

SANCTIONS POLICY

Issue Number	Effective Date	Amendments	Reason for Amendments
6	16 October 2024	1. Regulatory references 2. Adding possible consequences 3. Overall review of content	1. To outline regulatory requirements 2. To clarify actions that could be taken 3. To ensure accuracy of content

INTRODUCTION

This policy is to ensure that any IMI approved centre that fails to comply with the IMI requirements, or those of the regulators, will receive sanctions against them. Such sanctions could lead to suspension of certain centre activities or the withdrawal of centre approval.

It is the IMI's policy to work closely with centres to advise them on areas of concern, thus avoiding suspension or any subsequent withdrawal of approval. However, if a centre either cannot, or chooses not to, implement the advice and recommendations of the IMI, then the relevant sanction will be issued and enforced.

LEVELS OF SANCTIONS

The IMI's sanctions are based on five levels of transgression:

Level 1	
Sanction	Actions to address non-compliance(s) and completed in set timescale
Rationale	This sanction will be issued to centres that do not comply with aspects of the approved centre criteria, but where there is no apparent threat to the integrity of assessment decisions. It will result in actions being awarded to the centre which must be resolved before the sanction will be lifted.
Scenarios	<p>Non-compliances which will attract a level 1 sanction include:</p> <ul style="list-style-type: none"> ▪ the centre's aims, policies and responsibilities of key personnel not being clear or well understood by the centre co-ordinator and the assessment team ▪ constant failure to register learners correctly ▪ internal quality assurance procedures and practices not clearly documented ▪ poor communication within the centre or the IMI, including failure to comply with IMI requests ▪ failure by the centre to notify the IMI of any changes in centre personnel ▪ any premises, facilities and equipment used for assessment purposes do not comply with the relevant health and safety legislation ▪ inadequate development plans for assessors or internal quality assurers ▪ learners not aware of their rights and responsibilities (e.g. complaints and appeals procedure) ▪ inadequate assessment planning with learners ▪ queries are not resolved or recorded ▪ poor access to different assessment methods ▪ inadequate monitoring or review of procedures ▪ CPD requirements not being met
Possible consequences of sanction	<ul style="list-style-type: none"> ▪ Action(s) raised against the centre ▪ If not completed within the timeframe, escalation to a level 2

Level 2	
Sanction	Removal of, or refusal to grant direct claims status for specific or all products and/or services
Rationale	<p>This sanction will be issued to centres where the external quality assurer (EQA), or other member of the IMI's quality or compliance team, feel that close scrutiny of assessment decisions is required.</p> <p>The effect of this sanction will be the refusal to grant, or removal of, direct claim status for one or more of the products and/or services being offered by the centre.</p> <p><i>Note: Direct claims status means that certificates can be claimed without prior authorised by the EQA.</i></p>
Scenarios	<p>Non-compliances which will attract a level 2 sanction include:</p> <ul style="list-style-type: none"> ▪ the centre co-ordinator, internal quality assurer or assessors have insufficient time, resources or authority to perform their role ▪ decisions of unqualified assessors have not been countersigned by qualified assessors ▪ identified conflict of interest, which has resulted in a favourable outcome ▪ assessment decisions are not consistent ▪ poor assessment practices or insufficient assessment methods ▪ insufficient assessors and/or internal quality assurers ▪ decisions of unqualified internal quality assurers have not been countersigned by qualified internal quality assurers ▪ records are insufficient to allow audits of assessment ▪ failure to inform IMI of change of premises ▪ centre failure to identify learner AI malpractice ▪ limited learner progression ▪ not responding to actions ▪ not responding in a timely manner to requests for further information ▪ previously agreed corrective measures relating to a level 1 sanction have not been implemented by the timescales agreed ▪ failure to address action in identified shortfall in centre CPD, resulting in suspension from IMI products
Possible consequences of sanction	<ul style="list-style-type: none"> ▪ All future claims for certification must be authorised by an IMI EQA ▪ Increased risk rating ▪ Additional external quality assurance visit (at cost to the centre) ▪ Suspension or removal of approval for IMI products or services ▪ Further consequences to relevant IMI products will be detailed in specific strategies ▪ Escalation to a level 3

Level 3	
Sanction	<p>(a) Suspension of registrations (b) Suspension of certification (c) Suspension of IMI products and services</p>
Rationale	<p>There are three parts to a level 3 sanction. Although it is conceivable for future registrations only to be suspended (3a) due to a threat to learners, it is more than likely that the centre's certification activities will be suspended (3b) should it be found that there has been an adverse effect on learners, a loss of the integrity of assessment decisions, a risk of invalid claims for certification having been, or about to be made or as a result of proven malpractice. Suspension of certification may be applied to individual products or all products and/or services offered by the centre and certifications will not be issued by IMI while this level of sanction is applied.</p> <p>Additionally, either a (3a) suspension of registrations or (3c) suspension of IMI products and/or services will be imposed as a result of financial risk / unpaid invoices in accordance with IMI terms and conditions.</p>
Scenarios	<p>Non-compliances which will attract a level 3 sanction include:</p> <ul style="list-style-type: none"> ▪ the assessment process advantages / disadvantages learners ▪ assessment decisions are unfair or do not meet the requirements or national standards of the product ▪ assessed 'evidence' is not the authentic work of learners ▪ no suitable assessors or internal quality assurers ▪ no internal quality assurance undertaken ▪ inadequate invigilation processes ▪ the centre fails to provide access to the records, information, learners and staff as requested ▪ records of assessment show serious abnormalities ▪ previously agreed corrective measures relating to a level 2 sanction have not been implemented by the timescales agreed ▪ certificate claims made before all requirements of assessment are satisfied ▪ potential centre misuse of AI to gain learner achievement ▪ potential or proven cases of malpractice ▪ failure to respond to requests for payment persistent ▪ non-compliance with IMI requirements ▪ withholding results or certificate claims
Possible consequences of sanction	<ul style="list-style-type: none"> ▪ Notification to the regulators ▪ All future claims for certification must be authorised by an IMI EQA ▪ Additional external quality assurance visits (at cost to the centre) ▪ Removal of IMI products or services ▪ Increase risk rating ▪ Escalation to a level 4

Level 4	
Sanction	Withdrawal of centre approval for specific products and/or services
Rationale	Irretrievable breakdown in the management and quality assurance of specific products and/or services.
Scenarios	<p>Non-compliances which will attract a level 4 sanction include:</p> <ul style="list-style-type: none"> ▪ significant faults in the management and quality assurance which result in ongoing failure to meet all the requirements of the product and/or service ▪ previously agreed corrective measures relating to a level 3 sanction have not been implemented by the timescales agreed ▪ permanent loss of integrity of assessment decisions learning to advantaging / disadvantaging learners ▪ persistent failure to comply with actions or respond to communications
Possible consequences of sanction	<ul style="list-style-type: none"> ▪ Inform the regulators ▪ Inform other Awarding Organisations ▪ Inform any other stakeholders ▪ Escalation to a level 5
Level 5	
Sanction	Withdrawal of IMI centre approval.
Rationale	Irretrievable breakdown in the management and quality assurance of all qualifications offered by the centre.
Scenarios	<p>Non-compliances which will attract a level 5 sanction include:</p> <ul style="list-style-type: none"> ▪ significant faults in the management and quality assurance of all products and/or services offered by the centre ▪ total breakdown in communication ▪ significant failure to address issues ▪ persistent failure to pay for products or services, or to respond to outstanding debts ▪ proven fraudulent activity ▪ previously agreed corrective measures relating to a level 4 sanction have not been implemented by the timescales agreed
Possible consequences of sanction	<ul style="list-style-type: none"> ▪ Removal of centre recognition and termination of centre ▪ Inform the regulators. ▪ Inform other Awarding Organisations. ▪ Inform any other stakeholders.

AUTHORISATION

IMI EQAs are authorised to issue level 1 or level 2 sanctions against an approved centre that fails to comply with IMI or regulatory requirements governing the products and/or services being offered. These sanctions will take effect immediately and will be recorded in IMI Centres Hub.

Where other members of the IMI's compliance team has cause to recommend level 1 or 2 sanctions against the centre, the centre co-ordinator will be notified immediately in writing of the areas of concern and any actions required.

Any level 3 or 4 sanction that involves the suspension of activities or the withdrawal of approval, must be authorised by the external quality manager or the quality manager. They will ensure that the centre co-ordinator is notified, in writing, of any suspensions or withdrawals.

Any level 5 sanctions proposed must be agreed and authorised by the Director of Development, Quality and Compliance and/or a member of the IMI Senior Management Team.

The centre has the right of appeal against any sanctions issued. Appeals should be made in accordance with the IMI Appeals Policy.

REGULATORY REFERENCES

Regulator	Regulatory rule or guidance	Regulatory condition, criteria or principle
Ofqual	General Conditions of Recognition	A6, A7, A8, B3, C2
Qualifications Wales	Standard Conditions of Recognition	A6, A7, A8, B3, C2
CCEA Regulation	General Conditions of Recognition	A6, A7, A8, B3, C2
SQA Accreditation	Regulatory Principles	4, 5, 13, 18