



Restrictions and Sanctions Policy

RV2-0

Restrictions & Sanctions Policy

Introduction

This policy sets out the restrictions and sanctions the ECITB may impose on Approved Centres in order to manage any risk to the validity of ECITB qualifications and to ensure standards and requirements are met to maintain public confidence in the delivery and awarding of ECITB qualifications.

Approved Centre Responsibility

It is important that Approved Centre personnel who are involved in the delivery of ECITB qualifications are fully aware of the contents of this policy and its possible implications on the centre should there be a failure to comply with requirements specified by ECITB. Approved Centres should also be aware that they may be required to disclose sanctions imposed on them to other awarding organisations as part of their monitoring or approval processes (Note: there is no requirement to declare restrictions).

Approach to Restrictions and Sanctions

ECITB has a range of controls that can be imposed on an Approved Centre to manage risk and ensure compliance with ECITB and regulatory requirements:

Restrictions are controls used by ECITB for the purpose of managing risk. Restrictions do not infer any wrong-doing by the Approved Centre, however, ECITB reserve the right to use Restrictions where there has been minor non-compliance that does not impact the assessment process e.g. late payment of invoices. There are two types of restrictions:

- **Probationary Restriction:** will be applied when a centre is first approved and/or has subsequently been approved to offer an additional qualification in a sector or one that is significantly different from previous qualifications they offer.
- **Precautionary Restriction:** will be applied as part of our approach to monitoring, to mitigate risk.

Sanctions are controls used by ECITB where non-compliance has been identified.

ECITB may award Direct Claims Status to Approved Centres for some of its qualifications. However, some ECITB qualifications will always require external moderation by an EQA prior to certification. Some of the Restrictions and Sanctions below may only apply to qualifications that allow Direct Claims Status and some will apply only to qualifications that require external moderation prior to certification.

Restrictions and Sanctions that may be imposed

Restrictions and sanctions may be applied by an EQA or the ECITB Awarding Organisation management team. The imposition of any restriction or sanction by an EQA will be reviewed by a member of the ECITB Awarding Organisation management team to ensure consistency of approach.

Restrictions and Sanctions may be applied in relation to:

- A single qualification
- An entire qualification discipline
- An Approved Centre

Level 1 - No Direct Claims Status: certification will be withheld until the EQA has undertaken external moderation.

This level may be applied as a: Probationary Restriction, Precautionary Restriction or Sanction.

Example situations may include: New centre or qualification approval; disagreed assessment decisions; weaknesses in internal quality assurance processes; inaccurate assessment documentation; inaccurate records of achievement; inaccurate claims for certification; failure to attend two consecutive ECITB Centre Standardisation Events.

Level 2: Prevention of learner registration: prevention of any learner registrations by this centre.

This level may be applied as a: Precautionary Restriction or Sanction.

Example situations may include failure to address remedial actions; insufficient resources to deliver the assessment including internal quality assurance; a number of complaints and/or failure to implement internal complaints policy; continued cancellation of EQA visits; failure to effectively manage ECITB learners or assessment processes; failure to pay outstanding fees.

Level 3: Prevention of learner registration and No Direct Claims Status: *Applies to qualifications where Direct Claims Status may be awarded.* The prevention of any learner registrations by the centre and simultaneously withholding certification until the EQA has undertaken sampling and external moderation.

This level may be applied as a: Precautionary Restriction or Sanction.

Example situations may include: assessment processes that disadvantage learners; un-authenticated learner evidence; certification claims made prior to all ECITB requirements being met or internal quality assurance has taken place; no approved internal quality assurer; suspected malpractice or during a malpractice investigation as a result of whistleblowing or information received from third parties; regulators or other government bodies.

Level 4 Prevention of registration and suspension of certification. *Applies to qualifications that require external moderation prior to certification.* The prevention of any learner registrations by the centre and simultaneously withholding certification pending remedial action.

This level may be applied as a: Precautionary Restriction or Sanction.

Example situations may include: assessment processes that disadvantage learners; un-authenticated learner evidence; certification claims made prior to all ECITB requirements being met or internal quality assurance having taken place; no approved internal quality assurer; suspected malpractice or during a malpractice investigation as a result of whistleblowing or information received from third parties; regulators or other government bodies.

Level 5: Suspension of all activity, learner registrations, assessment and certifications:

where there has been significant or persistent failings within the Approved Centre or the failure of previous restrictions or sanctions to address the issue, effectively suspending all operations at the Approved Centre.

This level may be applied as a: Precautionary Restriction or Sanction.

Examples may include persistent: failure to complete remedial actions; inaccuracies in information and records; weaknesses in assessment practices; non-compliance; failure to provide access to records; information, staff and learners; failure to pay outstanding fees.

Approved Centres who are subject to a Level 5 sanction will be required to take immediate remedial action as defined by ECITB or provide a withdrawal plan that includes the completion or withdrawal of all registered learners in line with ECITB withdrawal policy.

Level 6: Immediate removal of approved centre status: *Applied only in exceptional circumstances of major risk or serious non-compliance.* The immediate removal of approval for any activity, learner registration, assessment and certification. Should an Approved Centre have its approval immediately removed, ECITB will take all reasonable steps to protect the interests of any registered learners in line with its withdrawal policy

This level may be applied as a: Precautionary Restriction or Sanction.

Communication of Restrictions and Sanctions

In all instances, the level of restriction or sanction and the rationale for its application will be communicated in writing to the Approved Centre. ECITB are obligated to notify the qualifications regulator of any actions that have or has the potential to cause an adverse effect.

Where sanctions or restrictions have been applied Approved Centres may be provided with an action plan. The EQA will monitor progress towards and update the action plan on successful completion. Failure to complete actions may result in application of a further restriction or sanction.

Appeal

If an Approved Centre disagrees with the decision to apply a restriction or sanction they should discuss this with their EQA in the first instance and subsequently with a member of the Awarding Organisation management team. If an Approved Centre remains dissatisfied with the decision they may appeal in accordance with ECITB's Appeals Policy.

Review Arrangements

ECITB will review this policy and its associated procedures as part of our continuous improvement arrangements and revise it, as and when necessary, in response to customer, learner or regulatory feedback (e.g. to align with any enquiries process established by the regulators) and to identify any trends that may emerge in the subject matter of enquiries received.

Contact us

If you have any queries about any aspect of this process, please contact:

VQ Administrator

Engineering Construction Industry Training Board

Blue Court, Church Lane, Kings Langley,

Hertfordshire, WD4 8JP

☎: 01923 260 000

@: Qualifications@ecitb.org.uk

🌐: www.ecitb.org.uk