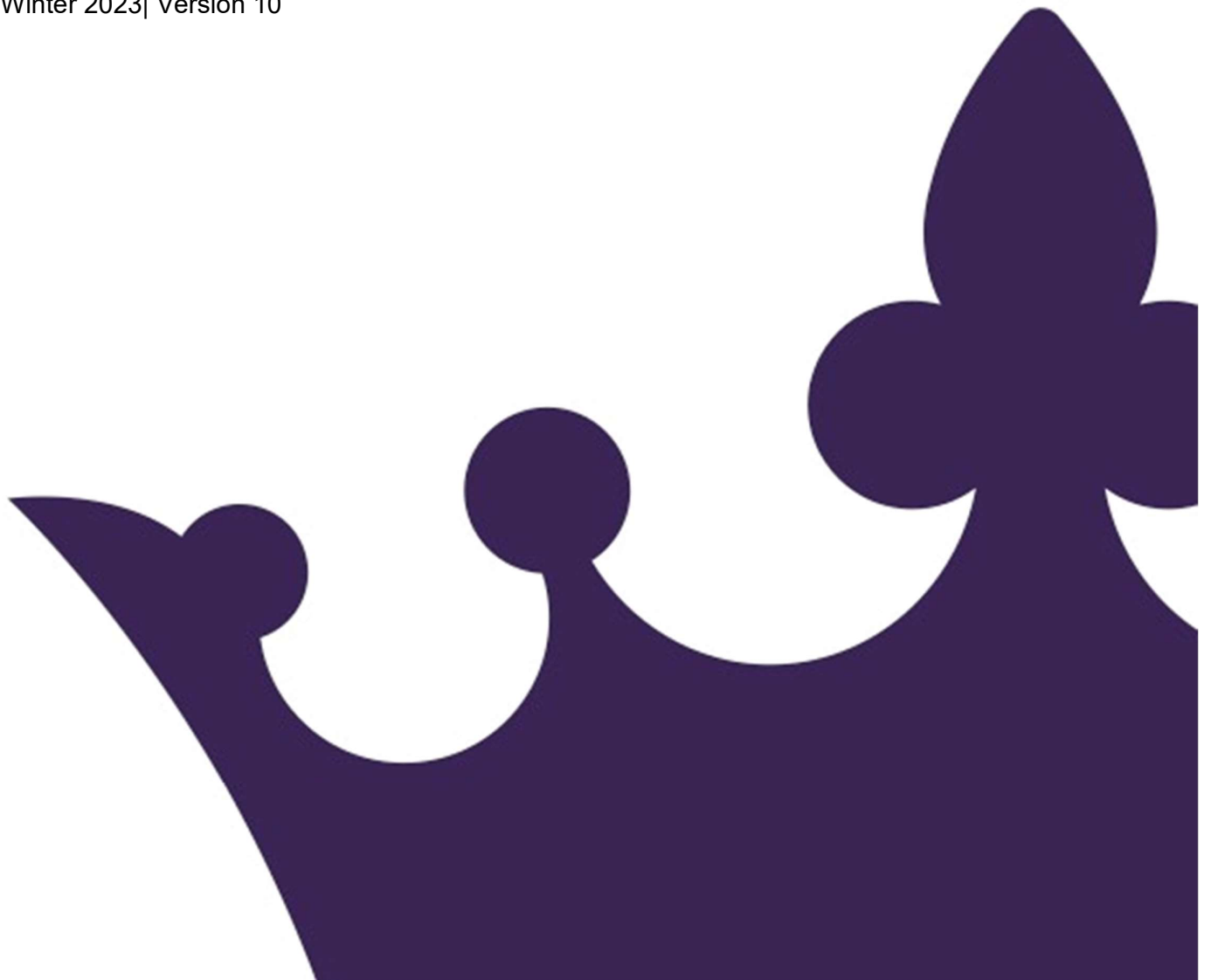




# Malpractice and Maladministration Policy and Procedures

Winter 2023| Version 10



# 1 Purpose

This policy sets out SFJ Awards' approach to preventing and managing any form of malpractice or maladministration which undermines the credibility of qualifications, EPAs and learner or apprentice achievements.

It is the responsibility of all SFJ Awards staff, Centres, employers and training providers to be vigilant with regard to any events which may lead to malpractice or maladministration occurring, and that all those involved in qualifications or End-Point Assessments have arrangements in place to prevent and investigate instances of malpractice and maladministration.

## 2 Definitions

### 2.1 Malpractice

Malpractice and maladministration are two distinct, but related, concepts. SFJ Awards defines malpractice as any activity or practice which deliberately contravenes regulatory requirements and compromises the integrity of the assessment process, the validity of certificates, the credibility of SFJ Awards and public confidence in qualifications, apprenticeships or End-Point Assessment processes.

Malpractice generally involves some form of intent. It may also include circumstances where an individual has been negligent or reckless as to the consequences of their actions.

Two of the clearest examples of potential malpractice are:

- cheating, or facilitating cheating, in an assessment; and
- attempting intentionally to manipulate a result so that it does not reflect the Learner's or apprentice's actual performance in an assessment.

Such action could be taken by the Learner themselves, a teacher, an exams officer, or any other individual involved in, or with access to, the assessment process. (Ofqual General Conditions of Recognition, 2017).

### 2.2 Maladministration

SFJ Awards defines maladministration as any activity, practice or neglect which results in non-compliance with administrative requirements for the delivery of SFJ Awards' qualifications.

Some examples of maladministration include:

- Persistent mistakes, errors or poor administration, such as:
  - persistent failure to correctly follow SFJ Awards' learner or apprentice registration/ booking and certification procedures
  - persistent late registration of learners
  - mistakes in claims for certificates
  - certificates not claimed for learners
  - poor record keeping
- Unreasonable delays in responding to requests and communications from SFJ Awards (e.g., Centre delaying visits by External Quality Assurers)

- Denying reasonable access to records or information to an SFJ Awards representative or the Qualification Regulators.
- Poor communication from the centre (e.g. not responding to requests for information)
- Inadvertently giving misleading or inadequate information
- Requests for End-Point Assessment where learners have not fully achieved 'Gateway'
- Incidents of not complying with SFJ Awards' invigilation requirements
- Actions that lead to learners/apprentices having an unfair advantage or disadvantage

*This list is not exhaustive and is intended for guidance only.*

Please Note: serious or persistent occurrences of maladministration may be accelerated to malpractice without the need for evidence of any deliberate attempt to contravene regulations.

## 3 Roles and Responsibilities

### 3.1 Learners or Apprentices must:

- Make themselves aware of the implications of malpractice or cheating.
- Ensure they are familiar with their Centre's malpractice policy and learner conduct policy.
- Speak to a member of staff at their Centre, training provider or employer if they have any concerns or questions about malpractice.
- Report any suspected cases/incidents to a member of Centre, training provider or employer staff.

### 3.2 Centre Staff must:

- Understand the implications of malpractice or cheating.
- Read and confirm their understanding of your Centre's malpractice policy.
- Be vigilant and report any suspected malpractice to the Head of Centre immediately.
- Assist fully in investigations.
- Report suspected or actual maladministration to the Head of Centre immediately to enable them to investigate.

### 3.3 Employers and Training Providers must:

- Understand the implications of malpractice or cheating.
- Be familiar with the SFJ Awards End-Point Assessment malpractice/maladministration policy.
- Be vigilant and report any suspected malpractice or maladministration to SFJ Awards immediately.
- Assist fully in investigations.

### 3.3 Heads of Centre must:

- Ensure the Centre is always compliant with SFJ Awards Centre approval criteria.
- Have a policy in place for preventing, investigating and dealing with alleged or suspected malpractice or maladministration.
- Ensure all staff and learners understand malpractice and/or maladministration and the associated consequences.
- Monitor Centre activity to detect any suspected or actual malpractice or maladministration.
- Have suitable verifiable administrative procedures in place to prevent instances of maladministration, identifying weaknesses and implementing new processes as a result of lessons learnt.

- Promptly investigate any suspected or actual malpractice or maladministration, using staff who are independent of the alleged or suspected malpractice or maladministration.
- Promptly report to SFJ Awards details of any malpractice or maladministration investigations that have taken place.
- Cooperate fully with SFJ Awards in any further investigation of reported, suspected or actual malpractice or maladministration.

#### **3.4 All SFJ Awards Staff and External Quality Assurers (EQAs) must:**

- Be vigilant and report any suspected cases of malpractice or maladministration to SFJ Awards' Quality Assurance and Compliance Manager or EPA Quality Assurance Manager immediately.
- Support Centres and provide them with guidance on how to prevent, investigate and deal with alleged or suspected malpractice or maladministration.
- Limit cases of malpractice or maladministration through routine external quality assurance activities.
- Identify issues during day-to-day operations that lead SFJ Awards to believe that malpractice or maladministration has, or may have, happened.
- Take into consideration instances of malpractice or maladministration when recommending sanctions and applying appropriate risk ratings to approved Centres.
- Report any suspected cases of malpractice or maladministration to SFJ Awards' Quality Assurance Managers immediately.

#### **3.5 SFJ Awards' Quality Assurance Managers must:**

- Notify the Head of Centre when either SFJ Awards or an external/third party identifies alleged or actual malpractice or maladministration.
- Oversee the work of the External Quality Assurers (EQAs) to reduce, detect and manage malpractice or maladministration.
- Examine cases of alleged or actual malpractice or maladministration and determine the wider implications of each reported malpractice or maladministration event.
- Identify weaknesses and implement new processes as a result of lessons learnt.
- Inform the SFJ Awards Responsible Officer immediately of any actual or potential Adverse Effect that arises.

## 4 Preventing Malpractice and Maladministration

### 4.1 Malpractice

SFJ Awards takes any form of malpractice by learners or by anyone involved in the delivery, assessment and internal quality assurance of its qualifications and EPA very seriously.

Centres, Training Providers and Employers must take all reasonable steps to prevent the occurrence of malpractice, by identifying where potential malpractice may take place and taking preventative action, building security measures and robust quality assurance into their working practices.

It is important that staff involved in the delivery, assessment, and internal quality assurance of SFJ Awards' qualifications, units, courses or EPA are aware of this policy and the consequences of malpractice.

### 4.2 Centre Malpractice:

The following are examples of Centre malpractice (*the list is not exhaustive and is intended for guidance only*):

- Tampering with learner scripts or assessed work after collection.
- Improper assistance to learners in the production of assessed work.
- Fabricating assessment and/or internal quality assurance/certification records or authentication statements.
- Making fraudulent claims for certificates.
- Deliberate misuse of the SFJ Awards' logo.
- A Centre failing to inform SFJ Awards of an incident or suspected incident of malpractice regardless as to whether the Centre believes it has resolved the incident or not.
- Failing to declare a Conflict of Interest.

### 4.3 Learner Malpractice:

The following are examples of learner malpractice (*the list is not exhaustive and is intended for guidance only*):

- Cheating
- Plagiarism (i.e. submitting work that is not the learner's own work).
- Using a false identity to gain a qualification by proxy.
- Forging evidence which is submitted for assessment (e.g., forged letters, signatures, certificates)
- Misrepresentation of their role in a work-based activity to secure evidence of competence.
- Collusion.
- Introduction of unauthorised materials or equipment into the assessment room (e.g. reference materials, calculators, mobile phones).
- Deliberate destruction of another's work.
- Failing to adhere to the terms set out by SFJ Awards, where Reasonable Adjustments have been granted.

Further information about plagiarism, collusion and learner conduct can be found in SFJ Awards' Learner Conduct Policy, available from the website [www.sfjawards.com/policies](http://www.sfjawards.com/policies)

SFJ Awards recognises that whatever preventative measures it or a Centre puts in place, malpractice may occur.

Malpractice cases can lead to *(the list is not exhaustive and is intended for guidance only)*:

- Learners or apprentices not receiving credit for their work.
- Learners or apprentices not receiving certificates/having certificates revoked.
- Sanctions being applied to the Centre, e.g.:
  - Centre not being approved to offer qualifications(s)
  - Centre registration of learners suspended/not accepted
  - Suspension of certification.
  - Removal of approval for Centre IQA, trainers, or assessors
- Additional financial costs (e.g. additional Centre monitoring visits).
- Removal of qualification approval
- Removal of Direct Claims Status
- Removal of SFJ Awards Centre Approval.

Failure to have in place effective arrangements to prevent instances of malpractice, to promptly investigate suspected or actual malpractice cases and to promptly report outcomes of concluded investigations to SFJ Awards, may lead to sanctions being imposed on Centres (outlined in the SFJ Awards' Sanctions Policy) available from the website [www.sfjawards.com/policies](http://www.sfjawards.com/policies)

#### **4.4 Artificial Intelligence (AI)**

Artificial Intelligence (AI) is the ability of a computer or computer-controlled robot to perform tasks commonly associated with intelligent being. In the context of learning and assessment, AI tools can be used to obtain information and content which might be used in work produced for assessments which lead towards qualifications, or can be used to create the assessments..

##### **4.4.1 Use of AI in Assessments**

All involved with qualifications and EPA should be aware that AI tools are evolving and there are often limitations to their use, such as producing inaccurate or inappropriate content.

AI chatbots are AI tools which generate text in response to user prompts and questions. Users can ask follow-up questions or ask the chatbot to revise the responses already provided. AI chatbots respond to prompts based upon patterns in the data sets upon which they have been trained. They generate responses which are statistically likely to be relevant and appropriate. AI chatbots can complete tasks such as the following:

- Answering questions
- Analysing, improving, and summarising text
- Authoring essays, articles, fiction, and non-fiction
- Writing computer code
- Translating text from one language to another
- Generating new ideas, prompts, or suggestions for a given topic or theme
- Generating text with specific attributes, such as tone, sentiment, or format

AI tools must only be used when the conditions of the assessment permit the use of the internet and where the learner is able to demonstrate that the final submission is the product of their own independent work and independent thinking.

#### **4.4.2 What is AI Misuse**

The misuse of AI tools in relation to assessments at any time constitutes malpractice. The malpractice sanctions available for the offences of 'making a false declaration of authenticity' and 'plagiarism' include disqualification and debarment from taking qualifications or EPA for several years. A learner or apprentice's marks may also be affected if they have relied on AI to complete an assessment and, as noted above, the attainment that they have demonstrated in relation to the requirements of the qualification does not accurately reflect their own work.

Examples of AI misuse include, but are not limited to:

- Copying or paraphrasing sections of AI-generated content so that the work is no longer the learner's own
- Copying or paraphrasing whole responses of AI-generated content
- Using AI to complete parts of the assessment so that the work does not reflect the learner's own work, analysis, evaluation or calculations
- Failing to acknowledge use of AI tools when they have been used as a source of information
- Incomplete or poor acknowledgement of AI tools
- Submitting work with intentionally incomplete or misleading references or bibliographies.

#### **4.4.3 Acknowledging AI Use**

If a learner or apprentice uses an AI tool which provides details of the sources it has used in generating content, these sources must be verified and referenced in their work in the normal way.

Where an AI tool does not provide such details, learners or apprentices should ensure that they independently verify the AI-generated content – and then reference the sources they have used.

In addition to the above, where learners or apprentices use AI, they must acknowledge its use and show clearly how they have used it. This allows teachers and assessors to review how AI has been used and whether that use was appropriate in the context of the particular assessment. This is particularly important given that AI-generated content is not subject to the same academic scrutiny as other published sources.

Where AI tools have been used as a source of information, an acknowledgement must show the name of the AI source used and should show the date the content was generated. For example: ChatGPT 3.5 (<https://openai.com/blog/chatgpt/>), 25/01/2023. The learner must retain a copy of the question(s) and computer-generated content for reference and authentication purposes, in a non-editable format (such as a screenshot) and provide a brief explanation of how it has been used. This must be submitted with the work so that the teacher/assessor is able to review the work, the AI-generated content and how it has been used. Where this is not submitted, and the teacher/assessor suspects that the learner or apprentice has used AI tools, the teacher/assessor will need to consult the Centre's malpractice policy for appropriate next steps and should take action to assure themselves that the work is the learner's or apprentice's own.

#### **4.5 Maladministration**

SFJ Awards takes any form of maladministration by anyone involved in the delivery,

assessment and internal quality assurance of its qualifications and EPA very seriously.

SFJ Awards recognises that whatever preventative measures it or a Centre puts in place, maladministration may occur.

Maladministration can lead to: *(the list is not exhaustive and is intended for guidance only)*:

- Learners or apprentices not receiving credit for their work.
- Learners or apprentices not receiving certificates/having certificates revoked.
- Sanctions being applied to the Centre, e.g.:
  - Centre not being approved to offer qualifications(s)
  - Centre registration of learners suspended/not accepted
  - Suspension of certification.
  - Removal of approval for Centre IQA, trainers, or assessors
- Additional financial costs (e.g. additional Centre monitoring visits).
- Removal of qualification approval
- Removal of Direct Claims Status
- Removal of SFJ Awards Centre Approval.

It is essential that staff involved in the administration, assessment and internal quality assurance of SFJ Awards' qualifications, units, courses or EPA are aware of this policy and the consequences of maladministration. They must take all reasonable steps to prevent maladministration occurring by identifying where potential maladministration may take place and taking preventative action, building security measures and robust quality assurance into their working practices. All staff must be appropriately trained to ensure that errors are minimised.

## 5 Reporting and Investigating Malpractice or Maladministration - Qualifications

The process for reporting and investigating any qualifications-related malpractice or maladministration is below.

### 5.1 Centre Investigating

Normally SFJ Awards expects its approved Centres to take full responsibility for any instance of potential or identified malpractice or maladministration and investigate. However, in serious cases or if the Centre/key Centre staff are implicated, the investigation will be conducted by SFJ Awards.

Centres must have arrangements in place to quickly, openly, and thoroughly investigate when an actual or suspected instance occurs and promptly implement any corrective actions that arise.

A responsible named person (normally the Head of Centre or suitable appointed manager) must investigate all suspected or actual incidents of malpractice or maladministration and report them to the SFJ Awards.

If it is necessary for the Head of Centre to delegate the responsibility for the investigation to another member of staff it is essential that this person is of similar responsibility within the Centre and can act impartially, i.e., does not have connection with the incident or the department involved in the suspected malpractice or maladministration. Conflicts of interests which may arise may compromise the investigation.



It should not be assumed that because an allegation has been made it is true. The investigator should seek to establish the full facts and circumstances of any alleged malpractice, collecting evidence as appropriate. Evidence could include witness statements, copies of records, photographs and emails.

The aim of the investigation is to:

- Determine the facts relating to the allegations received.
- Determine whether irregularities have occurred.
- Determine the circumstances and scale of the alleged malpractice.
- Identify the cause of the irregularities (and those involved).
- Determine where the culpability lies for any breach of regulation.
- Detect any patterns or trends.
- Identify and, where necessary, take action to minimise the risk to current learners and claims for certification.
- Evaluate any action already taken by the Centre.
- Determine remedial action required to reduce the risk to current learners and to preserve the integrity of the qualification(s).
- Determine whether any action is required in respect of certificates already issued.
- Obtain evidence to support any sanctions to be applied to the Centre and/or to members of staff/learners.
- Determine any changes to policies/procedures that need to be made.
- Determine an outcome.

The investigator should collect evidence and seek to establish the full facts and circumstances of any alleged maladministration.

A written report to document the investigation should be produced. The report should include any proposed actions or recommendations to mitigate similar cases occurring again (with clear timescales and who will be responsible for completing the actions).

The investigation must be fully documented. A written investigation report should be produced. The report should include any suggested actions or recommendations, for SFJ Awards to agree, to resolve the case and to mitigate similar cases occurring again (with clear timescales and who will be responsible for completion).

## **5.2 Centre Reporting**

Where malpractice or maladministration is identified and certificates have been issued by SFJ Awards, the Head of Centre must arrange for those certificates to be recovered and returned promptly to SFJ Awards by trackable post.

Malpractice or maladministration investigations should be reported promptly to the Quality Assurance Team by the Head of Centre (or the appointed investigator), using one of the following methods by either:

1. completing the malpractice or maladministration form available at [www.sfjawards.com/policies](http://www.sfjawards.com/policies); or
2. email to [gateam@sfjawards.com](mailto:gateam@sfjawards.com)

Emails should state:

- the approved Centre's name and address.
- the name(s) of those involved in the suspected or actual malpractice or maladministration and if appropriate, their job role.

- the title of the qualification(s) or programme(s) affected by the suspected or actual malpractice or maladministration.
- the date(s) the suspected or actual malpractice or maladministration occurred.
- the full nature of the suspected or actual malpractice or maladministration.
- full details of internal investigations the Centre has conducted (contained within the investigator's report).
- full details of identified remedial actions to mitigate against the occurrence being repeated (contained within the investigator's report).

The Quality Assurance Team will acknowledge receipt within 5 working days.

Upon receipt SFJ Awards' Quality Assurance Team will consider the details within the investigation report (and supporting evidence) within 10 working days of receipt. (If the process is expected to take longer, you will be advised of this and the likely amended timescale).

SFJ Awards' Quality Assurance and Compliance Manager will then decide to do one of the following:

1. note the incident and take no further action.
2. ask the Head of Centre to carry out further investigation/provide further evidence.
3. take a decision on the case, which may lead to Sanctions being imposed on the Centre (outlined in SFJ Awards' Sanctions Policy).
4. carry out their own further investigate into the matter.

The Head of Centre will be advised of the outcome of the review in writing by SFJ Awards' Quality Assurance and Compliance Manager. Any imposed sanctions will also be conveyed at that time.

The Head of Centre will be expected to respond, within 5 working days, with details of how they will implement any actions or recommendations set, and by whom. If SFJ Awards do not receive a response, they may increase the level of sanction imposed on the Centre accordingly, based on risk.

### **5.3 Investigations carried out by SFJ Awards**

Normally SFJ Awards expects its approved Centres to take full responsibility for any instance of potential or identified malpractice or maladministration and investigate. However, in serious cases, if the Head of Centre/key Centre staff are implicated, or if a report involves fraud or a serious breach of assessment security, an investigation will be carried out by SFJ Awards. This may involve SFJ Awards notifying other third parties who need to know or may be affected – including, for example but not limited to, Ofsted, the Charity Commission, funding bodies and other awarding organisations

Investigations will be carried out promptly, based on facts and evidence obtainable.

SFJ Awards will aim to complete this within 30 working days of informing the Centre that they are commencing the investigation. (If the process is expected to take longer, this will be communicated to the Centre).

Investigations carried out by SFJ Awards will be conducted by the Quality Assurance and Compliance Manager or their appointed representative (e.g., an independent External Quality Assurer with no previous involvement with the Centre).

If it is necessary for SFJ Awards to visit a Centre as part of the investigation, this will be at the expense of the Centre.

SFJ Awards reserves the right to recharge investigation costs incurred in dealing with the appeal to the Centre.

The outcome of the investigation (along with any actions or recommendations set to mitigate similar cases occurring again, with clear timescales for completion) will be communicated in writing by SFJ Awards' Quality Assurance and Compliance Manager to the Head of Centre within 5 working days of their investigation being concluded. Any imposed sanctions will also be conveyed at that time.

The Head of Centre will be expected to respond, within 5 working days, with details of how they will implement any actions or recommendations set, and by whom. If SFJ Awards do not receive a response, they may increase the level of sanction imposed on the Centre accordingly, based on risk.

## 6 Reporting and Investigating Malpractice or Maladministration – End-Point Assessments

The process for reporting and investigating any malpractice or maladministration in relation to End-Point Assessments (EPA) is below.

Anyone who identifies or is made aware of suspected or actual cases of malpractice or maladministration at any time must immediately report the matter to SFJ Awards:

- E-mail to [epa@sfjawards.com](mailto:epa@sfjawards.com)
- Telephone on 0114 284 1970

Allegations must include (where possible):

- Employer and training provider name, address and contact details
- Apprentice's name (where applicable)
- SFJ Awards' representative details (name, job role) if they are involved in the case
- Details of the End-Point Assessment standard affected, or nature of the service affected
- Nature of the suspected or actual malpractice and associated dates details and outcome of any initial investigation carried out by the employer or training provider, or anybody else involved in the case, including any mitigating circumstances.

SFJ Awards' End-Point Assessment Quality Manager will acknowledge receipt within 5 working days.

All suspected cases of maladministration and malpractice will be examined promptly, based on facts and evidence obtainable, to establish if malpractice or maladministration has occurred and we will take all reasonable steps to prevent any adverse effect from occurring.

SFJ Awards will aim to fully complete this within 30 working days of informing the party who has made the allegation that they are commencing the investigation. If the process is expected to take longer, the party that has made the allegation will be advised of this and the likely amended timescale.

Investigations carried out by SFJ Awards will be conducted by the End-Point Assessment Quality Manager or their appointed representative (e.g., an Independent Assessor with no previous involvement with the apprentice, employer or training provider).

SFJ Awards will liaise with the key contacts named in the End-Point Assessment Service Agreement throughout the investigation. We reserve the right to directly contact and involve any persons implicated in the investigation, including apprentice(s), training provider and/or employer staff to gather evidence required to enable the investigation to be thorough and conclusive.

During the investigation period and until that investigation is concluded SFJ Awards may, at our discretion:

- Withhold or withdraw assessment instruments that form part of the EPA, where it is considered that the integrity of the instrument is at risk
- Not accept further apprentice bookings
- Request that ESFA withhold certificate release

The outcome of the investigation (along with any actions or recommendations set to mitigate similar cases occurring again, with clear timescales for completion) will be communicated in writing by SFJ Awards' End-Point Assessment Quality Manager to the employer/training provider within 5 working days of their investigation being concluded. Any imposed sanctions will also be conveyed at that time.

Reported incidents will be monitored by SFJ Awards. SFJ Awards' Quality and Standards Committee will be responsible for monitoring the effectiveness of the process. A summary report will be submitted to the Committee, allowing them to monitor malpractice reports and investigations over time.

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

SFJ Awards are required to notify other Awarding Organisations who offer End-Point Assessment (AOs)/ stakeholders where cases of malpractice are likely to impact on them. This will be necessary where:

- the employer/training provider is affiliated to another AO EPAO, and the alleged malpractice could affect the AO's
- the employer/training provider has indicated they are seeking to work with another AO offering End-Point Assessment.

## 7 Monitoring

Reported incidents will be monitored by SFJ Awards and will contribute towards the ongoing evaluation and overall Risk Rating of approved Centres.

SFJ Awards' Quality and Standards Committee will be responsible for monitoring the effectiveness of the process. A summary report will be submitted to the Committee, allowing them to monitor malpractice and maladministration reports, and investigations over time.

### **Informing the Qualifications Regulator and other awarding organisations/stakeholders:**

If there is credible suspicion that a reported incident has the potential to lead to an Adverse Effect, the SFJ Awards Responsible Officer will notify the Qualifications Regulators and keep them fully informed.

SFJ Awards are required to notify other awarding organisations/stakeholders where cases of

malpractice or maladministration are likely to impact on them. This will be necessary where:

- the Centre is approved by another awarding organisation, and the alleged malpractice or maladministration could affect the awarding organisation's activities
- the Centre has indicated that they are seeking approval from another awarding organisation.

## 8 Sanctions and Penalties

### 8.1 Sanctions and Penalties - Qualifications

Where reports of malpractice or maladministration are found to be proven based on the evidence gathered, SFJ Awards' Quality Assurance and Compliance Manager may impose sanctions or penalties on those involved. Sanctions and penalties will be proportionate to the case and the level of impact on the learner(s), the credibility of the qualification(s) and the impact on the Centre. They will consider legislation that may impact upon the case, including:

- Employment Law.
- Health and Safety Legislation.
- Equalities and Human Rights Legislation.

Sanctions will be imposed on a Centre if malpractice or maladministration has been proven, to:

- Minimise any risk to the integrity of SFJ Awards qualifications.
- Ensure that only learners who have achieved the required standard are awarded the qualification.
- Minimise the potential of the malpractice recurring.
- Maintain the confidence of the public in the delivery and awarding of SFJ Awards qualifications.

The sanction to be applied will depend on the nature and scale of the malpractice or maladministration.

#### 8.1.1 Improvements Applied by Centres

Where a Centre undertakes an internal investigation and can prove that malpractice or maladministration has taken place, it is able to suggest improvements for SFJ Awards to agree.

Below are examples of sanctions or penalties that a Centre may impose in the event of malpractice (*the list is not exhaustive and is intended for guidance only*):

- Implement revised procedures to mitigate future occurrences.
- Remove member(s) of staff from the administration, assessment or internal quality assurance process of the qualification.
- Require members of staff to be retrained.

All sanctions and penalties must be issued in writing by the Head of Centre. A copy should be forwarded to SFJ Awards' Quality Assurance and Compliance Manager for SFJ Awards to agree.

#### 8.1.2 Sanctions and Penalties Applied by SFJ Awards

Below are examples of sanctions or penalties that SFJ Awards may impose in the event of malpractice or maladministration (*the list is not exhaustive and is intended for guidance only*):

- Learners or apprentices not receiving credit for their work.
- Learners or apprentices not receiving certificates/having certificates revoked.
- Sanctions being applied to the Centre, e.g.:
  - Centre not being approved to offer qualifications(s)
  - Centre registration of learners suspended/not accepted
  - Suspension of certification.
  - Removal of approval for Centre IQA, trainers, or assessors
- Additional financial costs (e.g. additional Centre monitoring visits).
- Removal of qualification approval
- Removal of Direct Claims Status
- Removal of SFJ Awards Centre Approval.

All sanctions and penalties will be issued in writing by SFJ Awards' Quality Assurance and Compliance Manager. Please refer to SFJ Awards' Sanctions Policy which is available on [www.sfjawards.com/policies](http://www.sfjawards.com/policies)

The Head of Centre will be expected to respond within 5 working days, with details of how they will implement any actions or recommendations set, and by whom. If SFJ Awards do not receive a response, they may increase the level of sanction imposed on the Centre accordingly, based on risk.

## 8.2 Sanctions and Penalties - EPA

Where reports of malpractice are found to be proven based on the evidence gathered, SFJ Awards may impose sanctions or penalties on those involved. Sanctions and penalties will be proportionate to the case and the level of impact on the apprentice(s), the credibility of the End-Point Assessment process and/or public trust in the credibility of the apprenticeship. They will take into account legislation that may impact upon the case including:

- Employment Law.
- Health and Safety Legislation.
- Equalities and Human Rights Legislation.

Sanctions may be imposed if malpractice has been proven, to:

- Minimise any current or future risk to the integrity of SFJ Awards End-Point Assessments.
- Minimise the potential of the malpractice recurring.
- Maintain the confidence of the public in the delivery and awarding of apprenticeship End-Point Assessments

The sanction to be applied will depend on the nature and scale of the malpractice. Below are examples of sanctions or penalties SFJ Awards may impose in the event of malpractice being proven (*the list is not exhaustive and is intended for guidance only*):

- Invalidating or revoking claims for apprenticeship certificate(s)
- Requiring remedial actions to be put in place by the training provider or employer to prevent further risks arising
- Refusing to issue EPA results
- Disqualification of an apprentice(s) from taking or continuing to take component(s) of the EPA
- Suspending delivery of an EPA
- Preventing access to an EPA or component thereof
- Not accepting registrations and/or bookings for EPA services from an employer or training provider where malpractice has been proven

- Debarring a member of the training provider or employer staff from any involvement in the future delivery of SFJ Awards' EPA processes (this may be permanent or for a defined period only).

## 9 Appeals

Learners, Apprentices, Centres, Employers or Training Providers who wish to appeal against a decision regarding malpractice or maladministration and the sanctions imposed should do so using the SFJ Awards Enquiries and Appeals Policy which is available at [www.sfjawards.com/policies](http://www.sfjawards.com/policies).

## 10 Review of the Policy

This policy will be reviewed 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 are approved by the Quality and 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)

## 11 Regulatory criteria and conditions

Regulatory Body	Regulatory guidance document	Regulatory Condition or Criterion
Ofqual	General Conditions of Recognition	A8
CCEA Regulation	General Conditions of Recognition	A8
Qualifications Wales	Qualification Wales Standard Conditions of recognition	A8

## 12 Location of the Policy

You can download copies of the policy from Odyssey or on the SFJ Awards website: [www.sfjawards.com/policies](http://www.sfjawards.com/policies)

## 13 Copyright

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