



Sanctions Policy

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Department: AO



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Sanctions Policy

Version Control

The following table presents the version control of this policy:

Version	Date	Reason for Change	Changes approved by:
	January 2023	Company Policy Review 2023 and adoption of new policy template	COO
POL019-V23-1	May 2023	Removal of reference to DCS, change of name for FQ team, addition of reference to Facilitator register, additional sanction levels added and level 0 removed.	

1. Introduction

FutureQuals 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. FutureQuals also have a responsibility to the UK qualifications regulators to maintain the standard of our qualifications.

This policy outlines the sanctions that FutureQuals may impose on centres and individuals that fail to meet requirements as set out during the centre approval process or fail to meet the standards we set for the delivery, assessment, and quality assurance of our qualifications. Our aim is to set a sanction level that represents a proportionate response to any such failure or action taken purposefully or inadvertently by a centre.

2. Purpose

To outline the sanctions that FutureQuals may impose on centres and/or individuals that fail to meet the standards we set for the delivery, assessment and quality assurance of our qualifications, FutureQuals policies and the FutureQuals Centre Contract.

To ensure that any sanction administered minimises the risk to the integrity of all aspects of our awarding functions, the standard of our qualifications and the risk to Learners' interests.

To ensure the consistent application of the Sanctions Policy.

3. Links to other policies

This policy should be read in conjunction with the following policies and procedures:

- Malpractice and Maladministration Policy
- Appeals and Enquiries About Results Policy
- Complaints Policy

4. Links to Ofqual Regulatory Criteria

Regulator	Regulatory rule or guidance document	Regulatory condition / principle
CCEA	General Conditions of Recognition	A6, A7, A8, C2
Ofqual	General Conditions of Recognition	A6, A7, A8, C2
Qualifications Wales	Standard Conditions of Recognition	A6, A7, A8, C2
SQA Accreditation	Regulatory Principles (2021)	4, 13

5. Definitions

Sanctions are actions that aim to address and, where possible, prevent or mitigate further adverse effects to Learners or apprentices. If a centre is found to be non-compliant with the terms and conditions of its contract with Future Quals or with any of the requirements laid out in our policies and procedures, qualifications specifications and assessment requirements a sanction may be imposed.

Where the term “staff “ is used within this policy it includes all those approved to administer, deliver or support the delivery of qualifications approved by FutureQuals, including those who are not directly employed by the centre.

6. Responsibilities

The policy is used by FutureQuals staff and External Quality Assurers (EQAs) to ensure the application of sanctions is consistent.

All Centre staff and Learners should familiarise themselves with contents of this policy and the implications should there be a failure to comply with FutureQuals requirements.

7. Policy

Approach to Sanctions

This policy sets out the range of sanctions that could be imposed upon a Centre and individuals that are suspected of or have been proven to have not adhered to regulatory requirements encompassing and/or applicable to:

- The Centre overall: Appendix 1
- Centre staff: Appendix 2
- Centre Learners: Appendix 3

The level of sanction administered will depend on the seriousness of the situation, the performance record, and the level of a Centre's non-compliance.

To ensure that FutureQuals impose sanctions consistently, this policy includes examples of incidents, circumstances and situations that may lead to a sanction and indicates the level of sanction that could be administered. Refer to Appendix 1 for examples and expanded descriptors of situations that could arise and the indicative sanction that could be administered as a result of these circumstance. **The list of sanctions is not exhaustive and each case will be reviewed and dealt with on its own merits.**

FutureQuals will review each potential case on an individual basis. Actions and the sanction level applied is recorded on a central tracker; monitored and managed by the Awarding Organisation Operations Team.

FutureQuals approach to how it supports its centres is set out the Approved Centre Guide. Compliance with this document is audited by our team of External Quality Assurers (EQAs) during verification activities (for example, site visits and/or desktop sampling), in addition to other quality assurance monitoring we undertake and through our awarding activities.

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.

Please refer to the FutureQuals *Malpractice and Maladministration Policy* for further information.

Sanction Levels and Descriptors

FutureQuals impose sanctions by applying a level that relates to the type of sanction, summarised as follows:

Level 1	Action plan in place
Level 2	Suspension of Certification
Level 3	Suspension of Registration
Level 4	Temporary suspension of approval for specific qualifications
Level 5	Permanent withdrawal of approval for specific qualifications
Level 6	Temporary suspension of Centre approval
Level 7	Permanent withdrawal of Centre approval

Sanction Application

Should a member of the FutureQuals AO Operations Team, including an EQA, determine that a Centre is not compliant and/or requires extra assistance, reasonable actions will be applied for the Centre to complete within a realistic timeframe.

When a sanction is recommended and/or applied, FutureQuals will ideally notify the Centre verbally, providing an explanation of the type of sanction and the reason why, prior to sending a formal written notification either via email or letter. FutureQuals AO Operations Team will update QMIS accordingly.

Where FutureQuals require a Centre to take action, an outline of the action(s), steps to be taken to achieve the action(s) and the deadline in which the action(s) must be completed by will be communicated in writing. The sanction administered will remain in place until AO Operations Team is reassured that there has been a satisfactory resolution and any potential or adverse effect has been mitigated. AO Operations Team will update QMIS accordingly.

FutureQuals is committed to work with our Centres to prevent any situations arising that would merit the application of a level 2 (or above) sanction.

Should a Centre fail to complete the applied actions and/or should AO Operations Team, including an EQA, identify something further that would threaten the integrity of FutureQuals awards, this could result in a level 2 (or above) sanction being administered.

FutureQuals recognises the duty of care it has to protect the interests of its Learners and, when imposing a sanction, considers the impact carefully. Where necessary, FutureQuals is committed to ensuring Learners are supported during the period a sanction is administered.

If the sanction has been administered due to the Centre not responding to communications or correspondence from us, FutureQuals will take reasonable steps to inform the Centre of the sanction.

Appeals Against Sanctions

The Centre has the right to appeal against a sanction that FutureQuals impose; refer to *Enquiries About Results and Appeals Policy* for further details.

8. Monitoring and evaluation of the policy

(What we do, how we implement the policy, data collection, storage and sharing)

The tools we use for implementing and monitoring policies, procedures and processes include regular meetings at operational and senior level. Each policy, procedure or process is assigned to a manager who is responsible for its successful operation, addressing any issues arising from it and evaluating its effectiveness in meeting its purpose. This forms part of the controls that guide our business to ensure compliance with legislative and regulatory requirements.

Data required in support of a policy, procedure or process is held in line with the FutureQuals Data Protection Policy (Privacy Standard) based on GDPR best practice.

Policies are stored on Share Point. Additionally, in line with our Business Continuity Plan, a hard copy of every policy is held in the Executive Office, should IT systems fail. It is the responsibility of the Executive Office Manager to ensure that the latest version of a policy (or procedure/process) is available in hard copy.

All records and evidence applicable to the FutureQuals Sanctions Policy will be retained for a minimum of three years.

The policy is monitored to ensure it remains fit for purpose and its outcomes are deliverable. It is also reviewed as part of FutureQuals continuous improvement monitoring through its annual self-assessment arrangements.

Review

This policy shall be reviewed by Head of the Awarding Organisation not less than annually and presented to the Executive Team (or Advisory Board) for approval. Additional reviews may be undertaken as a result of legislative, regulatory, including qualification regulators, or custom and practice changes.

Appendix 1 – Centre Sanctions

The information below is for guidance and provides examples of sanctions that may be taken against centres, individual centre staff and learners. It is not exhaustive and should be read in conjunction with the policy information for sanctions specific to Centres', Centre staff and Learners.

A sanction may be applied as a preventative measure to protect the interests of Learners and potential Learners, as the result of a breach of contractual arrangements with FutureQuals or failure to communicate with FutureQuals.

Level 1: Action Plan in place

Below provides examples of circumstances that may lead AO Operations Team and/or an EQA to initiate an action plan, to be put in place at a Centre, to mitigate any concerns highlighted during quality assurance activities including investigation outcomes (Refer to FutureQuals *Malpractice and Maladministration Policy*).

It should be noted that, in some circumstances, the below could result in a Level 2 sanction (or above) being administered if any actions relate to the standards we set for the delivery and assessment of our qualifications are not being met and/or put Learners at risk. **The below list of examples is not exhaustive.**

- Centre fails to maintain standards in assessment and/or internal quality assurance processes.
- Centre's aims, policies and assessment practices, and responsibilities of personnel are not clear or well understood, are not available or are insufficient.
- Communication within the assessment and internal quality assurance team and/or with FutureQuals is ineffective.
- Feedback from assessors and internal quality assurance personnel demonstrates a lack of understanding of Centre policies and responsibilities of personnel.
- Insufficient managerial resources.
- Changes to personnel of the teaching, assessment and internal quality assurance team are not notified to FutureQuals.
- Changes that affect the centres' ability to meet FutureQuals requirements have not been notified to FutureQuals.
- Assessors/internal quality assurance personnel do not have adequate development in line with identified needs.

- Range of assessment methods is insufficient to encourage access
- Insufficient qualified assessors.
- Component certification is not made available to Learners.
- There is inadequate monitoring or review of procedures.
- There is inadequate evaluation of the quality and effectiveness of qualification provision.
- No appeals procedure for Learners.
- There is inadequate assessment planning/review with Learners.
- Internal Quality Assurance procedures and activities not clearly documented, sufficient and/or not available and do not meet FutureQuals requirements.
- Queries are not resolved or recorded in a timely manner.
- Information, advice and guidance have not been provided to Learners and consequently are not aware of their rights and responsibilities.
- Equipment and accommodation do not comply with health and safety legislation (dependent on the severity of the issue/concern this may escalate to a Level 2 sanction).

Level 2: Suspension of Certification

When this sanction is administered, claims for certification must be authorised by AO Operations Team and close scrutiny of the integrity of assessment decisions and/or internal quality assurance decisions required. **The below list of examples is not exhaustive.**

- Non-compliance with FutureQuals requirements in relation to registration and/or certification.
- Previously agreed corrective measures relating to an action plan are not implemented or addressed.
- Assessors have insufficient time, resources, expertise or authority to perform their role.
- Decisions of unqualified assessors have not been monitored or countersigned by qualified assessors.

- Insufficient internal quality assurers.
- Records of assessment outcomes are insufficient to allow audit of assessment.
- Lack of standardisation activities to ensure consistency of assessment decisions.
- Non-compliance with FutureQuals requirements in relation to online, offline, paper-based controlled assessments.
- Non-compliance with regulations relating to registration, certification and external/controlled assessments.
- Information and recording systems do not enable Learner's achievements and/or progress to be monitored and reviewed in relation to diversity and equality and/or monitoring and review does not take place (dependent on the severity of the issue/concern this may escalate to a Level 3 sanction).
- Equipment and accommodation do not comply with health and safety legislation.
- No RPL arrangements (where applicable) or RPL that has not been agreed by FutureQuals.
- Malpractice and/or maladministration taking place.

Level 3: Suspension of Registration

In some circumstance the examples below could also constitute a higher level sanction depending on the risk posed to the integrity of assessment decisions and FutureQuals awards. **The below list of examples is not exhaustive.**

- Non-compliance with FutureQuals requirements in relation to registration and/or certification.
- Previously agreed corrective measures relating to level 2 non-compliance are not implemented or addressed.
- Centre fails to provide access to requested records, information, Learners and staff.
- Centre fails to assist FutureQuals or the regulators in carrying out monitoring or investigation activities
- Records of assessment show serious anomalies.
- The internal quality assurance process has not identified remedial action to address serious anomalies in assessment.

- Assessment processes disadvantage Learners.
- Learner feedback indicates that their development needs are not matched to the qualification requirements.
- Learner assessment requirements are not identified and/or considered.
- Lack of or insufficient materials/equipment/facilities to support Learners with particular requirements
- Assessment methods are not valid and consequently assessment does not meet required standards
- Assessment decisions are not consistent and/or unfair (assessor/assessment practice prevents Learners achieving).
- Assessed evidence is not the authentic work of Learners.
- Certification claims made before all the requirements of assessment are satisfied.
- No qualified and/or occupationally competent internal quality assurance personnel.
- Malpractice and/or maladministration taking place.
- Non-compliance with FutureQuals requirements in relation to online, offline, paper-based controlled assessments.
- Non-compliance with regulations relating to registration, certification and external/controlled assessments.
- Failure to adhere to FutureQuals invigilation rules and requirements.
- Failure to maintain standards and/or to meet FutureQuals requirements in assessment and/or internal quality assurance processes including online tests and external or controlled assessments.

Level 4 and 5: Temporary Suspension or withdrawal of Centre approval for specific qualifications

When this sanction is administered, there may be an irretrievable breakdown in the management and quality assurance of specific qualifications by the Centre. **The below list of examples is not exhaustive.**

- Significant faults in the management and quality assurance of the qualifications which result in an on-going failure to meet the core requirements for the conduct of assessment.
- Systemic malpractice and/or maladministration taking place.
- Previously agreed corrective measures relating to a level 3 non-compliance have not been implemented or addressed.

Level 6 and 7: Temporary Suspension or withdrawal of Centre approval

When this sanction is administered, there is a continual irretrievable breakdown in the management and quality assurance of all qualifications by the Centre overall. **The below list of examples is not exhaustive.**

- Centre continually fails to comply with the FutureQuals Centre Contract.
- Centre continually fails to communicate with FutureQuals.
- Centre continually fails to co-operate with investigations undertaken by or on behalf of FutureQuals.
- Continual significant faults in the management and quality assurance of all qualifications.
- Continual systemic malpractice and/or maladministration taking place.
- Previously agreed corrective measures relating to a level 4 or 5 non-compliance have not been implemented or addressed.

Appendix 2 - Actions approach specific to Centre Staff

The following table provides examples and expanded descriptors of situations that could arise whereby the area of concern is raised in relation to a Centre staff member. **This list is not exhaustive and each case will be reviewed and dealt with on its own merits.**

In cases whereby malpractice and/or maladministration is suspected, please refer directly to the FutureQuals *Malpractice and Maladministration Policy*.

Area of Concern	Indicative Sanction
<p>Centre staff failure to maintain standards and/or to meet FutureQuals requirements in assessment and/or internal quality assurance processes including online tests and external or controlled assessments</p>	<p>Temporary or permanent suspension from involvement in the administration/delivery/assessment/verification/invigilation of FutureQuals qualifications, online, offline, paper-based, external or controlled assessments.</p> <p>Imposition of special conditions for a staff member's involvement in the administration/delivery/assessment/verification/invigilation of FutureQuals qualifications, online tests and external or controlled assessments.</p> <p>We may also require that a staff member (s) commit to training (at a centres cost) as directed by FutureQuals before he/she is permitted to be involved in the administration/delivery/assessment/internal quality assurance /invigilation of FutureQuals qualifications, online, offline, paper-based, external or controlled assessments.</p> <p>Additional quality monitoring of staff members decisions and records.</p> <p>Suspension (either temporary or permanent removal) from the FutureQuals facilitator register</p>
<p>Failure to adhere to FutureQuals invigilation rules and requirements</p>	<p>Temporary or permanent suspension from involvement in the administration/delivery/assessment/verification/invigilation of FutureQuals qualifications, online, offline, paper-based, external or controlled assessments.</p>

	<p>Imposition of special conditions for a staff member's involvement in the administration/delivery/assessment/internal quality assurance /invigilation of FutureQuals qualifications, online tests and external or controlled assessments.</p> <p>We may also require that a staff member (s) commit to training (at a centres cost) as directed by FutureQuals before he/she is permitted to be involved in the administration/delivery/assessment/verification/invigilation of FutureQuals qualifications, online, offline, paper-based, external or controlled assessments.</p> <p>Suspension (either temporary or permanent removal) from the FutureQuals facilitator register.</p>
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Appendix 3 - Actions approach specific to Learners

The following table provides examples and expanded descriptors of situations that could arise whereby the area of concern is raised in relation to a Centre Learner. **This list is not exhaustive and each case will be reviewed and dealt with on its own merits.**

In cases whereby malpractice and/or maladministration is suspected, please refer directly to the FutureQuals *Malpractice and Maladministration Policy*.

Area of Concern	Indicative Sanction
<p>Under the broad classification of cheating:</p> <ul style="list-style-type: none">• Plagiarism of any nature• Collusion• Falsification or fabrication of assessment evidence• Any form of impersonation• Any form of cheating to gain an advantage	<p>Barring a Learner from registering on a qualification at any Centre for a set period of time.</p> <p>Temporary and/or permanent disqualification from the qualification(s) involved or wider disqualification.</p> <p>Disallowing all or part of a Learner's marks for that specific test or assessment. FutureQuals may require the Learner to be re-entered for an online test or external/controlled assessment that would be invigilated by an invigilator appointed by FutureQuals at a cost to the Centre.</p>
<p>Failure to obey invigilator or assessor instructions during an assessment or test.</p>	<p>Disallowing all or part of a Learner's marks for that specific online, offline, paper based, external or controlled assessments.</p> <p>FutureQuals may require the Learner to be re-entered for a test or assessment that would be invigilated by an invigilator appointed by FutureQuals at a cost to the Centre.</p>



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