



Sanctions Policy



Revisions and Amendment Register

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May 2024		New updated issue following policy review	24/1
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1. Purpose

This policy sets out SFJ Awards' approach to sanctions and precautionary measures where non-compliance, malpractice or maladministration is suspected or established, or where action is necessary to protect learners, assessment validity, certification and the integrity of SFJ Awards' awarding functions.

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.

Qualifications Regulator means a body responsible for regulating qualifications offered by SFJ Awards within a particular jurisdiction, including Ofqual, Qualifications Wales, CCEA Regulation and Qualifications Scotland Accreditation.

Where assessment, certification or associated quality assurance arrangements may be compromised, SFJ Awards may apply proportionate precautionary measures or sanctions according to the evidence and level of risk.

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 interests of Learners.
- Protect public confidence in SFJ Awards' qualifications.

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

3. Roles and Responsibilities

Heads of Centre must:

- 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) must:

- Following EQA activity and based on the evidence available, make recommendations to the SFJ Awards Quality Assurance team regarding any necessary sanction or additional control.
- Provide sufficient evidence and rationale to support an authorised decision on the appropriate sanction and any associated actions.

SFJ Awards' Quality Assurance team will:

- Consider recommendations and determine the appropriate response in accordance with delegated authority.
- Confirm in writing the sanction, rationale, required actions, review arrangements and potential consequences of non-compliance.

The responsible Quality Manager will:

- Ensure this policy is implemented fairly and consistently across SFJ Awards' approved Centres.
- Monitor progress of approved Centres where sanctions have been imposed.
- Authorise the maintenance, reduction, escalation or removal of sanctions, as appropriate, in accordance with the evidence and level of risk.

4. Application of Sanctions

All Centres recognised by SFJ Awards are required, as a condition of Centre approval, to enter into an enforceable Centre Agreement with SFJ Awards before delivering SFJ Awards qualifications and to comply with that agreement at all times.

Compliance is monitored by SFJ Awards through external quality assurance and other Centre monitoring activities.

Where an approved Centre fails to meet SFJ Awards' Centre approval criteria or other applicable requirements, SFJ Awards may apply a sanction or additional control to mitigate the identified risk.

Sanctions are generally applied following a recommendation from an External Quality Assurer. SFJ Awards reserves the right to apply sanctions in other circumstances, including where information is received from a credible source. This may include information received from a Qualifications Regulator, another awarding organisation or another relevant stakeholder.

Sanctions will be determined on a case-by-case basis and will be proportionate to the nature, seriousness and impact of the matter. SFJ Awards will consider the risk to learners,

the validity of assessment and certification, the extent and duration of the non-compliance, any previous or repeated concerns, the Centre's response and the effectiveness of available corrective action. Sanctions do not have to be applied sequentially, and more than one sanction may be applied where necessary.

Except where immediate precautionary action is necessary to protect learners, assessment validity, certification or the integrity of SFJ Awards' awarding functions, the affected Centre or individual will be informed of the concerns and given a reasonable opportunity to provide relevant information before a final sanction is determined.

A precautionary measure does not constitute a finding of malpractice, maladministration or non-compliance. It may be applied while enquiries or investigations are ongoing where necessary to manage an identified risk.

Written notification will specify the sanction or precautionary measure imposed, its scope, the reasons and evidence supporting the decision, any required corrective actions, the timescales for completion, the date or conditions for review and the consequences of failing to address the identified concerns.

Sanctions and precautionary measures will be reviewed at appropriate intervals and will remain in place only for as long as they are necessary and proportionate to the identified risk.

SFJ Awards may maintain, reduce, escalate or remove a sanction following review of the evidence and the level of continuing risk. Movement between sanction levels will not necessarily be sequential.

If corrective action is not completed satisfactorily, or further concerns are identified, SFJ Awards may escalate the sanction according to the level of risk. This may result in withdrawal of qualification approval or Centre approval.

Where a sanction or precautionary measure requires additional monitoring or visits, SFJ Awards reserves the right to charge the Centre in accordance with its published fees or the Centre Agreement.

5. Tariff of Sanctions

Sanctions applied to Centres

The table below (Table 1) shows the level of Centre sanction relative to the level of transgression:

Table 1: Levels of Transgression		
Level of Transgression	Sanction	Rationale
L1a	Action plan	Initial, isolated or lower-risk non-compliance that can be addressed through agreed corrective action.
L1b	Enhanced monitoring and/or increased sampling	Repeated, wider or higher-risk non-compliance requiring additional assurance, but not currently requiring suspension of activity.
L2	Removal of Direct Claims Status	Applicable where the Centre holds DCS and assessment or quality assurance decisions require external authorisation before certification.
L3a	Suspension of registrations	New learner registrations are stopped where continued registration would create or increase an unacceptable risk.
L3b	Suspension of certification	Certification is stopped where the validity of assessment decisions or claims cannot currently be assured.
L4	Withdrawal of qualification approval	Approval to deliver one or more specified qualifications is withdrawn.
L5	Withdrawal of Centre approval	The Centre's overall approval to deliver SFJ Awards qualifications is withdrawn.

Sanctions applied to Centre Staff and Learners

Where appropriate, SFJ Awards reserves the right to impose sanctions or precautionary measures on 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.

Where appropriate to the nature and seriousness of the matter, a sanction or restriction imposed on an individual may apply across all SFJ Awards Centres at which the individual works, delivers or is registered. Any wider application will be determined on a risk basis and communicated to the affected individual and Centre or Centres.

Learners: a sanction may apply to one or more registrations held by the learner. Its scope will be determined according to the evidence, the affected assessment or qualification and the level of risk.

The table below provides examples of sanctions that SFJ Awards may apply to Centre staff and learners. These sanctions are separate from the Centre sanction levels in Table 1 and are not listed in a fixed order of severity. SFJ Awards may apply one or more sanctions according to the nature, seriousness and impact of the matter. The list is not exhaustive.

Table 2: Example sanctions that may be applied to Centre staff and learners		
Applies to	Sanction	Possible application
Centre staff	Written warning	A formal warning requiring the individual to address specified conduct or non-compliance. Further sanctions may be applied if the matter is repeated or not resolved.
Centre staff	Training or mentoring	A requirement to complete specified training, mentoring or standardisation activity within an agreed period. Evidence of completion and effectiveness may be required.
Centre staff	Special conditions or restrictions	Conditions placed on the individual's involvement in delivery, assessment, internal quality assurance or examinations for a specified period, subject to review. This may include increased scrutiny, countersigning or supervision.
Centre staff	Temporary suspension	The individual is temporarily prevented from undertaking specified or all activities connected with SFJ Awards qualifications while corrective action, review or investigation takes place.
Centre staff	Permanent prohibition	The individual is permanently prohibited from undertaking specified or all activities connected with SFJ Awards qualifications. Relevant Centres, regulators or other stakeholders may be notified where appropriate.

Table 2 continued: Learner sanctions

Applies to	Sanction	Possible application
Learners	Formal warning	A formal warning regarding specified conduct or non-compliance and the potential consequences of any repetition.
Learners	Loss or rejection of affected assessment evidence	Assessment evidence, results or marks affected by malpractice or other invalidating circumstances will not be accepted. The learner may be permitted to complete a reassessment where appropriate.
Learners	Disqualification from a unit	The learner is disqualified from the affected unit. Any unaffected units or qualifications previously validly achieved will normally be retained.
Learners	Disqualification from a qualification	The learner is disqualified from the affected qualification. Any unrelated qualifications or units previously validly achieved will normally be retained.
Learners	Restriction or bar on future registrations	The learner is prevented from registering for specified SFJ Awards units or qualifications, either for a defined period or permanently.
Learners	Invalidation or withdrawal of results or certificates	Results or certificates shown to be invalid may be withheld, invalidated or withdrawn. Relevant Centres, regulators or other stakeholders may be notified where appropriate.

Other Circumstances in Which Sanctions May Be Applied

The following are examples of other circumstances in which SFJ Awards may apply sanctions. The appropriate sanction will be determined in accordance with Table 1 and the level of risk.

Circumstance	Sanction
Non-payment	Suspension of registrations under L3a, where permitted by the Centre Agreement and applicable terms and conditions.
Failure to communicate with us	Enhanced monitoring or increased sampling under L1b, with further escalation where the risk cannot be adequately assessed or managed.
Failure to comply with the SFJ Awards' Centre contract agreement	A proportionate sanction under Table 1, up to and including withdrawal of Centre approval.

6. Follow-up Action

Sanctions and precautionary measures will be reviewed in accordance with Section 4. They may remain in place until the matter has been resolved to SFJ Awards' satisfaction, any investigation has been completed and the identified risk has been adequately addressed, or an appeal has been upheld.

Following review, SFJ Awards may maintain, reduce, escalate or remove a sanction or precautionary measure based on the available evidence and the level of continuing risk.

7. Informing Qualifications Regulators and Other Awarding Organisations/Stakeholders

If a reported incident has caused, or has the potential to cause, an Adverse Effect or otherwise meets a regulatory reporting requirement, SFJ Awards' Responsible Officer and/or delegated senior manager will promptly notify the relevant Qualifications Regulator(s) and keep them appropriately informed.

As a regulated awarding organisation, SFJ Awards may be required to share information about sanctions with relevant Qualifications Regulators, other awarding organisations and stakeholders where they may be affected. This may affect a Centre's ability to deliver qualifications with other awarding organisations.

Where SFJ Awards becomes aware of sanctions or regulatory action imposed on a Centre by another Qualifications Regulator, awarding organisation or stakeholder, SFJ Awards will review the Centre's current activity and quality assurance performance and undertake a risk assessment based on the information available.

Where necessary, SFJ Awards may apply additional monitoring, controls or sanctions to ensure that the assessment, certification and award of SFJ Awards units and qualifications remain valid and safeguarded.

8. 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 sfjawards.com/policies.

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

9. Regulatory Requirements

Regulatory Body	Regulatory guidance document	Relevant regulatory condition, principle or requirement
Ofqual	General Conditions of Recognition	A8, C2
CCEA Regulation	General Conditions of Recognition	A8, C2
Qualifications Wales	Qualifications Wales Standard Conditions of Recognition	A8, C2
Qualifications Scotland Accreditation	Regulatory Requirements	Regulatory Principles, Regulatory Principle Directives and Accreditation Licence

10. Review of the Policy

This policy will be reviewed by SFJ Awards 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.

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

11. Location of the Policy

A copy of this policy can be downloaded from Odyssey and from the SFJ Awards website:
sfjawards.com/policies

12. Copyright

The content of this document is, unless otherwise indicated, Copyright © SFJ Awards and may not be copied, revised, reproduced or distributed, without prior written consent from SFJ Awards.