



SANCTIONS POLICY



Version Number	Date	Purpose of Change	Classification	Sign Off
V4.1	14/11/2025	New formatting and new content to include apprenticeship assessments	Public	Kerry Ore

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1. SCOPE

1.1. 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.

1.2. 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.

1.3. This policy outlines the sanctions that may be imposed on centres that fail to meet delivery requirements and the standards we set for delivery and assessment of our qualifications.

2. RESPONSIBILITIES

2.1. This policy is for qualifications offered by Smart Awards. This policy is for Smart Awards staff, EQA, centres and learners accessing Smart Awards qualifications, apprenticeship assessments and related services and all those involved with the development, delivery and quality assurance of Smart Awards qualifications and apprenticeship assessments. 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.

3. CENTRE RESPONSIBILITIES

3.1. 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.

4. APPROACH

4.1. 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, apprenticeship assessments and the risk to learner's interests.

4.2. 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.

5. DEFINITIONS

5.1. 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.

5.2. 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 and apprenticeship assessments in accordance with its Conditions of Recognition and Qualifications Scotland Accreditation Principles
- The standards of qualifications which the awarding organisation makes available or proposes to make available; or Public confidence in qualifications and apprenticeship assessments.

6. TYPES OF SANCTIONS IMPOSED ON CENTRES

6.1. 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.

6.2. 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.

6.3. 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.

6.4. 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.

7. SAMPLING

7.1. Learners' portfolios should be sampled over a range of qualifications, assessors, and IQAs and must include none sampled internal quality assured (if applicable). The sampling percentage must be based on the risk approach specific to the centre risk matrix below.

Centre Risk Rating	Product Risk	Volume of Registrations	Sampling Number per Learner, across no more than 5 Products (10%) per audit	Learner numbers are capped if 10% exceeds
HIGH	HIGH	HIGH	10%	300
	LOW	LOW	10%	150
MEDIUM	HIGH	HIGH	10%	200
	LOW	LOW	10%	100
LOW	HIGH	HIGH	10%	100

8. CENTRE RISK RATING AND SANCTIONS

8.1. The below table stipulates the sanctions that can be applied for non-compliance, the actions and their accompanying target dates will be recorded in the EQA audit report. If centres do not close the actions listed, Smart Awards may temporarily suspend the centres account:

Sanctions		
Level One -	The centre is complying with all or most Smart Awards qualification requirements. Some minor issues that require addressing and appropriate action plan agreed with the centre.	The centre can continue to register and certificate learners.
Level Two –	The centre has some non-compliance issues: record keeping, IQA practices,	The centre can continue to register learners but is unable to claim certificates until the EQA has carried out a sample.

Level Three –	There are serious non-compliance issues: insufficient staff, no IQA system in place, inaccurate data, malpractice/maladministration, ineffective communications with Smart Awards, lack of response to EQA actions.	The centre cannot continue to register and certificate learners. Centre approval may be withdrawn for offering particular qualifications or all qualifications.
Notify Ofqual or Qualifications Scotland Accreditation. All reasonable steps must be undertaken to protect the interests of learners. Where high-level risks affect the interest of learners you must inform Smart Awards immediately so the procedure for reporting an adverse effect can be communicated to the regulators.		

9. NOTIFICATION TO THE REGULATORS

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

10. VALIDITY

10.1. 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.

11. REVIEW OF THIS POLICY

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

12. 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	Quality Manager	Smart Awards
Arrange management meeting to discuss the relevant course of action to decide sanction	Process 2 days	Quality Manager	Smart Awards
Inform regulators if deemed an adverse effect	Process	Responsible Officer	Smart Awards
Investigate issue and notify all parties/centres concerned	Process 3 days	Quality Manager	Smart Awards

Review risk	Decision	Responsible Officer - holds responsibility and experience to make decisions and measured risks	Smart Awards
Mitigate risk	Decision	Responsible Officer - 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	CEO- holds responsibility and experience to make decisions on appropriate action	Smart Awards
Apply sanction and communicate outcomes to all parties concerned	Process 5 days	Responsible Officer	Smart Awards
Keep under review	Process	Quality Manager/EQA	Smart Awards
Lessons learned	Process	Responsible Officer	Smart Awards
Stop	End		Smart Awards

13. OFQUAL GENERAL CONDITIONS

13.1 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.

13.2 A7.4: 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.

13.3 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.

13.4 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,

13.5 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.

13.6 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

13.7 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 complaint handling procedure or appeals process for the benefit of Learners,

14. QUALIFICATIONS SCOTLAND ACCREDITATION PRINCIPLES

14.1. Principle 13. The awarding body and its providers must ensure that they have systems and processes which ensure the effective quality assurance of accredited qualifications.