

## Sanctions Policy

### Introduction

This policy is aimed at centres or associates delivering MTB Exams approved qualifications and who have failed to meet aspects of our delivery requirements and/or the standards laid down by the regulatory authorities in respect of regulated qualifications and units. It sets out the sanctions MTB Exams may impose on centres or associates in such situations.

The term 'centre' used in this policy should be taken to mean and apply to MTB registered centres. It is also for use by our staff to ensure they apply any sanctions in a consistent manner.

### Centre's responsibility

It's important that any staff involved in the delivery of our qualifications are fully aware of the contents of the policy and its possible implications on a centre should you fail to comply with requirements specified by MTB Exams in relation to the delivery of our qualifications (some of which are required of us by the regulators).

### Review arrangements

We'll 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 regulatory authorities or external agencies or changes in legislation.

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

### Ensuring the standards of our qualifications and units

MTB Exams has a responsibility to the learners taking our qualifications and the UK regulatory authorities to ensure that centres deliver our qualifications in accordance with relevant national standards.

## Approach to sanctions

MTB Exams has 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 and the risk to the interests of learners and the integrity of the qualifications and units.

Nonetheless, MTB Exams aims 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.

However, if sanctions are required then we will not hesitate to apply them – with the sanction(s) being applied depending on the nature of the situation. For example, if the centre has \*:

- Outstanding actions
- Poor records to confirm delivery or assessment decisions
- Proven collusion or persistent bad delivery of assessments/ bad centre assessed marking (where applicable)
- Suspected or proven cases of maladministration/malpractice at the centre and/or the services provided by the centre and/or its satellite centres or third parties
- 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 they are delivering or public confidence in qualifications)
- Refused access to premises and/or records to the staff of MTB Exams or the regulatory authorities
- Breached any requirement contained in the centre recognition and/or qualification approval application submitted by the centre and accepted by MTB Exams
- Repeatedly breached requirements contained in the centre recognition and/or qualification approval application submitted by the centre and accepted by MTB Exams 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 outlined in the application(s)

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

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

- Should a centre refuse to pay outstanding fees after various contact with our Finance team, 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
- Providing centres with a greater level of support and/or monitoring depending on their needs and performance
- Requiring specific centre staff to undergo additional training and/or scrutiny by the centre if there are concerns about their ability to undertake their role in the delivery of our qualifications effectively. Such decisions would normally be communicated to the centre via an 'action' following a MTB Exams moderation of exams submitted by the centre. 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 a Centre with whom the individual(s) is/are connected. Restrictions against individuals may include not permitting specific staff to be involved in the delivery/assessment of our qualifications for a specified period of time
- Appointing our staff to observe an exam/assessment at the centre if there are concerns around the centre's arrangements and/or the centre is unable to resource particular exams/assessments. Such actions will be discussed with the centre following a centre moderation monitoring report or assessment

### **Sanctions that may be imposed**

Sanctions that may be imposed as part of a centre recognition/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 centre (e.g. suspending registration status) for:

- A single qualification
- An entire qualification sector
- An entire qualification type
- All qualifications

Recommendations in relation to the above types of sanctions will be reviewed by the MTB Exams Academic Review Board, and if there is clear evidence of non-compliance by the centre and/or a sufficient rationale then the sanction will be imposed on the centre. In all instances, the nature of the sanction and the rationale for its application will be communicated in writing to the centre via email and post.

If a centre disagrees with the decision, the first point of call is the MTB Exams admin team, then our MTB Exams Head of Quality assurance and then MTB Exams' appeals arrangements.

Only in exceptional circumstances of extremely 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 MTB Exams impose, the ultimate sanction of removal of qualification approval in relation to:

- A single qualification
- An entire qualification sector
- An entire qualification type
- All qualifications and in turn the centre's 'recognition' with MTB Exams

MTB Exams expects that it would never impose the immediate withdrawal of approval for a qualification or range of qualifications without:

- the centre 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

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). For example, we will either certificate them for any achievements achieved to date and/or seek to transfer them – where possible and feasible – to another centre to enable them to carry on with their learning.

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

- immediately cease to offer MTB Exams qualifications and services
- immediately cease to describe, promote, market or advertise itself as approved by MTB Exams and/or offering the relevant qualification(s)/service(s)

## 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 MTB Exams 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
- Disqualification/non acceptance of a submitted qualification(s)/related work
- Disqualification from taking the qualification
- Placing a ban from taking any further qualifications with us (eg for a set period of time)

The following is a more detailed summary of the possible sanctions that may be imposed for cases of Malpractice in MTB Exams qualifications.

In accordance with the arrangements outlined in our Malpractice and Maladministration policy:

- a. Candidates guilty of malpractice or found to have cheated in any way may be disqualified from the Examination and their result voided. They may also be banned from taking any future Examinations.
- b. Centres guilty of malpractice or found to have cheated in any way will result in the relevant Examination mark being voided. They may also be banned from delivering or assessing future Examinations.
- c. Candidates whose results are voided in the case of an immediate discovery of cheating by a centre, will be offered a free re-entry by the centre.
- d. Malpractice will be deemed to have occurred if:
  - i. there is a breach of any of the MTB Exams Rules and Regulations for its Examinations; or
  - ii. there is an attempt to compromise the Examination process
  - iii. the Candidate and/or centre have cheated in any way
  - iv. there has been any act which damages the authority, reputation or credibility of MTB Exams as an awarding body
- e. Examples of cheating which would be regarded as malpractice include (this is a sample list only and is not exhaustive):
  - i. any action which enables the Candidate to gain an unfair advantage
  - ii. impersonating a Candidate
  - iii. providing a false form of identification
  - iv. altering certificates
  - v. manipulating or editing recordings

In the event of an allegation or suspicion of malpractice by a Candidate or centre, the MTB Exams Chief Examiner will allocate a member of staff to lead an investigation into the allegation (usually the Head of Quality assurance) – ‘the investigator’. The investigation will be conducted in line with our Malpractice & Maladministration Policy. MTB Exams may make a judgement based on evidence gathered from statements offered such as any person reporting the malpractice.

These statements may be considered alongside evidence available such as from the mark sheets and recordings. The judgement of the investigator will be communicated to the relevant party(ies).

If the relevant party(ies) wishes to appeal against our decision to impose sanctions, please refer to our Appeals Policy.

### **Ensuring consistency in our approach**

The length of time any of the above sanctions will be imposed for will depend on the situation that warranted their introduction. The MTB Exams Head of Quality Assurance 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.

### **Contact us**

If you have any queries about the contents of the policy or if you need to contact the MTB Exams admin team, you can view the appropriate regional contact details on our ‘Contact’ page on the relevant MTB regional site. MTB can be contacted by email or phone.