In addition it is necessary to be aware of the particular policies and procedure of the organisation that the teacher is employed by or is otherwise responsible to. I will list the main features of some relevant professional codes of practice below. The Chartered Institute of Personal and Development This is a professional association concerned with the management and development of people within the United Kingdom. It sets out a formalised code of professional conduct relevant to teaching practice in the Lifelong Learning Sector.

In summary any professional involved in personal development has a number of obligations, including: ensuring their own continuing personal professional development, recognising the limitations of their own knowledge, respecting legitimate confidentiality, actively promoting anti discrimination practice, seeking to achieve the fullest possible development of people for present and future organisational needs and encouraging self development by individuals. The CIPD also sets out a detailed formal



complaints and disciplinary procedure, detailing the procedure which will be followed in the case of a normal complaint against one of its members. The Institute for Learning This institution also publishes a code of professional practice, which is highly relevant, as membership of the institute is a requirement for all teachers working in the Lifelong Learning Sector. The main points are summarised as follows, members must: Show professional integrity and exercise reasonable judgement in meeting their professional responsibilities. Respect the rights of learners and colleagues in accordance with relevant legislation and organisational requirements.

Act in a manner, which recognises diversity as an asset and does not discriminate in respect of race, gender, and disability and/or learning difficulty, age, sexual orientation or religion and belief. Take reasonable care to ensure the safety and welfare of learners and comply with relevant statutory provision to support their welfare and development. Supply evidence of their compliance with CPD guidelines. Disclose criminal offences. The IFL also has its own disciplinary procedure for dealing with complaints against its members. Skills Councils

These are state sponsored, employer-led organisations that cover specific economic sectors. Their key goals are to reduce skills gaps and shortages, increase productivity, boost the skills of their sector workforce and improve learning supply. They endeavour to achieve these aims by contributing to the development of National Occupational Standards, the design and approval of apprenticeships, and creating Sector Qualification Strategies. There are currently twenty-five Sectors Skills Councils, covering about 85 per cent of the British workforce. Lifelong Learning UK

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This is the Sector Skills Council for the Lifelong Learning Sector in the United Kingdom. As such it is responsible for encouraging the professional development of the LLS workforce in the UK. A key part of its role is to define national occupational and professional standards for the Lifelong Learning Sector. Any teacher working in this sector will need to maintain awareness of these standards and ensure that they are able to evidence compliance with them through the achievement of appropriate qualifications, sound professional practice and ongoing professional development.

Additionally, teachers participating in the Lifelong Learning Sector may find themselves working with individuals, who are directly employed by, or functioning within, a very wide variety of different sectors. Consequently it may well prove necessary for teachers to familiarise themselves with the National Occupational Standards, and Sector Qualification Strategies, pertaining to any of these sectors, in accordance with the requirements of the student groups they are teaching.