

ABMA Education Sanctions Policy

Introduction

This policy is aimed at centres delivering ABMA Education (hereafter 'ABMA') qualifications or units and who have failed to meet aspects of our delivery requirements and/or standards. It sets out the sanctions that we may impose on centres in such situations to improve practices.

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

Centre responsibility

It is important that your staff involved in the delivery of our qualifications are fully aware of the contents of the policy and the possible implications on your centre should you fail to comply with the requirements specified by ABMA in relation to the delivery of our qualifications (some of which are required of us by Ofqual).

Review arrangements

We will review the policy annually as part of our self-evaluation arrangements and revise it as and when necessary in response to customer feedback, trends from our internal monitoring arrangements, changes in our practices, actions from the Ofqual, external agencies or changes in legislation.

If you would like to feed back any views please contact us via the details provided at the end of this policy.

Ensuring the standards of our qualifications and units

At ABMA, we have a responsibility to the learners taking our qualifications and to our regulator, Ofqual, to ensure that centres deliver our qualifications and units in accordance with relevant national standards.

In order to meet this responsibility, the performance of each ABMA centre is monitored and verified by us. For our centres outside of England, we endeavour to work with international regulators who approve and monitor our centres to ensure that they meet and comply with the expected qualification delivery standards.

For our provision in England, we assign EQAs to centres to monitor the standards at our centres as per our EQA Manual. As part of their monitoring and QA activities, EQAs are able to recommend the application of appropriate actions/sanctions on centres that fail to meet our centre requirements.

Approach to sanctions

We have a range of sanctions that can be imposed on a centre depending on the seriousness of the situation, the level and track-record of the centre's non-compliance, the risk to the interests of learners, the integrity of the qualifications and units, and/or how the centre's delivery of ABMA qualifications affects the public confidence in ABMA qualifications.

Nonetheless, we aim to ensure that the application of sanctions is a last resort and through our approach to centre support and management, and the creation of appropriate action plans, we will work with centres to prevent situations arising that would warrant a sanction being imposed.

Sanctions are only imposed in cases of serious non-compliance. The type of sanction imposed depends on the severity of non-compliance and depends on the nature of the situation. For example, if the centre has:¹

- outstanding actions,
- poor records to confirm assessment decisions,
- no lead quality officer/IQA in place,
- proven collusion or persistent bad marking of centre marked assessments,
- suspected or proven cases of maladministration and/or malpractice which are being investigated,
- made certification claims before learners have completed the unit(s)/qualification(s),
- 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 that they are delivering or public confidence in qualifications), or
- refused access to premises and/or records to the staff of ABMA or the regulatory authorities.

It is important to note that the following are not classified as sanctions, but standard good Awarding Organisation (AO), or business practice:

¹ The examples for recommending and imposing sanctions in this section and below are only indicative and are not meant to form an exhaustive list.

- when a centre is first recognised and approved by us to offer one of our qualifications, and/or if they have subsequently applied and have been approved to offer another qualification in a sector or qualification type that is significantly different from previous qualifications that they offer, we will approve the centre to offer the qualification(s) and not process any certificate claims for the qualification(s) until the centre has received a satisfactory EQA visit. This approach is normal practice amongst AOs and is generally seen as good practice. It is intended to help ensure the centre is delivering this new qualification effectively before certificates can be issued, and
- should a centre refuse to pay outstanding fees even after we have contacted them several times, then we may remove approval and/or centre recognition with immediate effect. Such a decision would not be considered a sanction but a commercial decision.

Malpractice and Maladministration (M&M) Investigations

As sanctions are only imposed in cases of serious non-compliance, the recommendation of any sanction by an EQA may prompt the opening of a malpractice/maladministration investigation on the centre.

Equally, should we receive a notification/allegation of malpractice or maladministration at a centre, this would also prompt the opening of a malpractice/maladministration investigation.

M&M investigations are carried out by the Compliance Department (CD) in line with our Malpractice and Maladministration Policy to establish if there is clear evidence of non-compliance by the centre.

Process for imposing sanctions

If there is clear evidence of non-compliance, the CD will convene the Malpractice Panel (MP) and put forward details of any sanctions that they would recommend imposing on the centre.²

The MP reviews the evidence and the recommended sanctions submitted. The MP then decides on the course of action. If the MP determine that a sanction(s) be imposed on the centre, the decision to impose a sanction is communicated to the centre within 8 weeks from the start of the investigation (depending on the complexity of the investigation) via ABMA Interactive (AI).

² Recommendations put forward would take into account any recommendations made by an EQA.

Monitoring sanctions

The CD and Examinations Department (ED) will monitor the centre's compliance and/or the centre's resolution to the actions imposed and, when necessary, will lift the sanction once all issues have been resolved or actions have been met.

Sanctions that may be imposed

Centres

The sanction to **withhold certificates** (e.g. suspending certification status) can be in relation to:

- a single qualification, or
- an entire qualification suite, or
- an entire qualification type, or
- all qualifications.

The sanction in relation to **preventing further learner registrations by the centre** (e.g. suspending registration status) can be in relation to:

- a single qualification, or
- an entire qualification suite, or
- an entire qualification type, or
- all qualifications.

Only in exceptional circumstances of extreme and serious non-compliance or the persistent failure of the centre to address outstanding actions, and/or the failure of previous sanctions to address the issue, would we impose the ultimate sanction of **removal of qualification approval** in relation to:

- a single qualification, or
- an entire qualification suite, or
- an entire qualification type, or
- all qualifications, and in turn the centre's 'recognition' with ABMA (in which case its access to AI will be deactivated).

Should a centre have its approval for a qualification/suite of qualifications removed, we will take all reasonable steps to protect the interests of any learners currently registered on the qualification(s) in line with the details outlined in our process for managing the Withdrawal of a Qualification at a Centre document.

In all instances the nature of the sanction and the rationale for its application will be communicated in writing to the centre via AI.

Learners

If, following an M&M investigation a learner is found to have cheated for example, we will issue the ultimate sanction of disqualification.

The learner is disqualified from the qualification(s) that they are enrolled on and are also banned from undertaking ABMA qualifications and assessments in the future.

Reapplication for Centres: sanctions related to single qualifications, qualification sectors, or qualification types

If a centre has received the sanction to remove qualification approval for:

- a single qualification, or
- an entire qualification sector, or
- an entire qualification type,

The centre may reapply to offer the single qualification, qualification sector, or qualification type after a **minimum of one year** from the date which the sanction was imposed. This is to allow the centre enough time to put into effect systems and processes to negate/mitigate the cause(s) which led to the sanction being issued.

Upon reapplication, the centre may be issued actions so that we are able to assure ourselves that it is working towards our centre requirements. These actions may be issued during the application stage (i.e. pre-approval) or as a condition of approval.

For centres that have been issued one of the above sanctions *and* remain an ABMA recognised centre, these sanctions do not prohibit them from applying to offer **other** ABMA qualifications from a **different** qualification sector or type.

Reapplication for Centres: sanctions related to all qualifications and the removal of centre recognition

If a centre has received the sanction to:

- remove qualification approval for all qualifications, and in turn the centre's 'recognition' with ABMA,

The centre may reapply for recognition after a **minimum of eighteen (18) months** from the date which the sanction was imposed. This is to allow the centre enough time to put into effect systems and processes to negate/mitigate the cause(s) which led to the sanction being issued.

Upon reapplication, the centre may be issued actions so that we are able to assure ourselves that it is working towards our centre requirements. These actions may be issued during the application stage (i.e. pre-approval) or as a condition of approval.

Complaints and appeals

If a centre disagrees with the sanction decision, the first point of call is either the relevant EQA, or our CD. If a centre is still unhappy with the situation they can raise an appeal (in accordance with our Appeals Policy).

If a learner disagrees with the sanction decision imposed, they can raise an appeal (in accordance with our Appeals Policy).

Contact us

If you have any queries about the contents of the policy, please contact our Compliance Department at:

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