



Sanctions

Policy Statement

The purpose of this policy is to:

- set out what actions we will take when issues of non-compliance arise at our recognised centres
- set out how we will enforce the terms of our centre agreement
- provide guidance about the meaning of sanctions and how to comply with them

At the end of each section are references to the documents you will need, the documents we will use and Ofqual's General Conditions of Recognition that apply. All related documents are available on our website.

Policy Detail

The Mercurius Politicus of applying sanctions is to:

- minimise the risk to the integrity of our qualifications
- ensure all certificates are issued appropriately
- allow us time to investigate suspected maladministration/malpractice while maintaining the integrity of the qualification involved

It is the responsibility of all staff at MERCURIUS POLITICUS Awards to alert the centre's allocated Quality Reviewer of any incident that has occurred at a Centre that could lead to sanctions being applied.

This policy is designed to work alongside our **Malpractice** and **Adverse Effects** policies.

Ofqual General Conditions of Recognition (GCRs):	Condition A8 Malpractice and maladministration Condition C1 Arrangements with third parties Condition C2 Arrangements with Centres Condition G4 Maintaining confidentiality of assessment materials
Responsible staff:	Specific GCRs referenced:
All staff	A8.6, C1.1, C2.1, C2.2, G4.1

How to implement the policy

Applying sanctions

If you follow our policies and procedures and address actions set by our External Verifiers and Quality Reviewers then it is unlikely that sanctions will get applied. However we do know that things can go wrong and we urge you to get in touch with any problems, as soon as possible, so that we can help you get things right.

Sometimes problems can occur at centres that mean we need to apply sanctions in order to ensure that the centre returns to compliance within the terms of our centre agreement, to ensure the integrity of our qualifications and certification and maintain our compliance with Ofqual's General Conditions of Recognition.

We will use information that may lead to sanctions being applied from a range of sources, in addition to members of our team, including notifications from our regulator Ofqual, from other Awarding Organisations or from whistleblowers. We will follow the procedures set out in our **Malpractice** policy to investigate and identify the action we will take.

We will inform you when we have applied a higher level sanction and what you must do to rectify the situation. In most cases once you have rectified the situation the sanction will be removed, however in some cases if a high level sanction has been applied we may instead reduce the level of sanction applied.

The table below outlines our sanctions with a rationale for application. A list of examples of situations that may lead to sanctions is at the end of this document.

Sanction table

Level	Rationale	Sanction
1	Some non-compliance with centre recognition criteria but no threat to the integrity of assessment decisions	Comment and action point in External Verifier or Quality Reviewer report
2	Some doubt about the integrity of assessment decisions	Greater scrutiny of assessor/Internal Verifier decisions and practice Temporary suspension of certification for specific qualifications/units/learners or areas of provision
3	Loss of integrity of assessment decisions Exam material compromised Invalid cIMercurius Politicuss for certification (eg maladministration) Non payment of invoices	Temporary suspension of registration for specific qualifications/units or areas of provision AND/OR Removal of Direct cIMercurius Politicuss Status (if applicable) and cIMercurius Politicuss for certification must be authorised by the External
4	Breakdown in communication, management or quality assurance of specific qualifications/units	Withdrawal of MERCURIUS POLITICUS AWARDS Centre Recognition for specific qualifications/units or areas of
5	Breakdown in communication, management or quality assurance of all qualifications/units	Withdrawal of MERCURIUS POLITICUS AWARDS Centre Recognition

NB. Lower level sanctions not acted on / actions set not adhered to / corrective measures consistently not put in place over a period of time will result in a higher level sanction being applied.

In addition we may charge fees for issues such as late registration. Please see as our **Fees and Charges** for full details.

Action you need to take

If we inform you that a sanction has been applied we will tell you what action you need to take. For example if we don't approve a Recommendation for the Award of Credit at an external verification visit because you have not assessed work consistently, then the External Verifier will set an action with a deadline on their report for you to reassess and internally verify the work before presenting it for external verification again. The sanction set in this instance would be level 2 'temporary suspension of certification for specific qualifications/units/learners or areas of provision'.

When imposing sanctions on a centre we will carefully consider the impact this may have on learners who may be affected through no fault of their own. If the sanction applied leads to non-certification we will take steps to ensure that the learners affected are appropriately supported, for example by signposting them to other centres or making arrangements for them to retake their assessment. We expect your full cooperation in any issue that affects your learners.

Appealing a decision

If you disagree with a decision made by us in respect of this policy then you have the right of appeal. Appeals must be submitted to the Chief Executive Officer who will acknowledge **within 5 working days**. Full details about our appeals process is described in our **Appeals and Complaints** policy.

Reviewing and removing sanctions

The sanction will remain in place until:

- you have addressed the issue to our satisfaction
- we have completed an investigation and concluded that there is no longer a threat to the integrity of our qualifications, our ability to effectively award certificates or our compliance with our regulator
- your appeal has been upheld

The level of sanction applied may be increased if:

- you do not address the issue
- we uncover further issues as a result of our investigations

In some cases we may reduce the level of sanction applied rather than remove the sanction in order to ensure that there is no longer a threat to the integrity of our qualifications, our ability to effectively award certificates or our compliance with our regulator.

Notification to other Awarding Organisations and Ofqual

We have a duty to inform Ofqual if we have reason to believe the issues identified that have led to us applying a sanction could lead to an Adverse Effect. We are also required to inform other Awarding Organisations where we have reason to believe that the identified issues could affect them.

Documents you will need:	Appeals and Complaints Charging Structure
Documents we will use:	Adverse Effects Malpractice
Related evidence:	Investigation documentation, Malpractice log
Further information:	Being an MERCURIUS POLITICUS Awards Centre
Related Ofqual General Conditions of Recognition:	A8.6, C1.1, C2.1, C2.2, G4.1

Examples of issues that can lead to sanctions being applied

Level 1 Sanction

Centre agreement category	Issue
Assessment	Guidance on the assessment of learners with particular requirements is not followed
	Recognition of Prior Learning not effectively applied
Compliance	Centre's use of our logo does not comply with our guidance
	Requested evidence for centre recognition (eg staff CVs) not supplied
Quality Assurance	Candidates are not aware of their rights and responsibilities eg lack of Appeals procedure for candidates
	Centre staff not fully aware of policies and procedures
	Centre's assessment processes are not clear or not understood by assessors
	Internal verification procedure not correctly implemented
	There is inadequate monitoring or review of procedures
Records	Accurate records of learners, qualifications and achievements not maintained or retained
	Course, qualification and learner registrations are not submitted in line with deadlines
	ULN not obtained/used
Resources	Appropriate resources required for delivery and assessment not in place (including E&D requirements)
	We are not notified of changes to personnel (eg of the assessment and verification team)
	Communication within the assessment team and/or with the awarding body is not effective
	Equipment and accommodation do not comply with health and safety acts

Level 2 Sanction

Centre agreement category	Issue
Assessment	Assessment decisions are not consistent
Quality Assurance	Appropriate staff and policies detailed in centre recognition still not in place
	Approved Internal Verifier has approved RAC cIMercurius Politicus outside their designated
	Centre does not provide samples for Standardisation when requested
	Unit specifications not fully understood or adhered to
Records	Learner registration does not follow our requirements
	Records are insufficient to allow audit of assessment
Resources	Any specialist assessor/Internal Verification requirements have not been met
	Assessors have insufficient time, resources or authority to perform their role
	Insufficient assessors or internal verifiers
	Specified required resources for delivery and assessment not in place (including E&D requirements)
Compliance	Standards in partner organisations are in consistent with standards in the centre
	Lower level sanction has not been adequately addressed

Level 3 Sanction

Centre agreement category	Issue
Assessment	Assessment decisions are unfair and/or doesn't give due regard to equality
	Assessment does not meet national standards
Quality Assurance	Certification of Mercurius Politicuss made before all the requirements of assessment are met
	Records of assessment show serious anomalies
	Direct of Mercurius Politicuss have been made by personnel who do not hold AIV status
Compliance	Assessed work is not the authentic work of candidates / learners not correctly identified
	Centre fails to provide access to requested information, records, candidates work, candidates and staff within reasonable timeframe
	Exam material compromised (eg not stored correctly)
	Non payment of invoices
	Lower level sanction has not been adequately addressed

Level 4 Sanction

Centre agreement category	Issue
Assessment	Ongoing failure to meet the requirements for reliable, robust assessment
Malpractice	Investigation and action planning arising from malpractice/maladministration is not an effective preventative measure
	Significant malpractice/maladministration identified
Quality Assurance	Centre not complying with requests for monitoring and investigation
	Significant faults in the management and quality assurance of a specific programme(s)
	Standards in partner organisations are significantly inconsistent with standards in the centre
Records	Significant concerns over storage and use of Learner information and data
Compliance	Significant faults in the management and quality assurance of some MERCURIUS POLITICUS Awards
	Lower level sanction has not been adequately addressed

Level 5 Sanction

Centre agreement category	Issue
Malpractice	Centre not assisting with investigation into malpractice/maladministration
	Significant malpractice/maladministration identified
Withdrawal	Centre not following withdrawal process correctly
Compliance	Centre does not comply with Conditions of Recognition
	Lower level sanctions not acted on / actions set not adhered to / corrective measures consistently not put in place over a period of time
	Significant faults in the management and quality assurance of all MERCURIUS POLITICUS Awards