

# Sanctions Policy



## Introduction

This policy is aimed at Safety Training Awards (STA) Approved Training Centres (ATCs) delivering STA regulated / accredited qualifications and independent tutors, assessors, markers, and IQA's sub-contracted by ATCs to undertake specific tasks (following prior approval with Safety Training Awards) and who have failed to meet aspects of our delivery and assessment requirements and / or the standards laid down by the regulatory authorities in respect of regulated / accredited qualifications and units.

This policy is also aimed at learners' who are in breach of any requirements set out in the assessment criteria. If there has been a failure to comply with Safety Training Awards policies or procedures or breached the term of any agreement with Safety Training Awards ("Non-Compliance"), this policy sets out the sanctions Safety Training Awards may impose in such situations.

It is also for use by our staff to ensure they apply any sanctions in a consistent manner.

## Definitions

- Sanctions- Sanctions are actions that can be applied to ATCs that fail to comply with STA policies, procedures or instructions and / or something you are doing which may pose a risk to and / or threaten the integrity of the STA awarding function. Sanctions may be applied against a ATC, ATC staff and / or learner
- Adverse Effect- 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 / Regulatory Principles;
    - The standards of qualifications which the awarding organisation makes available or proposes to make available; or
    - Public confidence in qualifications.

## Approved Training Centre's Responsibility

It is important that all ATC personnel, including independent tutors, assessors, markers, and IQA's involved in the delivery and assessment of STA regulated qualifications are fully aware of the contents of this policy and its possible implications on your ATC should you fail to comply with the requirements specified by Safety Training Awards (some of which are required of us by the regulators).

Sanctions will be imposed in a proportional and consistent manner. ATCs must comply with all sanctions imposed upon them, within the time limits we state. Sanctions will remain in place until the issues identified have been fully resolved. The purpose of applying sanctions is:

- To minimise the risk to the integrity of all aspects of our awarding functions, specifically in relation to the awarding of results and certificates;
- To ensure the integrity and veracity of certificates we may award;

- To allow us, and potentially other awarding organisations where relevant, time to investigate potential maladministration and / or malpractice whilst maintaining the integrity of the qualification(s) involved;
- To protect our business.

In any situation where there is concern about the ability of an ATC to meet the terms and conditions of the ATC recognition agreement, quality assurance requirements or financial obligations then STA will undertake a risk assessment to determine the level of risk and the security of the award of credit.

## Ensuring the Standards of our Qualifications and Units

Safety Training Awards has a responsibility to the learners' completing STA qualifications and the UK regulatory authorities to ensure that ATCs and their centre personnel, including independent tutors, assessors, markers and IQAs involved in the delivery and assessment of STA regulated qualifications, deliver and assess in accordance with the relevant Safety Training Awards qualification specification and assessment strategies.

Safety Training Awards work alongside External Quality Assurers (EQA) to monitor the ATCs effectiveness against the approval criteria and standards that have been agreed to. If an EQA identifies an issue of non-compliance they will report this to Safety Training Awards and will work collaboratively to impose the appropriate level of sanctions.

## Approach to Sanctions

Safety Training Awards has a range of sanctions that can be imposed on an ATC and their ATC personnel, including independent tutors, assessors, markers, and IQAs involved in the delivery and assessment of STA regulated qualifications depending on the seriousness of the situation, the level and track-record of the ATC's and ATC's personnel of non-compliance, the performance of any independent tutor, assessor, markers, and IQA and the risk to the interests of learners' and the integrity of the qualifications and units.

Where there are any areas of non-compliance and an ATC / ATC Co-ordinator is being investigated, if they are also fulfilling the roles of the tutor, assessor, and IQA, in the areas of concern, the cases will be looked at separately. For example, the ATC performance, tutor, assessor, and IQA performance will be investigated separately and sanctions may be imposed upon the ATC / ATC Co-ordinator and sanctions imposed upon the Tutor, Assessor, IQA as a separate matter.

We reserve the right to apply conditions and sanctions on an ATC and / or any ATC personnel, including independent tutors, assessors, markers, and IQAs which we have determined as having an issue of non-compliance to ensure certification of learners' is accurate and reliable and that the standards of our certifications and qualifications are maintained.

Nonetheless Safety Training Awards aims to ensure that the application of sanctions is a last resort and through our approach to ATC support and management, and the creation of appropriate action plans, we will work with ATCs (who are primarily responsible for any independent tutors, assessors, markers, and IQA's they employ or sub-contract) to prevent situations arising that would warrant a sanction being imposed.

If there are any concerns about a potential issue of Non-Compliance, the Compliance Team will complete a risk assessment to determine the level of risk involved and the security of the certification. Where evidence suggests there are consistent areas of concern and cases of non-compliance that impose a risk upon the assessment process, validity of STA regulated qualifications, the learner journey and STAs reputation, STA's Responsible Officer will submit the findings and supporting documentation

to the Compliance Advisory Board for review. At this stage the ATC status and STA Tutor, Assessor, IQA status will be reviewed and necessary action will be taken to mitigate any future risks and to prevent any adverse effects from occurring.

If sanctions are required then we will not hesitate to apply them, with the sanction(s) being applied depending on our determination of the nature and severity of the non-compliance. Below is a list of example situations where we, having determined that there is an issue of non-compliance, may decide that it is appropriate to impose a sanction. These are only indicative and are not meant to form an exhaustive list:

- Outstanding / overdue actions
- No internal quality assurer (IQA) in place
- No evidence of internal quality assurance (IQA) monitoring activities taking place
- Poor records to confirm assessment decisions
- Proven collusion or persistent bad marking of ATC marked assessments
- Plagiarism by learners' or ATC staff / ATC personnel
- Cheating by learners' or ATC staff / ATC personnel or facilitating cheating in an assessment
- Attempting intentionally to manipulate a result so it does not reflect the learners' actual performance in an assessment
- Made certification claims before learners' have completed the unit(s) / qualification(s)
- Suspected or proven cases of maladministration / malpractice at the ATC and / or the services provided by the ATC and / or its satellite centres or third parties
- An increased likelihood of an adverse effect occurring (e.g. something that is likely to have an adverse effect on the standards of the qualifications they are delivering or public confidence in qualifications)
- Refused access to premises and / or records to the staff of Safety Training Awards or the regulatory authorities
- Breached any requirement contained in the ATC agreement and / or qualification approval application submitted by the ATC Co-ordinator and accepted by Safety Training Awards
- Repeatedly breached requirements contained in the ATC agreement and / or qualification approval application submitted by the ATC Co-ordinator and accepted by Safety Training Awards in such a manner as to reasonably justify doubts about its ability or intention to deliver our qualifications and services in accordance with the terms of outlined in the application(s).

It is important to note that the following are not classified as sanctions, but standard good awarding organisation processes or best practice and they may be applied instead of a formal sanction and / or alongside a sanction:

- When an ATC is first recognised and approved by us to offer one of our qualifications, and / or if they have subsequently applied and been approved to offer another qualification in a sector or qualification type that is significantly different from previous qualifications they offer, we will approve the centre to offer the qualification(s) and not process any certificate claims for the qualification(s) until the ATC has a record of satisfactory monitoring activities. This approach is normal practice amongst awarding organisations and is generally seen as good practice and is intended to help ensure the ATC is delivering this 'new' qualification effectively before certificates can be issued

- Should an ATC refuse to pay outstanding fees after various contact with our Finance team, then we may remove approval and / or ATC approval with immediate effect. Such a decision would not be considered a sanction but a commercial decision
- Undertaking additional visits to an ATC to provide them with a greater level of support and / or monitoring depending on their needs and performance
- Requiring specific ATC personnel (e.g. independent tutors, assessors, markers and IQA's) to undergo additional training and / or scrutiny by the ATC if there are concerns about their ability to undertake their role in the delivery and assessment of our qualifications effectively. Such decisions would normally be communicated to the ATC via a 'action' following a centre EQA monitoring visit. It is important to note that we reserve the right to impose a number of restrictions against individuals at any time. Ordinarily restrictions would be imposed against individuals either during or prior to conducting an investigation into maladministration or malpractice connected to an ATC with whom the individual(s) is / are connected. Restrictions against individuals may include not permitting specific personnel to be involved in the delivery / assessment of our qualifications for a specified period of time
- Altering the way, and the period in which, ATCs receive assessment materials from Safety Training Awards if there are concerns around their ability to maintain the security and confidentiality of such materials
- Appointing our staff to observe an assessment at the ATC if there are concerns around the ATCs arrangements and / or the ATC is unable to resource particular assessments. Such actions will be discussed with the ATC during or after the EQA monitoring visit
- Applying a penalty fee on the ATC if they have breached our assessment paper procedures and this has led to us having to fully withdraw an assessment paper from circulation.

## Sanctions that may be Imposed on Approved Training Centres (ATC)

Sanctions that may be imposed as part of a centre approval, qualification approval decision, monitoring activity or investigation into a complaint, appeal or allegation of malpractice and / or maladministration include withholding certificates (e.g. suspending certification status) and preventing further learner registrations by the ATC (e.g. suspending registration status):

- A single qualification
- An entire qualification discipline
- All approved qualifications.

In the table below we have set out some examples of areas of non-compliance and what sanctions would be imposed. Please note this list is not exhaustive or prescriptive it is for illustrative purposes only.

Level of Non-compliance	Rationale	Sanction	Dealt with / Escalation
1	<p>Non-compliance with Safety Training Awards ATC approval criteria with no threat to the integrity of assessment decisions.</p> <p><b>Example: Not signing the tutor assessed skills sheet,</b></p>	<b>Entry in action plan</b>	<b>Escalated to the Compliance Team to review and complete and share an action plan.</b>

	<b><i>no evidence of marking a learner portfolio or no evidence of second marking an MCQ assessment.</i></b>		
2	<p>A threat to the integrity of assessment decisions and scrutiny is required to verify the assessment decisions are valid.</p> <p><b><i>Example: Learners' have copied word for word from the STA answer portfolio or copied each other's work. Learners' have not had sufficient practical experience as per the assessment strategy.</i></b></p>	<b>Removal of Direct Claim Status (DCS)</b>	<p><b>Escalated to the Compliance Team to review and discuss with the Independent DCS panel prior to applying sanction.</b></p> <p>STA tutor, assessor, IQA performance will be reviewed, documented and an advisory / recommendation will be given.</p>
3	<p>(a) – Loss of the integrity of assessment decisions and a risk of invalid claims for certification.</p> <p><b><i>Example: Cheating by learners' or ATC staff facilitating cheating in an assessment. Giving learners' the answers to portfolio or MCQ questions. Not conducting the assessment in examination conditions.</i></b></p> <p>(b) – Threat to the assessment process and learner journey.</p> <p><b><i>Example: ATC staff not delivering and assessing</i></b></p>	<p><b>(a) – Suspension of certification</b></p> <p><b>(b) – Suspension of registration</b></p>	<p><b>Escalated to the Compliance Team to review, discuss with the Compliance Advisory Board and apply the appropriate level of sanction to the ATC.</b></p> <p>STA tutor, assessor, IQA performance will be reviewed, documented and appropriate level of sanction will be applied, i.e. suspended from delivering a suite of qualifications or in consistent cases STA tutor, assessors, IQA status may be revoked with immediate effect.</p> <p><b>Escalated to the Compliance Team to review, discuss with</b></p>

	<p><b><i>STA regulated qualifications in line with the STA qualification specifications and assessment strategies. Such as not providing the correct equipment for an assessment such as AED training units or participants for teaching qualifications. Not delivering certain elements of the qualification, missing topics out.</i></b></p>		<p>the Compliance Advisory Board and apply the appropriate level of sanction to the ATC.</p> <p>STA tutor, assessor, IQA performance will be reviewed, documented and appropriate level of sanction will be applied, i.e. suspended from delivering a suite of qualifications or in consistent cases STA tutor, assessors, IQA status may be revoked with immediate effect.</p>
4	<p>Irretrievable breakdown in management and quality assurance of specific qualifications.</p> <p><b><i>Example: ATC Co-ordinator not appointing an appropriate workforce to for the approved qualifications. ATC Co-ordinator not implementing sufficient IQA procedures.</i></b></p> <p><b>There is not a qualified IQA or assessor for the qualifications. An external assessor not being booked for a qualification assessment.</b></p>	<p><b>Withdrawal of approval for specific qualifications</b></p>	<p><b>Escalated to the Compliance Advisory Board to review the evidence and agree upon the appropriate level of sanction to apply to the ATC.</b></p>
5	<p>Irretrievable breakdown in quality assurance procedures, overall management, delivery, and assessment of STA regulated qualifications.</p> <p>Poor performance, leading to putting STA's reputation into disrepute and affecting the</p>	<p><b>Withdrawal of ATC approval</b></p>	<p><b>Escalated to the Compliance Advisory Board to review the evidence and agree upon the appropriate level of sanction to apply to ATC.</b></p>

	<p>validity of STA regulated qualifications.</p> <p><b><i>Example: ATC staff / centre personnel attempting intentionally to manipulate a result so it does not reflect the learners' actual performance in an assessment. Such as changing an MCQ answer after a learner has completed the assessment.</i></b></p> <p><b><i>ATC staff falsifying learners' results on STA course paperwork / STA Online. Such as ticking the pass box when a learner has actually failed.</i></b></p>		<p><b>STA tutor, assessor, IQA performance will be reviewed, documented and appropriate level of sanction will be applied, i.e. suspended from delivering a suite of qualifications or in consistent cases STA tutor, assessors, IQA status may be revoked with immediate effect.</b></p>
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Any cases of concern or non-compliance will be escalated to the Compliance Team and will be reviewed by the Responsible Officer at Safety Training Awards. If there is clear evidence of non-compliance by the ATC then the appropriate level of sanction will be imposed on the ATC. In all instances the nature of the sanction and the rationale for its application will be communicated in writing (email) to the ATC Co-ordinator.

Any expenses incurred in ensuring compliance with any informal measures or sanctions applied by Safety Training Awards must be covered by the ATC.

If an ATC disagrees with the decision the first point of contact is the Compliance Team then refer to Safety Training Awards enquiries and appeals policy.

Only where we determine that there are exceptional circumstances of extremely serious non-compliance or the persistent failure of the ATC to address outstanding actions, and / or the failure of previous sanctions to address the issue, would Safety Training Awards impose, via the STA Online the ultimate sanction of removal of qualification approval in relation to:

- A single qualification
- An entire qualification discipline
- All approved qualifications and in turn the centre's 'approval' with Safety Training Awards.

Safety Training Awards expects that it would never impose the immediate withdrawal of approval for a qualification or range of qualifications without:

- The ATC being given an opportunity to address the area(s) of non-compliance
- First of all imposing one of the previous sets of sanctions
- There being evidence that the non-compliance poses a significant threat to the interest of learners' or the integrity of the qualifications and units.

Where there are proven cases of non-compliance and sanctions have been applied to an ATC, and where the evidence suggests the actions of the ATC and / or ATC staff is high risk and may or has had an adverse effect on the validity of STA regulated qualifications and/or there has been consistent

compliance issues / concerns with the delivery and assessment of STA regulated qualifications within the ATC, Safety Training Awards Responsible Officer will submit a report and supporting evidence to the Safety Training Awards Compliance Advisory Board.

At this stage the Compliance Advisory Board will review the evidence and confirm if the ATCs performance is having an adverse effect on the learners' journey, the validity of STA regulated qualifications and STAs reputation. In cases where the Compliance Advisory Board agree that a suite of qualifications are to be withdrawn from an ATC this is decided according to the level of risk to the assessment process, validity of STA regulated qualifications, the learner journey and STAs reputation. For example, high risk cases where there has been an adverse effect on the validity of STA regulated qualifications and the learner journey, the qualification may be withdrawn indefinitely and Safety Training Awards may refuse any future applications to offer this qualification within the ATC under investigation. However, if the ATC can provide evidence to demonstrate they have retrained / upskilled and have the appropriate occupational competence to offer the qualifications this will be reported to the Compliance Advisory Board for review and reconsideration of the withdrawal of STA qualifications.

Should an ATC have its approval for a Safety Training Awards qualification(s) removed, we will take all necessary steps to protect the interests of any learners' that are currently registered against the qualification in question. For example, we will either certificate them for any achievements to date and / or seek to transfer them where possible to another Safety Training Awards ATC to enable them to continue with their learning.

In addition, upon the removal of approval, the centre personnel:

- immediately cease to offer Safety Training Awards qualifications and services and shall at its own expense immediately deliver to Safety Training Awards all relevant and specified deliverables (e.g. assessment materials) and / or dispose of materials if instructed to do so by us. If the ATC fails to do so we may take action to recover such materials where relevant
- Immediately cease to operate as an ATC by Safety Training Awards and shall immediately cease to describe, promote, market or advertise itself as an ATC by and / or offering the relevant qualification(s)/service(s).

If the evidence suggests to the Compliance Advisory Board that the ATC remaining active imposes a significant risk to the assessment process and learner journey for STA regulated qualifications, the ATCs approval status will be reviewed in detail to confirm if centre approval can continue or if it is to be withdrawn following a suitable notice period. This will allow the ATC Co-ordinator to complete any outstanding courses where learners' are registered against or in the process of completing their chosen qualification. The notice period given by Safety Training Awards will take all of this into account, providing the ATC Co-ordinator with sufficient time to certificate any outstanding learners'. Alternatively if the evidence suggests there are significant risks to the outstanding learners', Safety Training Awards may choose to arrange for the learners' to complete their chosen qualification with another ATC and the ATC under investigation is liable for the additional costs incurred.

When sanctions are applied or withdrawal of ATC approval has been confirmed STA are legally obliged to notify the appropriate regulatory authority and other Awarding Organisations of the outcome to mitigate any risk to future learners'.

## **Sanctions that may be Imposed on Learners'**

Should a learner, or range of learners', be found to have committed malpractice then the following sanctions may be imposed on them in accordance with the arrangements outlined in our malpractice and



maladministration policy (which may be communicated to the learner by Safety Training Awards and / or the learner's centre):

- Issuing a written warning that if the offence is repeated further action may be taken
- Loss of all marks / credits for the related work / unit, leading to additional training / elements of the course being retaken and / or non-certification of the chosen qualification
- Disqualification from the unit(s) / qualification, leading to non-certification of the chosen qualification
- Placing a ban from taking any further qualifications with STA (e.g. for a set period of time).

## Sanctions that may be Imposed on Independent Tutors, Assessors, Markers, and IQA's

Should an independent tutor, assessor, marker, and IQA be found to have committed malpractice then the following sanctions may be imposed on them in accordance with the arrangements outlined in our malpractice and maladministration policy (which may be communicated to the independent tutor, assessor, marker, and IQA by Safety Training Awards and / or the ATC they are employed by or sub-contracted to):

- Revoking approval for the ATC to use a specified independent tutor, assessor and IQA if there are concerns around their performance
- Revoking approval for a range of ATCs to use a specified independent tutor, assessor and IQA (if they work across more than one) if there are concerns around their performance. In doing so we will ensure any notification is legal and factual so as not to adversely affect their reputation
- A review of the STA tutor, assessor, IQA, status by the Safety Training Awards Compliance Advisory Board to confirm if the status is revoked with immediate effect

Where evidence suggests STA, tutors, assessors, IQAs impose a risk / significant risk to the assessment process, learner journey and the validity of STA regulated qualifications, Safety Training Awards Responsible Officer will submit a report and supporting evidence to the Safety Training Awards Compliance Advisory Board. At this stage the Compliance Advisory Board will review the evidence and confirm if the STA tutor, assessor, IQA status may continue or if the status is to be revoked with immediate effect or following a suitable notice period as noted above in the 'Sanctions that may be Imposed on Approved Training Centre (ATC)' section.

Please note: In cases where the ATC status and / or STA tutor, assessor, IQA status has been withdrawn / revoked by the Compliance Advisory Board due to a confirmed case of non-compliance, if the ATC Co-ordinator, STA tutor, assessor, IQA submit an application to open a new ATC, Safety Training Awards reserve the right to refuse the application.

## Appealing a Decision

If an ATC / ATC personnel wishes to appeal a decision to impose a sanction then please refer to our Safety Training Awards enquiries and appeals policy, which can be found on our website or you can request a copy by contacting us.

## Ensuring Consistency in our Approach

The length of time any of the above sanctions will be imposed for will depend on our assessment of the situation that warranted their introduction.

Safety Training Awards Responsible Officer will be responsible for regularly reviewing the application and maintenance of sanctions to ensure they continue to be appropriate and proportionate to the incident(s) and risk of future incidents occurring.

## Monitoring and Review

We will review the policy annually as part of our quality assurance requirements and will revise it as and when necessary in response to customer feedback, trends from our internal monitoring arrangements, changes in our practices, actions from the regulatory authorities or external agencies or changes in legislation.

If you would like to feedback any views, please contact us via the details below.

## Safety Training Awards contact details

Safety Training Awards, Anchor House, Birch Street, Walsall, West Midlands, WS2 8HZ

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