

CODE OF CONDUCT FOR MEMBERS OF THE PAEPON ASSOCIATION

A code is nothing, coding is everything.

Preamble

The behaviour of members and all their actions within the framework of objectives of the PAEPON association must be able to stand the test of criticism in public. A code of conduct can serve as a business card for the sector here. As an association of entrepreneurs in private education, we apply the General Principles of Sound Education, derived from the general principles of sound administration and good corporate governance.

Our members comply with these principles/rules and thus those standards and values (also referred to as a code of conduct). These principles include a number of procedural elements (right of defence, impartiality), but also a number of substantive elements (principle of equality, sincerity, transparency, correctness and the obligation to provide reasons).

The meaning of the code of conduct can also be found in the manner in which practice and its structure are tested against these principles. To this end, a quality enforcement committee is installed. The Board is responsible for the compilation of the quality enforcement committee and the care needed in this process. The procedure of Paepon in this respect has been included in the standing orders. The enforcement procedure is attached to this document in an appendix.

The practicability of the code of conduct must be clear in practice. In the event that the code of conduct does not include terms to reject actions which can be deemed contrary to the spirit of this code, the case will be submitted to the quality enforcement committee of Paepon, which can lead to a proposal being sent to the General Membership Meeting to supplement and/or change the code of conduct. External organisations that are responsible for supervisory tasks can also submit proposals for improvements and/or tightening; these proposals too can lead to changes in the code of conduct via the quality enforcement committee.

The application of this code of conduct is limited to the institution, i.e. the members of Paepon. This institution is responsible for the quality of (the acquisition of) the products it supplies (and/or for the services provided by freelancers). The institution, in accordance with the provisions of the code of conduct, will formulate (quality) requirements for the acquisition, without this creating any form of authority relationship with the supplier of these products and/or services. The existence of an authority relationship cannot be concluded from the application of this code of conduct, neither by lecturers involved, nor the institution or third parties. The independent position of the freelance lecturer is not affected by this.

In those instances where education is provided in accordance with the law (VO, WEB and WHW) the institution is deemed to meet all (quality) requirements as stipulated by the law.

Complaints regarding exams by virtue of the WEB / WHW are excluded from this code of conduct.

Each year, the code is scheduled for evaluation at the General Membership Meeting; constructive criticism, complaints received for the attention of the quality care committee and/or covenants entered into by Paepon with third parties will be part of this evaluation.

The code is offered to new members to be signed by them when applying for membership¹. Existing Paepon members are asked to sign the code and/or asked to indicate the term they need for endorsing it. Members will be given a maximum of one year to sign the code, all this to be assessed by the quality enforcement committee.

The principles explained in this code of conduct are:

- principle of care
- principle of legal certainty
- principle of reasonableness
- principle of reliability
- principle of distinguishability

1. Principle of care

General:

Work is carried out with care, by staff qualified within the educational framework; if there are any specific requirements for the short course practice process, they must be adhered to. The interests of the consumer are not affected. Advertising messages must reflect actual reality. Foreign students are offered an integral package of provisions in accordance with what is deemed required for following and successfully completing a study in this country.

1.1 Information provision

The information provided (in writing or verbally) to potential students will be truthful and accurate.

The language in which (education/training) contracts are prepared is clear and unambiguous.

At least one person within the institute must be fully informed of all courses on offer and of what the course members / students can expect, as well as the contract requirements.

1.2 Guidance by lecturers²

The institution must have clearly laid down the rights and obligations of its lecturers² (e.g. remuneration, working hours etc.)

Lecturers² must be adequately trained in the method and the administrative system of the institution.

Lecturers² must receive proper guidance with regard to the required (characteristic) professional criteria.

The institution is responsible for the use of freelance lecturers and the quality supplied (in terms of didactic and subject matter).

Despite the use of freelance lecturers, the institution is responsible for coherent offer of study programmes and appoints a permanent member of staff to coordinate tasks in this respect.

¹ To this end, see the form to be returned on page 10

² Insofar as lecturers in permanent employment are concerned

As part of the above, there is or must be regular feedback to the lecturer³ (at least once every six months with regard to the lectures he provided, in this case the guidance, as well as to assessment criteria used by him in the event of any tests taken.

With regard to freelance lecturers (lecturers who are not answerable to the institution), the institution will use (student) evaluation data of the services / products supplied when considering contract renewal.

1.3 Work processes

Students must be registered quickly and efficiently and (if applicable) promptly receive the study material.

All information provided by the student is treated as confidential by the institution, its staff and the lecturers.

An accurate administration must be kept, showing which students are registered, for which course and in which period.

The study material must be sent within a reasonable term⁴ after processing the enrolment, or at start of the study.

Wrong or damaged study material must be replaced immediately.

Students must be informed when they have overpaid and be refunded as soon as possible.

The student must receive a statement of the terms and conditions of enrolment for his or her own records. Any refunds due must be processed within 30 days.

The student must be unambiguously informed of the time span in which they can expect to receive the written correction work / test assignments submitted.

The term between receiving back the correction work and/or test assignment must be in reasonable proportion with the subsequent assignment and/or possible resit.

Administrative procedures must form a guarantee that the written work is sent to the lecturer and returned to the participant within a reasonable period⁵ after it has been received by the institution.

The same applies to questions of an administrative nature or with regard to the study programme. Letters that may possibly take longer to process must be answered by return of post confirming receipt and indicating when an extensive reply can be expected.

1.4 Study material

The writers of the study and course material must be experts in the relevant subject matter.

If it concerns own production, the student/course participants must receive a brief introduction of the compilation and production requirements.

The course material must be suitable for the intended study level and for the expectations of the target audience.

³ Also: counsellor, mentor, tutor.

⁴ Terms are made explicit by the institution in its quality charter.

⁵ idem

The material must be up-to-date and technically correct.

Each course must contain clear instructions as to what is expected.

The course material must be clearly printed, easy to read, properly bound and user-friendly.

An institution must have and work with study course and lecturer evaluations.

1.5 Study counselling

All assignments must be relevant for the (study) subject and aimed at assisting the participant in achieving his objects (concrete and not just formally).

Any comments by the lecturer must always be clear. A lecturer must have the sincere intention to help participants.

During office hours, there must always be someone available in the institution who can deal with verbal requests related to counselling.

1.6 Education and Exams

All lecturers must be experts in the / a subject.

The institution has a transparent subject learning plan which clearly explains the structure of the subject combination.

In those instances that involve e-learning (including the use of ICT in the fields of learning, study support and student service provision) the quality must be in accordance with that of other activities of the institution.

The institute must have suitable testing frameworks for assessments.

The number of exams to be taken in a course must be clearly explained prior to enrolment.

All internal exams must be directly linked to the lectures on that subject and it must cover the core essence of the study material.

The number of tests that is offered and/or that must be checked by a lecturer must be in accordance with the subject and the duration of the course.

Exams must contain clear instructions and explanations on the procedure. If the study programme is aimed at sitting for the formal (state) examinations, the institution must adequately prepare the students for these exams during the course of the programme by offering them in the same format, ensuring they cover the entire syllabus and that they are assessed according to the same criteria as the formal examinations.

All tests must be assessed by qualified staff.

It must be explained whether the exams issue a diploma / qualification as well as the nature of the civil effect (legally recognised; recognised by the sector; APL equivalent etc.)⁶.

⁶ See also § 5.2

(Holding and assessing) qualifying tests and formal exams are subject to the supervision or co-assessment by (an) independent third party/parties.

The educational institution offers student the opportunity to inspect⁷ assessed internal exams / tests within a reasonable term after publication of the results, prior to a re-sit, free of charge.

After the final examination results have been announced, those who were unsuccessful must be informed of any other options they have (e.g. further studying; re-sit etc.).

If the institution serves as an official (state) examination centre, correct supervision must be in place, while appropriate exam facilities must be made available.

1.7 Facilities

In the event of contact education and/or if contact education forms an integral part of the written course, suitable educational facilities must be offered.

There must be an opportunity for important exchanges between the institution and the participant.

Students must have access to e-learning facilities, if this is made mandatory. If e-learning is organised in addition to other study elements, students, who do not have the facilities, must be offered an alternative manner of participating.

1.8 Recruitment

Recruitment campaigns or messages must respect the advertising code for study courses:

Advertisement messages for study courses must provide a truthful picture of the institution that organises the course, and/or under which auspices the course is given as well as that of the course itself. The advertisement must abstain from making any suggestions of reasonably unattainable results and stating "degrees" that are not recognised.

In addition, mutual respect must be in line with the requirements of industrial colleagues, while aggressive competitive messages must be abstained from.

The name of Paepon can be used in situations of which it can be reasonably assumed that they are in line with the spirit of the code of conduct.

2. Principle of legal certainty

2.1 Attitude

The institution must have an adequate complaint procedure in place that offers at least one appeal option through an independent third party.

Complaints must be dealt with through completion within seven working days. If more time is needed for research, the participant must be informed of this within seven working days, supported with reasons. Furthermore, an indication must be given as to when a decision can be expected.

The judgement of the appeal court is binding for the institution. Any consequences must be dealt with by the institution promptly.

Independent or external supervision must be understood to be conducted by persons or institutions who/which are familiar with supervisory tasks (inspectorates, consumer organisations; accreditation bodies; certified agencies and suchlike) in such capacity and/or

⁷ Insofar as it concerns tests held under the responsibility of the educational institution

who are neither morally nor financially related nor relatable to the institution on which behalf the supervision is conducted.

2.2 Complaints procedure

Paepion members must adopt an obliging and reasonable attitude towards clients and do everything within their power to ensure that a solution is found that is satisfactory to all parties concerned.

The complaints procedure is open for inspection (website and study guide). The officials referred to are real persons and are stated in the complaints procedure.

With a view to the complaints procedure, it is not possible for a single individual to hold multiple job roles.

A complaint will always be treated as private and confidential.

The complaint must be responded to within four weeks.

2.3 Registration

Complaints and the manner in which they are dealt with are recorded and filed for a period of at least 2 years.

3. Principle of reasonableness

General:

Offers and/or actions must be in reasonable proportion to the requested and/or described efforts and costs.

The rules formulated by the institution with regard to terms are enforced, as part of which the limit is formed by considerations of equity (possible appeal to the hardship clause). The justified interests of the student are taken into explicit consideration here. When in doubt, the institution can consult the quality enforcement committee.

4. Principle of reliability

General:

In the event of a relationship based on power, a candidate must be able to rely on the agreements / decisions made by the institution to remain in force for a reasonable period, at least for the duration of the study.

4.1 Resolutive condition

In principle, major interim changes to the contract conditions can only be implemented if the client is granted the right to dissolve the contract, without any further costs being due.

4.2 Statutory provisions

Institutions that offer types of formal education (education that is subject to certain legislation) must comply with the requirements as stipulated by the relevant act with regard to quality care and supervision. If the legal basis for education is lost (e.g. loss of accreditation) every effort will be made to prevent students from being the victim thereof.

5. Principle of distinguishability

General:

The terms of delivery such as admission criteria, payment conditions etc. must be known and/or published in advance.

5.1 Modality

It must be clearly indicated whether it mainly concerns contact education and/or distance education; in the latter case, it must also be clearly indicated whether any forms of contact education form an integral part of the correspondence course or that it is an additional feature.

5.2 Study Guide and/or Website

The information that is provided through promotion material, study guides and on the website must be correct and informative. This means that the status of diplomas, certificates and qualifications is carefully reflected as are the quality provisions of the trade association for private education (PAEPON):

- univocal description of the type of study; for instance and if relevant:
 - CROHO registration (Central Register of Higher Education Study Programmes); specifically:
 - state-recognised Bachelor (4 x 60 ECTS credits⁸) or Master
 - in accordance with transitory law and/or accreditation NVAO
 - new accreditation date
 - Bachelor or Master recognised elsewhere (state source)
 - CREBO registration (register of the formal BVE study programmes)
 - Other register listings, e.g. of the sector
 - Source / institution of which the civil effect is derived ((in-)company training course; internal vocational training)
- Code of conduct (document)

The study guide, study information and/or the website must provide at least the following information:

- Name of the course⁹
- Course contents (syllabus)
- Course level
- Course duration
- Course objectives
- The study load for the student i.e. the time the student must study in hours per week
- The qualifications that can be obtained (if applicable)
- Internal (school) and/or external (sector / state) examinations which are trained for¹⁰
- The number of tests or exams in the course as well as re-sit opportunities
- Exemption policy
- The course target audience
- The assumed starting level (i.e. any preliminary training requirements)
- A clear explanation of the special conditions set by the institute or the relevant authority to the course of the study agreement (contract)
- Information on the issued study material and/or the study material to be purchased
- The complaints procedure as well as the appeal institution

5.3 Contract

The contract with the student must contain a description of:

- The course name and the name of the institution
- The course costs
- The guidance and services that are included
- The payment conditions
- The payment terms
- The method of payment
- The duration of the contract
- The conditions under which the course cannot take place
- The terms and conditions of cancellation and the possibility of a refund
- Details of any warranty provisions
- A cooling-off period of at least 7 working days
- The copyright owners
- The property right owners of the course material (student or institute)

⁸ Basic principle is that a student spends 42 weeks studying for the course, while working forty hours per week. A study year amounts to around 1680 study hours. The study load is expressed by means of the European Credit Transfer System. The 1680 study hours are equal to **60 ECTS credits**

⁹ Provided the length and/or the purpose justifies an alternative name, (study) programme or training can be used

¹⁰ Insofar as applicable

APPENDIX: **Supervision of compliance by PAEPON**

Paepon inspects reactively i.e., they inspect when a request to that end has been received by a third party; such a request can also concern a complaint or comment in which the quality of a Paepon member is disputed. The procedure can differ depending on whether it concerns a complaint from a course member, a (fellow) Paepon member or third parties. The heaviest sanction for a member remaining in default is expulsion plus an annotation thereof on the internet.

Complaint from a course member / quality enforcement committee¹¹

The procedure of Paepon is as follows:

- Upon receipt, the complaint is assessed in terms of admissibility.¹²
- If admissible, the complaint is registered.
- The complainant receives confirmation that the complaint is dealt with and the term within which a decision can be expected.
- If the complaint is dismissed, the complainant is informed accordingly substantiated by reasons.
- The quality enforcement committee is informed of the complaint.
- The relevant institution is informed and asked to respond.
- The committee assesses the complaint in relation to the defence and the code of conduct.
- The commission rules and informs the parties involved of the decision.

The Paepon member at whom the complaint is aimed is deemed to accept the decision and to carry out any actions arising from this within a reasonable term.

The decision and subsequent actions are recorded.

The General Membership Meeting reports the main points of the quality enforcement committee meetings.

Complaint from a Paepon member against a fellow Paepon member / complaints committee¹³

The procedure of Paepon is as follows:

- Upon receipt, the complaint is assessed in terms of admissibility.¹⁴
- If the complaint is dismissed, the complainant is informed accordingly substantiated with reasons.
- If admissible, the complaint is registered.
- The complainant receives confirmation that the complaint is dealt with.
- The complainant is asked to pay a security deposit of (EUR 750) for the costs to be incurred. Settlement takes place after the decision is made and depends on that decision. If the complaint is upheld, the costs are at the expense of the defendant (possibly the Association) If the complaint is not upheld, the complainant will bear the costs.
- The institution which the complaint is aimed at is informed of the complaint, substantiated with reasons as to why the complaint is allowed.
- Parties are informed that an (external) complaints committee is formed.
- Parties are asked to agree to the compilation of this committee.
- If either party is unable to agree to the committee that has been formed, the board must be informed accordingly within five working days, stating the reasons.
- Parties are given two opportunities to reject the committee. The third time, the requested committee will rule.
- The parties are informed of the term within which a decision can be expected.
- With regard to handling complaints, the Board reports its actions in the General Membership Meeting.

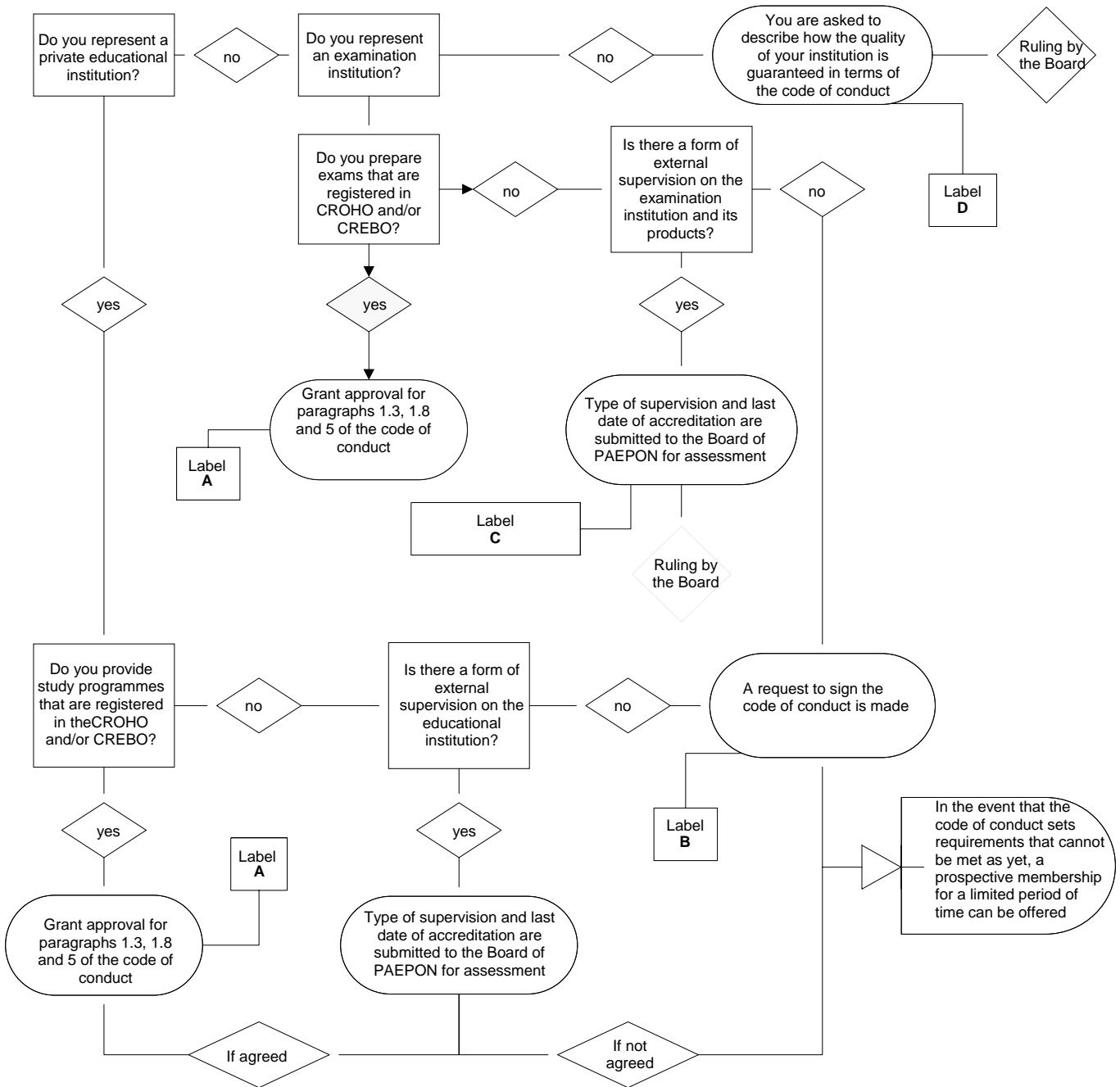
¹¹ Standing orders art. II.2

¹² Admissibility of complaints from clients of members only applies if actions have been carried out in accordance with the complaint procedure of the institute. If not, the complaint is referred back to the institute for handling at institute level in accordance with the in-house complaints procedure.

¹³ The external complaints committee must be compiled with the necessary care. Both complainant and defendant must agree to the composition of this complaints committee. The Committee consists of two external members and is chaired by the quality care portfolio holder; the Director acts as Secretary. External members are independent and authoritative.

¹⁴ Complaints from Paepon members against fellow-members and third-party complaints are admissible if covered by a term in the code of conduct.

Form
CODE OF CONDUCT PAEPON ASSOCIATION
To be returned to PAEPON



The undersigned has read the code of conduct and procedures for enforcement referred to and signs as follows:

Or : label a label b label c label d (Circle as applicable);

date

Name
 Institution
 Position

Or : (for members of Paepon who have been members as from before 1 January 2005 and who cannot automatically endorse the code) anticipated date of signing:

date: