



# Sanctions Policy

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Version 6



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## 1. Introduction

### 1.1. Purpose of the policy

All approved centres have a written and enforceable centre agreement with VTCT, setting out all the requirements centres must meet to retain their approval status, in order to offer ITEC or VTCT qualifications.

This policy sets out the sanctions that VTCT may apply to centres, their staff or learners, where they are suspected of having, or are known to have failed to adhere to the centre agreement and related policies and procedures.

The policy informs centres about the awarding organisation's approach to sanctions, the types of sanctions which may be imposed and the related process for applying and removing them.

VTCT publishes this policy, procedures and process flowchart on its website and in centre handbooks. It should be read in conjunction with the following related policies and procedures:

- Malpractice and Maladministration Policy and Procedures;
- Plagiarism, Cheating and Collusion Process;
- Adverse Effects and Investigations;
- Complaints Policy and Procedures.
- Appeals Policy and Procedures;
- External Whistle Blower's Policy;
- Conflict of Interest Policy and Procedures;
- Policy for the Withdrawal of Approval

### 1.2. Scope of the policy

The Sanctions Policy applies to all VTCT and ITEC qualifications. VTCT and ITEC customers, being learners who are taking or have taken VTCT and ITEC assessments, and personnel with responsibilities for managing, delivering, assessing and quality assuring qualifications in centres, approved to offer VTCT or ITEC qualifications, should be made aware of this policy. It is also provided for awarding organisation personnel to support the consistent application of sanctions.

### 1.3. Regulatory authorities

This policy addresses the requirements of the relevant regulatory authorities' criteria.

### 1.4. Definition

Sanctions are the penalties which may be applied by an awarding organisation against a centre, its staff or learner(s) suspected of or proven to have not complied with the terms of the centre agreement. Examples of non-compliance and related sanctions are set out in the table in section 2.1.1.

VTCT imposes sanctions when necessary in order to:



- minimise the risk to the integrity of all aspects of our awarding functions, and the standard of our qualifications;
- create the opportunity in relevant cases to investigate potential malpractice and/or maladministration;
- minimise the risk to learners;
- preserve the integrity of the awarding organisation.

In particular, we are required to consider risks posed by adverse effects as defined by the regulators (see section 1.5.1.1 below), malpractice and maladministration. Sanctions may be placed especially in relation to these factors.

## 1.5. Responsibilities

### 1.5.1. VTCT

VTCT is responsible for monitoring compliance with the centre agreement and taking appropriate action when this is suspected or known not to be the case.

We are required to consider risks posed by Adverse Effects, malpractice and maladministration. Sanctions may be placed in relation to these areas.

Should we fail to meet our obligations, including those relating to notification of Adverse Effects and in relation to malpractice and maladministration, we are required to notify the relevant regulators.

#### 1.5.1.1. Adverse effects

Attention is drawn to VTCT obligations to consider risks caused by adverse effects, defined as follows:

*“An act, omission, event, incident or circumstance has an Adverse Effect if it:-*

*(a) Gives rise to prejudice to Learners or potential Learners; or*

*(b) Adversely affects –*

*I. The ability of the awarding organisation to undertake the development, delivery or award of qualifications in accordance with regulatory requirements,*

*II. The standards of qualifications which the awarding organisation makes available or proposes to make available, or*

*III. Public confidence in qualifications”.*

When VTCT imposes a sanction on a centre or learner, the relevant regulator and other awarding organisations may be notified.

### 1.5.2. Centres

The centre must ensure that all staff involved in the management, assessment and quality assurance of VTCT and ITEC qualifications, and learners taking its qualifications are fully aware of the contents of the policy and the possible consequences if the centre, an individual member of staff, contractor or registered learner fails to comply with the requirements specified by VTCT and ITEC in relation to the delivery of its qualifications.



The centre agreement sets out the specific duty not to put the awarding organisation in breach of its ability to fulfil its regulatory obligations. It is therefore important that possible and actual adverse effects (see section 1.3.1) and suspected or actual malpractice and/or maladministration are notified to VTCT immediately and dealt with in line with the policy and procedures

## **1.6. Review arrangements**

This policy is reviewed annually as part of VTCT's self-evaluation activity, which considers customer and regulatory feedback and good practice guidance, changes in VTCT's practices, actions from the regulators, changes in legislation, or trends identified from previous cases.

In addition, this policy may be updated following consideration of operational feedback to ensure VTCT's arrangements for imposing sanctions remain effective.

### **1.6.1. Situations brought to our attention by the regulators**

Where the regulators notify us of failures that have been discovered in the assessment process of another awarding organisation, we will review if a similar failure could affect our own assessment processes and arrangements.

## 2. Centre sanctions

### 2.1. Introduction

VTCT aims to work with its approved centres in a supportive way. Its approach to how it supports its centres is set out in the centre handbook. If a need for improvement in centre practice is identified, VTCT works with the centre to make those improvements, usually through the implementation and monitoring of an action plan. Whilst this approach aims to prevent situations arising which would warrant the need for sanctions, failure to address the actions adequately may make this necessary.

#### 2.1.1. Types of sanction

VTCT may impose one or more of the following sanctions at either qualification or centre level (including any site). Sanctions will be appropriate for the type and seriousness of the related issue, taking into consideration the actual or potential risk to VTCT or ITEC qualifications and awarding functions:

- removal of direct claims status;
- temporary suspension of registration and/or certification;
- withdrawal of approval (for a centre or a qualification/more than one qualification).

Examples of issues and the sanctions which may be applied are given in the table below:

Issue	Sanctions
Non-payment of invoices within payment terms	Temporary suspension of registration and/or certification Withdrawal of approval
Failure to maintain standards in relation to assessment or internal quality assurance	Removal of direct claim status Temporary suspension
Failure to co-operate with investigations or provide access to VTCT or regulators for the purpose of monitoring	Temporary suspension Withdrawal of approval
Failure to comply with VTCT/ITEC's requirements relating to registering and enrolling learners	Temporary suspension for certification Withdrawal of approval
Failure to communicate with VTCT	Removal of direct claim status Temporary suspension Withdrawal of approval
Significant faults in assessment or internal quality assurance arrangements	Temporary suspension Withdrawal of approval
Failure to implement actions set by VTCT	Removal of direct claim status Temporary centre suspension Withdrawal of approval



Insufficient qualified and occupationally competent staff, as required for ITEC or VTCT qualification delivery	Removal of direct claim status Temporary suspension Withdrawal of approval
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Where a centre has multiple approved sites VTCT may impose sanctions either at specific site where risk has been identified or across all of the centre's approved sites, should VTCT deem that the nature of the risk warrants this action.

Where multiple centres utilise the facilities of a single venue, such as in various sub-contracting arrangements, VTCT may impose sanctions across all approved centres which utilise that venue, if the nature of the risk identifies this as an appropriate action.

**When inadequate action has been taken by the centre in response to a sanction, VTCT may increase the sanctions imposed. Persistent inadequate action may result in the withdrawal of approval.**

## 2.2. Process

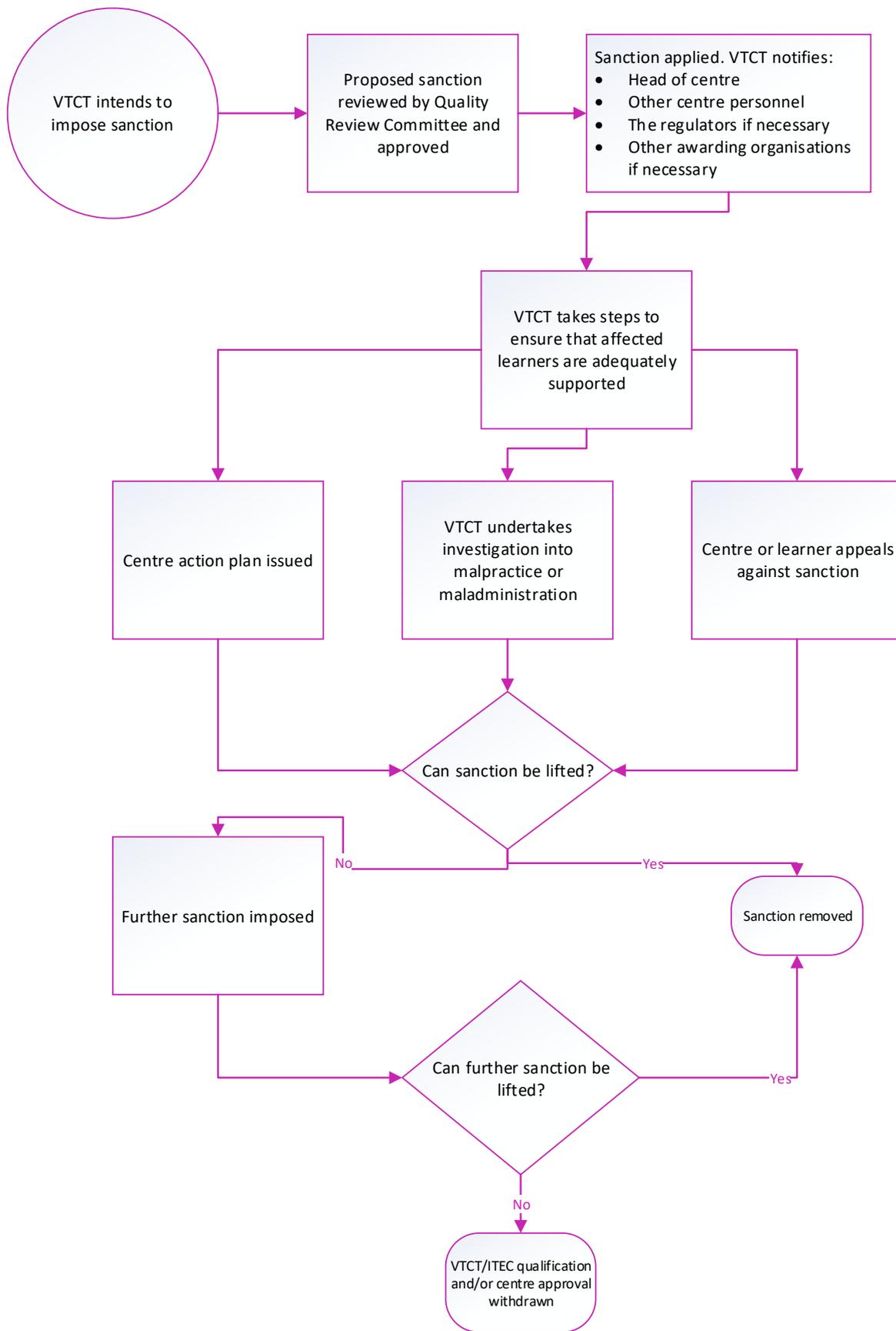
1. VTCT imposes a sanction, usually at the start of or as an outcome of an investigation into malpractice or maladministration or following failure to carry out previously agreed actions to the satisfaction of the awarding organisation.
2. Decisions relating to the imposition of sanctions are reviewed by the VTCT Quality Review Committee.
3. VTCT applies the sanction and notifies the head of centre and other relevant centre staff in writing providing:
  - details of the sanction being applied;
  - the reason for the sanction (including any related investigation);
  - the terms of the sanction, (e.g. date, length, qualification/unit affected);
  - any action the centre or any individual must take as a result of the sanction, together with a timescale for the action.
4. VTCT may notify the relevant regulator(s) and other awarding organisations of the sanction imposed. The need to do so usually occurs when the sanction relates to suspected or proven malpractice or maladministration.
5. If a centre disagrees with the decision, it may wish to appeal against it or lodge a complaint. See section 3 below.
6. Failure to comply with a sanction is likely to result in further, more punitive sanctions being imposed.
7. If the matter remains unresolved VTCT may withdraw qualification approval and ultimately centre approval status.
8. VTCT will takes steps to ensure that any learners affected by a particular sanction are adequately supported at all stages.
9. VTCT conducts any related investigation. The outcome of an investigation may lead to a modification of any sanction to a less or more severe one, or to its removal.
10. Sanctions remain in place until VTCT writes to the head of centre and other responsible personnel to advise them of one of the following:
  - the issue is now resolved, and the sanction lifted;
  - any related investigation has been concluded and the sanction can now be removed;



- any appeal into the sanction has been successful and the sanction can now be removed.

11. At any stage in the process and at its conclusion VTCT may update the relevant regulator(s) and any awarding organisations who were alerted to the sanctions when applied.

### 2.3. Sanctions process – flowchart





### 3. Appeals and complaints

If a centre considers that a sanction has been imposed unnecessarily, where this relates to action against a learner or a centre following an investigation into malpractice or maladministration, the centre/learner may appeal against the decision to impose a sanction by following the Enquiries and Appeals Policy and Procedure, which is available on the VTCT and ITEC websites and on request.

Sanctions imposed for other reasons cannot be appealed against. The centre or learner may wish to consider making a complaint against the imposing of the sanction following VTCT Complaints Policy and Procedures, also available on the website and on request.

### 4. Withdrawal of approval

Centres should note VTCT's **Policy for the Withdrawal of Approval**.



## Document amendment history page

Version	Document Owner	Issue Date	Changes	Role
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V4	Quality and Processing Manager	02/02/2018	Formatted and new branding template	Qualifications Manager
V5	Head of Quality	05/03/2019	Formatted and new branding template	Compliance Manager
V6	Head of Quality	19/06/2019	Additional paragraphs in section 2.1.1	Compliance Manager

## Document Review

Role	Review Status
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Head of Quality	

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## Document Sign-off

Role	Sign-off Date
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