Sanctions Policy

Disclaimer: The master document is controlled electronically. Printed copies of this document are not controlled. Document users are responsible for ensuring printed copies are valid prior to use. Transitional document – external copy, subject to change.

Document Control		
Document Number:	AIQ-025	**Effective from**: 01-08-2026
Linked Regulatory Requirements:	GCoR: A6.1, A6.2, A7.1, A8.2, C2.3	
Version Number and Date:	v2.0, 09-07-2026	**Review date:** 09-07-2026
Date of Next Review:	02-11-2026	**Classification Level:** Public/General

Approval Level: High impact

Approved by: Executives

Date version approved: 09-07-2026

Version Number	Date	Changes
v2.0	12/06/26	Updated in alignment with NCFE policy

Contents

1. Policy principles 3
2. Introduction 3
2.1. Purpose 3
2.2. Scope 3
2.3. Responsibilities/duties 4
2.4. Definitions 5
2.5. Location 6
3. Overview of sanctions 6
3.1. What are sanctions and why we would apply them 6
3.2. How we will decide if we need to apply a sanction 7
3.3. How we will notify a centre of a sanction 7
3.4. Actions a centre needs to take 8
3.5. Sanctions affecting learners 8
3.6. How long do sanctions remain in place 8
3.7. Reviewing a sanction 8
4. Complaints and appeals 9
5. Initial Equality Impact Assessment 9
6. References to associated documents 9
7. Implementation and dissemination 9
8. Monitoring arrangements 9
9. Data retention 10
9.1. Disclaimer: Submission of original documentation 10
10. Contact us 11

Active iQ

1. Policy principles

This policy sets out Active IQ's framework when considering and applying sanctions and aims to ensure that we follow a robust and objective process for determining whether and when a sanction should be applied and outlines the steps that will be taken. This policy should be read in conjunction with and secure compliance with the Centre Agreement and Active IQ's mandatory policies and all other mandatory documentation, including [JCQ's Suspected Malpractice: Policies and Procedures.]

It does not replace any of the requirements contained within. Non-adherence to our policies may itself constitute as maladministration, malpractice and/or a breach of the Centre Agreement and may result in sanctions being applied in accordance with this policy.

2. Introduction

Active IQ Sanctions Policy sets out and explains a range of potential enforcement actions that we may take in relation to centres, centre staff and/or learners that are suspected, or have been proven, to have not adhered to our regulations, policies and/or procedures; those outlined within the Centre Agreement and Mandatory Policies.

Sanctions are applied proportionately against the incident/event that has occurred and/or the frequency of reoccurrence and its effect. Sanctions are applied to assist us in minimising the risks of Adverse Effects and of maladministration and malpractice to ensure the validity, reliability, and integrity of our products both regulated and unregulated.

2.1. Purpose

The purpose of this policy is to ensure we follow a robust, consistent, and objective process for determining whether and when a sanction should be applied. It outlines the steps that will be taken in connection with the available evidence in each case, to ensure that the gravity of the sanction reflects the seriousness of the incident, event or occurrence and its effects.

2.2. Scope

This policy has been created in accordance with the requirements set out in Ofqual's General Conditions of Recognition, Qualifications Wales and Council for the Curriculum, Examinations & Assessment and in accordance with 'Suspected Malpractice: Policies and Procedures', published by the Joint Council for Qualifications (JCQ)

For further information regarding malpractice policies and procedures, reference should be made to the JCQ Policy and Procedure, which can be found on the JCQ website (www.jcq.org.uk).

This policy applies to:

- Awarding
- external stakeholders, including our customers.
- any future business units or subsidiaries

2.3. Responsibilities/duties

Active IQ has defined responsibilities to protect the integrity of its qualifications, assessment processes, and reputation.

Sanctions are applied only where a formal investigation has been completed and malpractice or maladministration has been identified. All actions are taken in line with the **JCQ Sanctions Tariff**, ensuring consistency, fairness, and proportionality.

Responsibility for reviewing cases and applying sanctions sits across key areas of Active IQ, including:

- **Provider Assurance**: responsible for overseeing investigations and ensuring sanctions are applied in line with policy and regulatory requirements.
- **Assessment Delivery**: may apply sanctions related to learner assessment, based on evidence provided through the marking and moderation process.
- **External Quality Assurance (EQA)**: responsible for determining and applying sanctions following centre quality reviews.

Where required, outcomes of investigations (including those relating to Technical Qualifications) will be reported to relevant regulatory bodies in line with contractual and regulatory obligations.

Types of sanctions

Depending on the severity and nature of the malpractice or maladministration identified, sanctions may include:

- written warning
- requirement to review procedures and implement action plans
- approval requirements for specific assessment tasks
- additional monitoring or inspection activity
- suspension of specific qualifications or delivery activities
- removal of Direct Claim Status (DCS)
- temporary suspension of centre approval

All sanctions are applied proportionately and in accordance with the JCQ Sanctions Tariff.

External quality assurance sanctions

Following an External Quality Assurance (EQA) review, sanctions may be applied where a centre is found to be non-compliant with Active IQ requirements or in breach of the Centre Agreement.

Sanctions applied by the EQA function may include:

- additional monitoring or inspection
- removal of Direct Claim Status (DCS)
- temporary suspension of centre approval or account access

Centre staff will:

Centres are required to comply with any sanctions imposed on the centre, its staff, or its learners. In doing so, centres must:

- take all reasonable steps to ensure that relevant staff and learners are informed of any sanctions, their implications, and any required actions, unless instructed otherwise
- comply with all requests for information and documentation within specified timescales
- implement any required corrective actions, including action plans and monitoring arrangements, in a timely and effective manner
- retain and store relevant records securely in line with data protection legislation and their own retention policies
- maintain the confidentiality of all information relating to investigations and sanctions
- notify Active IQ where a member of staff subject to a sanction moves to another centre
- comply with any additional requirements set out in this policy, the Centre Agreement, or communicated in writing.

Failure to comply with these requirements may result in further regulatory action. This may include the imposition of additional sanctions, withdrawal of centre approval, or removal of learners from programmes, and may constitute malpractice or maladministration.

2.4. Definitions

Word/Acronym	Definition
JCQ	Joint Council for Qualifications
TQ	Technical Qualification

CCEA	Council for the Curriculum Examinations and Assessments
Ofqual	The office of qualifications and Examinations Regulations
QW	Qualification Wales
Products	For the purpose of this policy products is defined as any item or service we provide to a customer

2.5. Location

Available on Active IQ website.

3. Overview of sanctions

3.1. What are sanctions and why we would apply them

Sanctions are enforcement actions, which may be applied if a centre fails to comply with the Centre Agreement and Active IQ's mandatory policies, procedures, or instructions and/or something you are doing which may pose a risk to and/or threaten the integrity of our awarding function. Sanctions may be applied against a centre, centre staff and/or learner.

The purpose of applying sanctions, and where required informing other relevant bodies of those sanctions, is to:

- minimise the risk to the integrity of all aspects of our awarding functions, specifically in relation to the awarding of results and certificates
- ensure the integrity and veracity of certificates we may award
- allow us, and potentially other awarding organisations where relevant, time to investigate potential maladministration and / or malpractice whilst maintaining the integrity of the qualification(s) involved
- maintain public confidence in the delivery and award of qualifications.
- comply with law and regulation
- deter others from doing likewise; and
- protect our business.

Active IQ are required under the General Conditions of Recognition to consider risks posed by Adverse Effects. Sanctions may be placed in relation to these areas.

'Adverse Effect' is defined in the General Conditions of Recognition in the following terms:

'*An act, omission, event, incident, or circumstance has an Adverse Effect if it:*

(a) gives rise to prejudice to Learners or potential Learners; or

(b) adversely affects –

I. The ability of the awarding organisation to undertake the development, delivery, or award of qualifications in accordance with its Conditions of Recognition

II. The standards of qualifications which the awarding organisation makes available or proposes to make available; or

III. Public confidence in qualifications.

Should Active IQ fail to meet our obligations under the General Conditions of Recognition, including those relating to notification of Adverse Effects and in relation to maladministration and malpractice, Active IQ are required to notify our qualifications regulators.

Active IQ may also be required to identify this within our Annual Statement of Compliance submission. Under the Centre Agreement, all centres are made aware of their obligations, including the specific duty not to put us in breach of our ability to fulfil our obligations under the General Conditions of Recognition. It is therefore important that Adverse Effects (as defined above), maladministration and/or malpractice are notified to us and appropriately dealt with.

3.2. How we will decide if we need to apply a sanction

Sanctions are most frequently imposed following, or during, an investigation into maladministration or malpractice but may also be imposed in the case of other serious breaches of our various requirements. In addition, they may be imposed where we have required a centre to do something, and they have not. For example, should a centre fail to respond to an action set by an Active IQ External Quality Assurer or Provider Assurance Officer, Active IQ may find it appropriate to apply a temporary suspension on that centre's Active IQ account.

Sanctions are tailored to match the gravity of the action or inaction, taking into account its impact, mitigating circumstances and recurrence frequency. This ensures that when determining the appropriate sanction(s), all relevant factors are considered.

We will also consider factors such as the actual or potential risk to the integrity of Active IQ programmes and assessments. Active IQ reserves the right to apply sanctions and penalties where risks are present, which fall outside of the defined range.

In applying sanctions, we will always act to protect the integrity of our awarding functions.

3.3. How we will notify a centre of a sanction

If we apply a sanction or advise that a sanction is to be imposed. Centres must complete any actions, requests within the timescale provided to them. If centres do not complete within this timescale, centres will be notified in writing, and we will explain the type of sanction that is being applied, or will be applied, and the reasons why.

3.4. Actions a centre needs to take

A centre needs to comply with the terms of any sanctions we impose, within the time limits we state. If we need a centre to take any specific action, then we will outline in the written correspondence what is needed and by when. We need a centre to comply with the sanction. If a centre does not comply, we may impose further sanctions against the centre, which may be more stringent in nature than the initial sanction.

Ultimately, we retain the right under the Centre Agreement to terminate our contract with a centre and to ensure that appropriate arrangements are put into place for the protection of learners and the maintenance of public confidence in qualifications.

3.5. Sanctions affecting learners

When imposing sanctions on a centre, we understand that learners may be affected. We recognise our regulatory duties towards registered learners, and we will take steps, where appropriate, to ensure that they are supported. As outlined, sanctions may also be placed directly against learners.

3.6. How long do sanctions remain in place

Sanctions will normally be applied temporarily, whilst we are waiting for a centre to do something, and/or whilst an investigation is ongoing. We reserve the right to apply permanent sanctions which are proportionate and necessary. Sanctions issued will remain in place until such time as we have advised a centre in writing that:

- the issue has been resolved to our satisfaction.
- further information has come to our attention that may require an adjustment to the sanction that has been applied.
- the investigation into the issue has been concluded and there is no longer a need to have a sanction in place.
- A centre appeal into a sanction regarding maladministration or malpractice has been successfully upheld and as a result, it has been determined that the sanction should be removed.
- Active IQ terminates our Centre Agreement with a centre. Where a centre has lodged an appeal against the imposed sanction that sanction would usually remain in force for the duration of the appeals process unless we advise you otherwise in writing.

3.7. Reviewing a sanction

In line with any information arising from an investigation, we may amend or remove any sanctions we have imposed. Amendments to, or removal of, sanctions will be considered on a case-by-case basis and are not guaranteed. Amendments to, or removal of, sanctions may also arise because of an appeal.

In amending a sanction, we may reduce the severity of the sanction we have applied. Conversely, we may identify further information, which may lead us to apply a more stringent sanction than you were originally notified of.

4. Complaints and appeals

A centre has the right to express their dissatisfaction regarding our actions, products, or services. Our Complaints Procedure in particular outlines when we will and will not accept a complaint, and when our decisions are final. Please refer to our Complaints and Feedback Policy for further information.

Centres may appeal against our decisions relating to any sanction following an investigation into maladministration and/or malpractice. Centres may also appeal the termination of a product and/or centre approval status for maladministration or malpractice, or termination for breach of the centre agreement. Centres cannot appeal a sanction imposed for any other reason (such as a financial sanction), but Centres may be able to make a complaint against such decisions.

To appeal against a sanction for maladministration or malpractice, centres should submit an Enquires and Appeals form, clearly explaining why a centre believes that an appeal should be considered, together with any supporting evidence.

Please note that appeal applications without supporting evidence may not be accepted.

5. Initial Equality Impact Assessment

An Initial Equality Impact Assessment has been completed for this policy, and no concerns were raised.

6. References to associated documents

- Active IQ Centre Risk Management Policy
- Active IQ Internal Verification Requirements for Centres Policy
- Active IQ Malpractice and Maladministration Policy
- Active IQ Quality Assurance Arrangements Policy
- Active IQ Role of the External Verifier Policy

7. Implementation and dissemination

This policy will be implemented immediately upon approval and available on Active IQ QMS – controlled documents SharePoint

8. Monitoring arrangements

We will review this policy annually as part of our self-evaluation arrangements, revising it as necessary in response to customer and learner feedback, or best practice guidance issued by the regulatory authorities.

Active IQ operates in line with this policy and maintains appropriate governance arrangements to ensure ongoing compliance.

9. Data retention

Data retention is an important aspect of managing incorrect grade submissions within NCFE. It encompasses the careful handling and storage of pertinent data to uphold regulatory compliance, preserve confidentiality, and facilitate transparency in NCFE processes.

- Retention period: NCFE will retain learner data collected during the incorrect grade submission process for a specified period consistent with legal requirements and NCFE policies. The retention period may vary depending on the type of data and its relevance to the procedural activities.
- Purpose: Learner data is retained for the purpose of documentation, compliance, and potential future enquiries or audits related to the incorrect grade submission.
- Data categories: Learner data may include personal information, academic records, assessment results, communications, and any other information relevant to the incorrect grade submission.
- Security measures: NCFE uses robust security measures to safeguard learner data against unauthorised access, disclosure, alteration, or destruction. Access to learner data is restricted to authorised personnel involved in external notification-related activities.
- Data disposal: At the end of the retention period, NCFE will securely dispose of learner data in accordance with established data disposal procedures. This may involve permanent deletion or destruction of electronic records and shredding of physical documents.
- Compliance: NCFE ensures compliance with relevant data protection laws and regulations, including the General Data Protection Regulation (GDPR).

9.1. Disclaimer: Submission of original documentation

To protect personal information, please do not send original documents to Active IQ via post. We cannot accept responsibility for the loss, damage, or return of any original documentation sent to us.

Where documentation is required, we request that you provide certified copies or high-quality scanned versions instead. This approach helps protect your documents and ensures a more secure and efficient service.

10. Contact us

If you have any queries about the contents of the policy, please contact our External Verifier team on:

E: ev@activeiq.co.uk
T: +44(0)1480 467 950