

Sanctions Policy

Policy

This policy outlines the range of sanctions that Energy & Utility Skills may apply to employers, providers, provider's staff, trainers and assessors when it is suspected, or has been proven, that they have not been adhering to our quality assurance requirements relating to the delivery and assessment of our schemes or programmes.

The policy gives examples of situations that could lead to a sanction and indications of the levels and types of sanction that may be applied.

Appendix A gives examples of situations when Energy & Utility Skills may apply sanctions.

Imposing a Sanction

We will only apply sanctions in order to:

- Minimise any risk to the integrity and reputation of Energy & Utility Skills and our schemes, programmes and assessments
- Allow us time to investigate suspected malpractice and maladministration
- Adhere to our own Risk Management Policy and Process

There are a number of ways in which Energy & Utility Skills could receive information that may lead to consideration of applying a sanction on a provider, provider staff, trainer or assessor, e.g. notification by third parties and our routine approval and monitoring / auditing processes.

Levels of Sanctions

There are a number of situations which could result in a sanction being imposed. We categorise sanctions into four levels:

Level	Type of Sanction	Who can impose this sanction?
1	Action Plan	Energy & Utility Skills External Quality Associate or External Quality Assurer
2	Suspension of approval for specific scheme(s), programme(s) or Endorsed Training Programmes	Energy & Utility Skills External Quality Associate or External Quality Assurer
3	Removal of approval for specific scheme(s), programme(s) or Endorsed Training Programmes	Energy & Utility Skills External Quality Assurer/Quality Manager
4	Suspension or permanent withdrawal of provider approval	Energy & Utility Skills External Quality Assurer or Quality Manager or Head of Registrations

Apart from permanent withdrawal of provider approval, the above sanctions can be applied temporarily whilst we carry out an investigation.

Removal of EUSR Registration

We reserve the right to suspend or remove an individual's EUSR registration where there is evidence of fraudulent activity, such as the use of fraudulent qualification certificates as evidence or, identity theft, whether or not the fraudulent activity was known to have taken place by the individual. We work closely with awarding bodies, CSCS, CITB and the Police where we are aware of such activity and will always take action.

Process

After consideration of the information available to us, if we decide that we need to apply a sanction we will notify you of this by telephone, explaining the type of sanction that is being applied and the reasons why. We will then follow this up in writing (by email or letter).

If the reason why we are applying a sanction is because you aren't communicating with us, we will take all reasonable steps to contact you and inform you of the sanction.

If we need you to take action, we will outline what it is you need to do to resolve the matter and the deadline in which it must be completed. Any sanction imposed will remain in place until we are reassured that there has been satisfactory resolution.

Energy & Utility Skills recognises the duty of care it has to protect the interests of employers, other providers and individuals and, when imposing a sanction, considers the impact carefully. Where necessary we will take steps to ensure that all individuals are supported during the period a sanction is imposed.

You have the right to appeal against any sanction that we impose and information on how to do this can be found in our Appeals and Enquiries about Results Policy.

Want to know more?

You can contact us as follows:

Email: quality@euskills.co.uk **Phone:** 0121 745 1310

Appendix A – Types of Sanctions

This information is for guidance only and provides examples of the different types of sanctions we may impose at each level.

Level 1

Action Plan

Examples of circumstances that may lead to an action plan:

- Policies and assessment practices are not clear or understood by trainers or assessors
- Trainers and / or assessors and / or internal quality assurance staff have a lack of clarity or understanding on their roles and responsibilities
- Communication with the EUSR team or Energy & Utility Skills Quality team is ineffective
- Feedback from trainers and / or assessors and / or provider internal quality assurance staff demonstrates a lack of understanding of Energy & Utility Skills requirements
- Insufficient managerial resources
- Qualifications and experience of staff are not at the required level
- Trainers and / or assessors and / or internal quality assurance staff are not given adequate opportunities for CPD
- Assessment methods and processes are insufficient to meet good standards of practice
- Inadequate monitoring or review of quality procedures
- Missing procedures and processes such as conflict of interest, appeals, reasonable adjustments, complaints
- Inadequate assessment planning or review with individuals
- Internal verification procedures and activities are not clearly documented
- Queries from individuals are not resolved or recorded
- Information, advice and guidance has not been provided to individuals learners so they are unaware of their rights and responsibilities
- Equipment and accommodation do not comply with health and safety requirements

Level 2

Removal approval for specific scheme(s) or endorsed training programme(s)

Examples of sanctions at Level 2 are given below. Generally, when a Level 2 sanction is imposed, claims for Registration must be authorised by an Energy & Utility Skills External Quality Associate or Energy & Utility Skills Quality Lead:

- Previously agreed actions relating to an action plan have not been implemented or addressed
- Trainers or Assessors have insufficient time, resources, expertise or authority to perform their role
- Evidence of plagiarism, cheating or maladministration
- Insufficient evidence of learning taking place
- Records of assessment outcomes are insufficient to allow audit of assessment
- Information and recording systems do not enable individual's achievements to be monitored and reviewed in relation to accessibility and / or monitoring and review does not take place
- Equipment and accommodation are not appropriate for the activities
- Malpractice and / or maladministration is taking place
- Appropriate risk assessments are not in place

Level 3

Removal approval for specific scheme(s) or endorsed training programme(s)

Below are examples of Level 3 sanctions, however, in some circumstances and dependent upon the risk posed, the examples below could also become a Level 4 sanction:

- Previously agreed corrective measures relating to a Level 2 sanction have not been implemented or addressed
- The provider fails to provide access, when requested, to records, information, individuals and staff
- Provider internal procedures disadvantages individuals' feedback indicates that their development needs are not matched to the learning objective
- Lack of or insufficient appropriate resources, materials, equipment or facilities to support individuals with specific requirements
- Failure to assist Energy & Utility Skills – and / or any legislative or regulatory body - in carrying out monitoring or investigation activities
- Records of assessment and learning show serious anomalies
- The internal quality assurance process has not identified remedial action to address serious anomalies
- Evidence provided is not the authentic work of individuals
- Malpractice and / or maladministration is taking place

Level 4

Examples of a Level 4 sanction include:

- Previously agreed corrective measures relating to a Level 3 sanction have not been implemented or addressed
- Significant failings in the management and / or quality assurance of Energy & Utility Skills schemes which has resulted in an on-going failure to meet the core requirements of the scheme, standard or modules
- Systemic malpractice and / or maladministration is taking place
- Significant failings in the management and quality assurance of all approved schemes and / or programmes