



Sanctions Policy

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SCOPE

1. Smart Awards has a responsibility to protect the interests of learners completing our qualifications to ensure that centres deliver qualifications in accordance with our requirements and standards. We also have a responsibility to the regulators to maintain the standard of our qualifications.
2. This policy is aimed at approved Centres and their learners, who are delivering/registered on a regulated or non-regulated qualification(s) or unit(s). It is used by Smart Awards staff and External Quality Assurers to ensure they deal with sanctions in a consistent manner.
3. This policy outlines the sanctions that may be imposed on centres that fail to meet delivery requirements and the standards we set for the delivery and assessment of our qualifications.

OFQUAL GENERAL CONDITIONS

4. A7.1: Where any incident occurs which could have an Adverse Effect, an awarding organisation must (whether or not it has previously identified a risk of that incident occurring) promptly take all reasonable steps to – (a) prevent the Adverse Effect and, where any Adverse Effect occurs, mitigate it as far as possible and correct it, and (b) give priority to the provision of assessments which accurately differentiate between Learners on the basis of the level of attainment they have demonstrated and to the accurate and timely award of qualifications.
5. A8.4: Where a Centre undertakes any part of the delivery of a qualification which an awarding organisation makes available, the awarding organisation must take all reasonable steps to keep under review the arrangements put in place by that Centre for preventing and investigating malpractice and maladministration.
6. A8.6: Where an awarding organisation establishes that any malpractice or maladministration has occurred in the development, delivery or award of qualifications which it makes available, or proposes to make available, it must promptly take all reasonable steps to- (a) prevent that malpractice or maladministration from recurring, and (b) take action against those responsible which is proportionate to the gravity and scope of the occurrence, or seek the cooperation of third parties in taking such action.
7. B3.2: For the purposes of this condition, such events may in particular include those where – (a) there is a substantial error in the awarding organisation's assessment materials, (b) there has been a loss or theft of, or a breach of confidentiality in, any assessment materials, (c) the awarding organisation cannot supply assessment materials for a scheduled assessment date, (d) there has been a failure in the delivery of an assessment which threatens Assessors' ability to differentiate accurately and consistently between the levels of attainment demonstrated by Learners,
8. C2.1: Where a Centre undertakes any part of the delivery of a qualification on behalf of an awarding organisation, this condition applies in addition to the requirements in Condition C1.
9. C2.3: That agreement must in particular include provisions which – (a) require the Centre to take all reasonable steps to ensure that the awarding organisation is able to comply with its Conditions of Recognition, (b) require the Centre to take all reasonable steps to comply with requests for information or documents made by the awarding organisation or Ofqual as soon as practicable, (c) require the

Centre to assist the awarding organisation in carrying out any reasonable monitoring activities and to assist Ofqual in any investigations made for the purposes of performing its functions, (d) set out all the requirements with which the Centre must comply in order to continue to deliver the qualification, (e) establish a sanctions policy to be applied in the event that the Centre fails to comply with these requirements, (f) require the Centre to retain a Workforce of appropriate size and competence to undertake the delivery of the qualification as required by the awarding organisation, (g) require the Centre to have available sufficient managerial and other resources to enable it effectively and efficiently to undertake the delivery of the qualification as required by the awarding organisation, (h) require the Centre to undertake the delivery of the qualification required by the awarding organisation in accordance with Equalities Law, (i) require the Centre to operate a complaints handling procedure or appeals process for the benefit of Learners,

SQA ACCREDITATION PRINCIPLES

10. Principle 2. The awarding body shall ensure it has the necessary resources to effectively carry out its operational functions to meet regulatory requirements.

RESPONSIBILITIES

11. This is policy is for qualifications offered by Smart Awards. This policy is for Smart Awards staff, EQA, centres and learners accessing Smart Awards qualifications and related services and all those involved with the development, delivery and quality assurance of Smart Awards qualifications. Smart Awards has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it. Smart Awards has the day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

R	Responsibilities	The person who actually carries out the process or task. The person is responsible for action/implementation. Responsibilities can be shared											
A	Accountabilities	The person who is ultimately accountable for the process or task being completed and who has the authority to make decisions, yes or no authority and veto power. Responsible person (s) are accountable to this person. Only one A can be assigned to a task											
C	Consulted	The person to be consulted prior to a final decision or action (two-way communication). People who are not directly involved with carrying out the task but are consulted with.											
I	Informed	Anyone whose work depends on the process or task and who has to be updated about the progress after a decision or action has been taken (one-way communication).											
POLICIES													
		BOARD	CEO	MD	OPS DIRECTOR	QUALITY PORTFOLIO MANAGER	STANDARDS COMPLIANCE OFFICER	QUAL ADMIN OFFICER	IT CONSULT	FINANCE AUDITOR	EQA	NOPS BOARD	CENTRES
Sanction		A	R	R	R	R	R	C	I	I	R	C	R
ASSOCIATED POLICIES													
Risk management													
Adverse effects													
Malpractice and Maladministration													
Complaints													
Appeals													
Centre recognition													
Centre monitoring													
Holiday/Sickness Cover													
The MD, CEO and Operations Director cover holiday/sickness and absenteeism for areas where the person is responsible for action/implementation of a task. The MD, CEO and Operations Director hold company wide experience to be able to carry out these tasks and hold no conflicts of interest.													

CENTRE RESPONSIBILITIES

12. Approved Centres must ensure that all staff involved in the management, assessment and quality assurance of Smart Awards qualifications and units are fully aware of the contents of this policy. In particular Centres should ensure that all concerned are aware of the possible implications for their Centre should they fail to comply with requirements specified by Smart Awards.

APPROACH

13. The aim of any sanction imposed will be to minimise the risk to the integrity of all aspects of our awarding functions, the standard of our qualifications and the risk to learner's interests.

14. In some cases, imposing a sanction will enable us to investigate suspected malpractice and/or maladministration whilst maintaining the integrity of the qualification involved in an allegation.

DEFINITIONS

15. Sanctions are punitive actions that can be applied to Approved Centres that fail to comply with Smart Awards policies, procedures or instructions and / or something which may pose a risk and / or threaten the integrity of our awarding function. Sanctions may be applied against a Centre, Centre staff and / or Learner.

16. Adverse Effect is an act, omission, event, incident or circumstance has an Adverse Effect if it: Gives rise to prejudice to Learners or potential Learners; or Adversely affects.

- The ability of the awarding organisation to undertake the development, delivery or award of qualifications in accordance with its Conditions of Recognition or SQA Accreditation Principles
- The standards of qualifications which the awarding organisation makes available or proposes to make available; or
- Public confidence in qualifications

TYPES OF SANCTIONS IMPOSED ON CENTRES

17. To ensure that we impose sanctions consistently, this policy provides examples of circumstances and situations that may lead to a sanction and indicates the level of sanction that could be imposed. We will review each potential case on an individual basis and therefore this is not an exhaustive list.

18. If an EQA determines that a centre needs extra assistance, we may identify actions that it needs to complete and we will work with a centre to prevent any situations arising that would merit the application of a sanction.

19. However, if a centre fails to complete the actions or, if an EQA identifies something further that would threaten the integrity of Smart Awards this could result in a sanction being imposed.

20. There are a number of situations which could result in a sanction being imposed and when we impose sanctions, we do this by applying a level that relates to the type of sanction.

LEVEL	NON-COMPLIANCE ISSUE	SANCTION	REASONING
<p>L- Low The centre has the ability to register learners and claim for certificates at will. This is also known as Direct Claims status</p>	<ul style="list-style-type: none"> • Centre's policies not clearly documented • IQA procedures not clearly documented • Communication with assessment team not effective and/or documented • Assessment equipment and/or accommodation is unsuitable (but not health & safety critical) • Assessor/IQA CPD and development not recorded • Learners not being made aware policies/procedures • Certification is unreasonably delayed • Policies and procedures are not regularly monitored • Changes in personnel not notified to Smart Awards • Centre's aims, policies and assessment practices, and responsibilities of personnel are not clear or well understood, are not available or are insufficient • Insufficient managerial resources • Changes that affect the centres ability to meet Smart Awards requirements have not been notified to • Insufficient qualified assessors • There is inadequate monitoring or review of procedures 	<p>Entry in Action Plan</p>	<p>Any issues identified, could be easily corrected without further consequence and do not have an adverse effect on the learner. No direct threat to integrity of assessment or assessment decision</p>

	<ul style="list-style-type: none"> • No complaints or appeals procedure for learners • There is inadequate assessment planning/review with learners • Internal verification procedures and activities not clearly documented • Queries are not resolved or recorded 		
<p>M- Medium The centre may register learners at will, but any claims for certification must be agreed by a Smart Awards EQA</p>	<ul style="list-style-type: none"> • Records not available to allow IQA to audit assessment • Inadequate Internal Quality Assurance systems • Previously agreed low sanctions not resolved • Insufficient time to carry out assessments • Trainee assessor decisions not countersigned by qualified assessor • Assessment decisions are not consistent • Records of assessment outcomes are insufficient to allow audit of assessment • Lack of standardisation activities to ensure consistency of assessment decisions 	<p>Warning to centre to take appropriate corrective measures</p> <p>Suspension of direct claims status</p>	<p>Issues identified could potentially damage the integrity, credibility and validity of the qualification and/or be detrimental to the learner. No direct threat to integrity of assessment or assessment decision. Close scrutiny of assessment and centre practices required</p>
<p>H- High The centre is unable to register or certificate learners</p>	<ul style="list-style-type: none"> • No Internal Quality Assurer (IQA) • Evidence of assessment is not authentic • Serious anomalies are present in the records 	<p>Temporary suspended or withdrawal of qualification or centre approval</p>	<p>Issues identified could have a significant impact on the integrity, credibility and validity of the qualification or the effective operation of a centre as a whole, if corrective action is not taken quickly. Threat to learners. Loss of integrity of assessment decision.</p>

	<ul style="list-style-type: none"> • Certification claims pre-date assessment completion • A serious breach of Health and Safety practice is evident • Complete breakdown of management systems and assessment procedures • Malpractice/ maladministration or adverse effect 	<p>Possible invalid claims for accreditation</p> <p>Irretrievable breakdown of management systems and procedures. Threat to integrity of Awarding Organisation</p>
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SANCTIONS IMPOSED ON CENTRE STAFF

21. "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 verifier.

22. Sanctions may be limited to specific members of staff where Smart Awards has no confidence in the competence of an individual to carry out their duties at a Centre. If Smart Awards has placed a sanction on an individual to prevent them from carrying out a specific role or activity, any attempt to circumvent this sanction will be treated as malpractice and a threat to the integrity of qualifications. This will lead to an escalation in sanctions.

LEVEL	NON-COMPLIANCE ISSUE	SANCTION
L- Low	<ul style="list-style-type: none"> • Member of staff issued with a written warning that if the offence is repeated, further specified sanctions will be applied. 	<ul style="list-style-type: none"> • Written warning
M- Medium	<ul style="list-style-type: none"> • Imposed special conditions on future involvement in examinations and/or assessments by the member of staff. • Member of staff required, as a condition of future involvement examinations/assessments, to undertake specific training or mentoring, within a stated period of time, with a review at the end of the training. 	<ul style="list-style-type: none"> • Special conditions • Training
H- High	<ul style="list-style-type: none"> • Member of staff barred from all involvement in the delivery of its examinations/assessments, either for a set period of time or permanently. 	<ul style="list-style-type: none"> • Suspension or Permanent Ban

SANCTION IMPOSED ON LEARNER

23. Any sanction imposed on any Learner will apply to all Smart 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 Smart Awards Centre. Although Learner malpractice is typically dealt with by Centres within the assessment and internal verification procedures, it is possible that Smart Awards may have due cause to impose a sanction on a Learner directly. Where Learner malpractice has occurred, followed investigation and/or a hearing,

LEVEL	NON-COMPLIANCE ISSUE	SANCTION
L- Low	<ul style="list-style-type: none"> Learner issued with a warning that if the offence is repeated, further specified sanctions will be applied. 	<ul style="list-style-type: none"> Written warning
M- Medium	<ul style="list-style-type: none"> Learner disqualified from the unit. Any qualifications and/or units previously achieved in full are retained. 	<ul style="list-style-type: none"> Disqualification from a whole qualification
H- High	<ul style="list-style-type: none"> Learner barred from being entered for one or more examinations/assessments. Any qualifications and/or units previously achieved in full are retained. The Learner's issued certificate is revoked, cancelled and withdrawn. 	<ul style="list-style-type: none"> Learner barred Unit or Qualification achievement invalidated

NOTIFICATION TO THE REGULATORS

24. Smart Awards will immediately inform Ofqual/SQA Accreditation of any serious breaches relating to Regulated Qualifications which it deems may have an adverse effect on the integrity of the qualification and/or of Smart Awards.

VALIDITY

25. Validity and the principles of equity, fairness and practicability will be reviewed with any reported sanction. This will include checking that the qualification is still valid and appropriate for its purpose. That it still effectively tests the knowledge, skills and behaviour as prescribed within the assessment

strategy. Enable results to be trusted as a measure of what a learner knows and can do. Has a purpose and content that meets the needs of the learner and is graded in line with clear and defensible prescriptions contained in the assessment plan.

REVIEW OF THIS POLICY

26. This policy is reviewed and revised annually in response to feedback, changes in legislation and guidance from the regulators, SQA Accreditation or Ofqual.

SANCTION PROCESS

Process Step Description	Process	Person Responsibility	Organisation Responsibility
Non-compliant issue raised with Smart Awards	Process	EQA	Smart Awards
Log issue on risk register on SAMS	Process 1 day	Standards and Compliance Officer	Smart Awards
Arrange management meeting to discuss the relevant course of action to decide sanction	Process 2 days	Standards and Compliance Officer	Smart Awards
Inform regulators if deemed an adverse effect	Process	MD	Smart Awards
Investigate issue and notify all parties/centres concerned	Process 3 days	Standards and Compliance Officer	Smart Awards
MD to review risk	Decision	MD - holds responsibility and experience to make decisions and measured risks	Smart Awards
Mitigate risk	Decision	MD - holds responsibility and experience to make decisions and measured risks	Smart Awards
Agree actions to prevent/mitigate, this includes potential reoccurrences and preventive actions.	Decision 4 days	MD- holds responsibility and experience to make decisions on appropriate action	Smart Awards
Apply sanction and communicate outcomes to all parties concerned	Process 5 days	MD	Smart Awards
Keep under review	Process	Standards and Compliance Officer/EQA	Smart Awards
Lessons learned	Process	MD	Smart Awards
Stop	End		Smart Awards