

OTHM Centre Sanctions Policy



1. Introduction

Centre staff are responsible for complying with any sanctions imposed by OTHM, including responding promptly and accurately to any requests for information. Centre staff must respect the confidentiality of information handled in the management of any sanctions and ensure compliance with any associated data protection regulation. Centre staff must also comply with requests relating to activity undertaken, or action plans devised to provide assurance that sanctions are being accurately applied.

Failure to comply with these requirements constitutes a breach of the centre agreement and / or malpractice / maladministration and will be dealt with accordingly.

2. Sanctions Overview

Sanctions are enforcement actions which can be applied if a centre fails to comply with the OTHM centre agreement or other mandatory policies or procedures. Sanctions can be applied against a centre, centre staff and / or a learner(s).

Sanctions may be applied in order to:

- Minimise the risk to the integrity of OTHM awarding functions, including results verification and certification
- Allow time for any malpractice or maladministration investigations to be conducted
- Maintain public confidence in the award of qualifications
- Deter others from acting in similar, non-compliant ways

Sanctions will most often be applied following, or during, an investigation of malpractice or maladministration concerning either a centre, specific centre staff, or a learner(s). Sanctions may also be imposed where a centre has not responded to, or satisfactorily met the conditions of, an action issued by OTHM.

Sanctions will reflect the gravity, impact and scope of the action or inaction, and will account for any known mitigating or aggravating factors, including reoccurring frequency. In some cases, repetition of the same action (or inaction) will result in the escalation of sanctions applied. In the most serious cases, OTHM retains the right to terminate a contract with a centre (i.e., withdraw centre approval). In such cases, arrangements will be made to protect the interest of any registered learners (see Centre Withdrawals section).

Sanctions will normally be applied temporarily while a centre works to address the issues raised, or while an investigation is conducted. Sanctions will remain in place until OTHM confirms in writing that the issue has been resolved, or that further information has come to light that requires the sanction to be amended.

3. Sanction Definitions and Examples

In the event a sanction is to be applied, consideration will be given to the nature and level of sanction required. Sanctions can be applied in isolation or in combination and are not necessarily applied in sequence. In all cases, sanctions will be accompanied by an action plan to be addressed within a specific timeframe. Examples and scenarios listed below are not exhaustive. In all cases, mitigating and aggravating factors which are present in a particular case, which will be considered.

Stage 1 Sanction: Written Warning

A Stage 1 Sanction will be applied for instances of low-level non-compliance with a limited scope and impact, and where such instances are not part of a pattern of non-compliance. Examples of non-compliance which may lead to a Stage 1 Sanction are:

- Ineffective communication between centre staff and OTHM
- Ineffective internal communication, included failing to disseminate OTHM comms as required
- Evidence of learner dissatisfaction / loss of confidence
- Use of out-of-date qualification specifications or other OTHM policies
- Delays in providing information according to agreed timescales

Stage 2 Sanction: Suspension of Learner Registrations

A Stage 2 Sanction will be applied for instances of non-compliance that undermine the validity of assessments or learner results, and which need to be addressed before any more learners are registered on-programme. Examples of non-compliance which may lead to a Stage 2 Sanction are:

- Significant and repeated delays caused by insufficient time and resources for key staff
- Insufficient evidence / records to support a quality assurance audit of assessment
- Staffing base is not of appropriate size and competence to undertake the delivery, assessment and internal quality assurance of approved qualifications
- Evidence that centre-devised assessments are not fit for purpose
- Failure to co-operate with OTHM investigations into malpractice or maladministration
- Failure to address the conditions of a Stage 1 Sanction

Stage 3 Sanction: Suspension of EQA and Certification

A Stage 3 Sanction will be applied for instances of non-compliance that call into question the validity of assessment outcomes, learner results and qualification achievement, and which must be addressed before any further learner results can be verified. Examples of non-compliance which may lead to a Stage 3 Sanction are:

- Repeated errors in assessment decisions
- Repeated errors in learner results submissions or certification claims
- Failure to report incidents of low-level maladministration
- Failure to address the conditions of a Stage 2 Sanction

Stage 4 Sanction: Suspension of Additional Qualification Approval

A Stage 4 Sanction will be applied for instances of non-compliance of significant scope and impact, and which demonstrate a pattern of non-compliance across a range of areas, particularly relating to staffing limitations and centre capacity. Examples of non-compliance which may lead to a Stage 4 sanction include:

- Evidence that staff do not have the time or resources to effectively carry out their roles
- Evidence that the centre does not effectively monitor the expertise or experience of their staff
- Repeated evidence of learner dissatisfaction / loss of confidence

Stage 5 Sanction: Withdrawal of Qualification Approval

A Stage 5 Sanction will be applied for instances of non-compliance of significant scope and impact, and which demonstrate a pattern of non-compliance within a particular subject area or qualification. Examples of non-compliance which may lead to a Stage 5 Sanction are:

- Significant and repeated errors in the management, assessment or quality assurance of particular OTHM qualifications
- Evidence of deception or falsification relating to a qualification
- The repetition of any issues listed for Stage 1-4 Sanctions to the extent that the scope and impact of the non-compliance can be regarded as centre malpractice within a subject area or qualification

Stage 6 Sanction: Withdrawal of Centre Approval

A Stage 6 Sanction will be applied for instances of non-compliance of significant scope and impact, and which demonstrate a pattern of non-compliance across all approved qualifications. Examples of non-compliance which may lead to a Stage 5 Sanction are:

- Significant and repeated errors in the management, assessment or quality assurance of all approved OTHM qualifications
- Evidence of repeated deception or falsification relating to a qualification(s)
- The repetition of any issues listed for Stage 1-5 Sanctions to the extent that the scope and impact of the non-compliance can be regarded as serious centre malpractice across all areas of provision

4. Regulatory References

- **A1:** Suitability for continuing recognition
- **A4:** Conflicts of Interest
- **A5:** Availability of adequate resources and arrangements
- **A6:** Identification and management of risks
- **A7:** Management of incidents
- **A8:** Malpractice and maladministration
- **B3:** Notification to Ofqual of certain events
- **C1:** Arrangements with third parties
- **C2:** Arrangements with Centres
- **H2:** Centre Assessment Standard Scrutiny where assessment is marked by a Centre
- **H1:** Marking the assessment
- **H3:** Monitoring the specified levels of attainment for a qualification
- **H5:** Results for a qualification must be based on sufficient evidence
- **H6:** Issuing results

5. Version Control

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1.0	April 2020	
2.0	March 2025	Review
3.0	December 2025	Full revision to sanctions list and definitions