

# Sanctions Policy

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# Contents

- 1 Purpose**
- 2 Definitions**
- 3 Roles and Responsibilities**
- 4 Application of Sanctions**
- 5 Tariff of Sanctions**
- 6 Informing the Qualifications Regulator and other Awarding Organisations/Stakeholders**
- 7 Appeals**
- 8 Review of the Policy**
- 9 Location of the Policy**

# 1 Purpose

This policy sets out SFJ Awards' approach as a regulated awarding organisation to imposing penalties and sanctions.

It sets out the range of sanctions that SFJ Awards may apply to centres, centre staff and learners that are suspected or have been proven to have not adhered to SFJ Awards' approved centre criteria.

# 2 Definitions

**Transgression** is an act that goes against a policy, regulation, rule, or code of conduct.

**Penalties** are a consequence or disadvantage attached to an action or condition.

**Sanctions** are actions typically taken to influence conduct.

If the assessments of a qualification or the associated quality assurance procedures are compromised and a breach of policy or regulation has occurred, SFJ Awards will apply sanctions.

The primary aims of applying sanctions are to:

- Protect and minimise the risk to the integrity of qualifications and/or the quality assurance process.
- Protect all aspects of SFJ Awards' awarding of results and certificates.
- Allow SFJ Awards to investigate suspected maladministration/malpractice while maintaining the integrity of the qualification(s) involved.
- Protect the interest of Learners.
- Protect public confidence in SFJ Awards' qualifications.

This Sanctions Policy has been written to support SFJ Awards' Malpractice Policy, Maladministration Policy and Learner Conduct Policy. Please refer directly to the respective policy for information regarding the procedures relating to cases of plagiarism, collusion, malpractice, maladministration.

# 3 Roles and Responsibilities

**Heads of Centre:**

- Ensure staff and learners understand the consequences of transgression.
- Implement assessment activity and quality assurance activities that comply with SFJ Awards' requirements.
- Carry out corrective actions imposed by SFJ Awards to maintain compliance with SFJ Awards' centre approval criteria.

### **SFJ Awards' External Quality Assurers (EQAs):**

- Following EQA events, based on evidence seen, make recommendations to SFJ Awards' Quality Assurance Officer regarding necessary sanctions that may be applied to a centre.
- Enable SFJ Awards' Quality Assurance Officer/Quality & Assessment Manager to make the final decision on the sanction (and sanction level) that will be applied.

### **SFJ Awards Quality Assurance Officer:**

- Consider recommended sanctions.
- Confirm in writing applied sanctions to the centre.

### **SFJ Awards' Quality and Assessment Manager:**

- Ensure the policy it is implemented fairly and consistently across SFJ Awards' approved centres.
- Monitor progress of approved centres where sanctions have been imposed.
- Reduce or escalate sanctions, as necessary, based on risk.

## **4 Application of Sanctions**

All centres recognised by SFJ Awards are required, as a condition of centre approval, to sign an enforceable centre agreement between themselves and SFJ Awards prior to delivering its qualifications, and to comply with the agreement at all times.

Compliance is monitored regularly by SFJ Awards' External Quality Assurance (EQA) team, through their centre monitoring activities.

Where an approved centre fails to meet SFJ Awards' centre approval criteria, SFJ Awards will apply a sanction to that centre to mitigate any risk.

Sanctions are generally applied by SFJ Awards upon the recommendation of the EQAs.

Centres are informed in writing by SFJ Awards' Quality Assurance Officer that a sanction is being applied. The centre must implement corrective actions to remove the risk identified within the timescales specified by SFJ Awards. Progress will be monitored.

The centre will be made fully aware of the likely outcomes should the corrective actions not be satisfactorily addressed within the required timescales.

Sanctions will be reduced or lifted when the corrective action has been completed and SFJ Awards is satisfied that the level of risk is reduced.

Should the corrective action(s) not be completed satisfactorily, SFJ Awards reserves the right to escalate the level of sanction according to the level of risk identified. This could result in the withdrawal of the SFJ Awards' centre approval, meaning the centre would no longer be able to offer qualifications through SFJ Awards.

Where sanctions involve additional visits to a centre, the visits will be at the centre's expense.

## 5 Tariff of Sanctions

### Sanctions and Penalties applied against Centre

The table below shows the level of centre sanction relative to the level of transgression:

Table 1: Levels of Transgression		
Level of Transgression	Sanction	Rationale
1	Entry into action plan	Non-compliance with the centre approval criteria but no threat to the integrity of assessment decisions
2	Removal of Direct Claims Status. Claims for certification must be authorised by the External Quality Assurer (EQA)	Close scrutiny of the integrity of assessment decisions required
3 (a)	(a) Suspension of registration	(a) Threat to learners
3 (b)	(b) Suspension of certification (of specific qualifications). Claims for certification must be authorised by SFJ Awards' Quality Team	(b) Loss of the integrity of assessment decisions – risk of invalid claims for certification
4	Withdrawal of Centre Approval for specific qualifications	Irretrievable breakdown in management and quality assurance of specific qualifications
5	Withdrawal of Centre Approval for all qualifications	Irretrievable breakdown in management and quality assurance of all qualifications run by the centre and the centre's compliance with centre approval criteria

Details of the sanctions above in relation to the specific centre approval criterion can be found in SFJ Awards' Centre Handbook, available from SFJ Awards' website – [www.sfjawards.com/handbook](http://www.sfjawards.com/handbook)

## Sanctions and Penalties applied against Centre Staff and Learners

In severe circumstances SFJ Awards reserves the right to impose sanctions upon individual centre staff and/or individual learners.

**Centre Staff:** refers to any individual working for or on behalf of the centre, either as an employee or in any capacity such as (but not limited to) a contractor, consultant, trainer, assessor, invigilator, or internal quality assurer.

Any sanction imposed on any individual will apply to all SFJ Awards centres in which the individual is working. SFJ Awards will share information about the sanction imposed on the individual with all SFJ Awards centres for which the individual is listed or approved to work.

**Learners:** any sanction imposed on any learner will apply to all SFJ Awards centres in which the learner is registered, eg if a learner is disqualified from a unit, they will not be allowed to be registered for that unit in any SFJ Awards centre.

Such sanctions may include (*the list is not exhaustive and is intended for guidance only*):

Centre Staff			Learners		
Level	Sanction		Level	Sanction	
1	<b>Written warning</b>	<ul style="list-style-type: none"> <li>Member of staff issued with a written warning.</li> <li>If the offence is repeated, further specified sanctions will be applied.</li> </ul>	1	<b>Warning</b>	<ul style="list-style-type: none"> <li>Learner issued with a warning that if the offence is repeated, further specified sanctions will be applied.</li> </ul>
2	<b>Special conditions</b>	<ul style="list-style-type: none"> <li>Special conditions imposed on future involvement in examinations and/or assessments by the member of staff, for a stated period of time, with a review.</li> </ul>	2	<b>Disqualification for a unit</b>	<ul style="list-style-type: none"> <li>Learner disqualified from undertaking the qualification unit.</li> <li>Any qualifications and/or units previously achieved in full are retained.</li> </ul>
3	<b>Training</b>	<ul style="list-style-type: none"> <li>Member of staff required to undertake specific training or mentoring, within a stated period of time, with a review at the end of the training.</li> </ul>	3	<b>Disqualification from a whole qualification</b>	<ul style="list-style-type: none"> <li>Learner disqualified from undertaking the whole qualification taken.</li> <li>Any qualifications and/or units previously achieved in full are retained.</li> </ul>
4	<b>Suspension</b>	<ul style="list-style-type: none"> <li>Member of staff barred from all involvement in the delivery of SFJ Awards' examinations/assessments, either for a set period of time (with a review) or permanently.</li> <li>Relevant stakeholders notified.</li> </ul>	4	<b>Learner barred</b>	<ul style="list-style-type: none"> <li>Learner barred from being registered for one or more qualification.</li> <li>The Learner's issued certificate is invalidated, revoked, cancelled or withdrawn.</li> <li>Relevant stakeholders notified.</li> </ul>

## Other Discretionary Sanctions

There may be other general circumstances where SFJ Awards reserve the right to impose discretionary sanctions upon a centre:

Circumstance	Sanction
Non-payment	Temporary suspension of registration
Failure to communicate with us	Temporary suspension of centre approval
Failure to comply with the SFJ Awards' centre contract agreement	Temporary (or permanent) suspension of centre approval, based on risk

## 6 Follow up Action

Imposed sanctions will remain in place until such time that either:

- the matter has been resolved to SFJ Awards' satisfaction.
- investigation into the issue(s) is complete and SFJ Awards is assured there is no longer a threat to the integrity of its awarding functions.
- an appeal has been successfully upheld.

Please note that we may agree to reduce the sanction applied as a result of the above, but SFJ Awards equally reserve the right to maintain a sanction (or escalate the sanction level based on further information identified) to protect the integrity of its awarding functions, based on risk.

## 7 Informing the Qualifications Regulator and other Awarding Organisations/Stakeholders:

If a reported incident has the potential to lead to an Adverse Effect, SFJ Awards Awarding Organisation Manager will promptly notify the Qualifications Regulators and keep them fully informed.

As a regulated awarding organisation, SFJ Awards is required to share certain information relating to the imposition of sanctions with other awarding organisations and the Qualifications Regulators who may be affected. This may impact upon a centre's ability to deliver qualifications with other awarding organisations.

In cases where SFJ Awards is informed of sanctions imposed by the Qualifications Regulators and/or another awarding organisation or stakeholder upon centres it is also working with, SFJ Awards will take appropriate action. We will check the centre's current activity, its quality assurance performance to date, undertake a risk assessment (based on the information provided), and where necessary and appropriate, make arrangements to increase SFJ Awards' monitoring of the centre to ensure that the award of credit of SFJ Awards units/qualifications is sound and safeguarded.

## 7 Appeals

You have the right to appeal against sanctions imposed by SFJ Awards. Appeals must be in writing stating the grounds on which your appeal is based. Please refer to SFJ Awards' Enquiries and Appeals Policy available from [www.sfjawards.com/appeals](http://www.sfjawards.com/appeals)

Appeals should be made within 20 working days of being notified of the sanction(s).

## 8 Review of the Policy

This policy will be reviewed by the Quality and Assessment Manager on a regular basis as part of SFJ Awards' self-evaluation arrangements and revised as necessary in response to lessons learnt, customer feedback, changes in legislation and guidance from the Qualifications Regulators.

Our review of the policy will ensure that SFJ Awards procedures continue to be consistent with the regulatory criteria and are applied appropriately and equitably.

Policies and formal amendments to policies are approved at the next meeting by the Quality & Standards Committee.

If you have any queries about the content of the policy or you wish to give feedback then please contact SFJ Awards Tel: 01142 841970 or email [info@sfjawards.com](mailto:info@sfjawards.com)

## 9 Location of the Policy

You can download copies of the policy from our website: [www.sfjawards.com/sanctions](http://www.sfjawards.com/sanctions)