



# Sanctions Policy

## Introduction

BWYQ has a responsibility to the learners taking BWYQ qualifications, and to Ofqual, to ensure that Centres deliver BWYQ regulated qualifications according to relevant national standards

This policy describes the procedures BWYQ will follow if centres have not met BWYQ requirements and/or the standards laid down by the regulatory authorities. It is based upon the conditions set by the regulatory body, Ofqual.

In addition to informing Centres and Learner about the approach BWYQ takes, this policy will also ensure that BWYQ staff apply sanctions fairly and consistently.

## Centre's responsibility

It is important that all Centre staff involved in the delivery of BWYQ qualifications are fully aware of the contents of the policy and its possible implications.

## Review arrangements

BWYQ reviews policies regularly as part of ongoing self-evaluation arrangements. It revises them as necessary in response to customer feedback, issues highlighted during monitoring, changes in practices, actions from the regulatory authorities or external agencies or changes in legislation.

If you have any comments or feedback please contact us via [bwyqcoordinator@gmail.com](mailto:bwyqcoordinator@gmail.com) .

## Approach to sanctions

**The use of sanctions is a last resort undertaken when all other avenues of support and management have been exhausted.**

In the first instance BWYQ works with Centres to prevent situations arising in the first place.

If sanctions are required then BWYQ will apply them as appropriate, dependent on the nature of the situation, whilst ensuring the approach is consistent across Centres and situations.

Sanctions may be imposed if, for example, the Centre has<sup>1</sup>:

- Outstanding actions they have repeatedly not addressed
- Poor records to confirm assessment decisions

- No lead quality officer/internal quality assurer in place
- Proven collusion or persistent bad marking of centre marked assessments
- Suspected or proven cases of maladministration/malpractice at the centre, the services provided by the centre and/or its satellite centres/third parties
- Had a significant complaint or appeal upheld in relation to teaching and assessment
- Made certification claims before learners have completed the unit(s)/qualification(s)
- Have an increased likelihood of an adverse effect regarding the standards of the qualifications they are delivering or public confidence in the qualifications.
- Refused BWYQ staff or Regulatory Authorities access to premises or records
- Repeatedly breached requirements in the centre recognition and/or qualification approval application, so that BWYQ has reasonable doubts about their ability or intention to deliver the qualifications and services in accordance with the terms of the recognition agreement or qualification approval.
- Breached compliance regulations such as those imposed by Ofqual or
- Not met recognised standards and professional codes of conduct related to yoga teaching

### Sanctions that may be imposed on centres

If, after a review by the BWYQ Directors, there is clear evidence of non-compliance without good reason, then a sanction will be imposed on the centre. This will be communicated in writing to the centre beforehand.

Possible sanctions are,

- withholding certificates/suspending certification status
- imposing a fine
- preventing further learner registrations by the centre (suspending registration status) or
- removal of qualification approval

Any of these sanctions could be for:

- A single qualification
- An entire qualification type or
- All qualifications

In exceptional circumstances i.e. extremely serious non-compliance or the persistent failure of the centre to address outstanding actions/sanctions, BWYQ may impose the ultimate sanction; **removal of recognition as a BWYQ approved centre.**

If a Centre disagrees with the decision, then they have the right to appeal using the procedure outlined in BWYQ 020 Appeals Policy.

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1 The examples for recommending and imposing sanctions in this section and below are only indicative and are not meant to form an exhaustive list.

BWYQ would not immediately withdraw approval for a qualification or range of qualifications without:

- the Centre being given an opportunity to address the area(s) of non-compliance
- imposing one of the previous sanctions first and
- there being evidence that the non-compliance poses a significant threat to the interest of learners or the integrity of the qualifications/units

If a Centre has approval withdrawn for a qualification(s), then BWYQ will take all reasonable steps to protect the interests of learners currently registered on the qualification(s). For example, by issuing certificates for any Units achieved and/or transfer learners, where possible and feasible, to another Centre so that they can continue with the qualification.

If Centre approval is removed by BWYQ the Centre must;

- immediately stop offering BWYQ qualifications and services and, at its own expense, should return all relevant materials (e.g. assessment materials) to BWYQ and/or dispose of materials if instructed to do so by BWYQ. If the centre fails to do this BWYQ may take action to recover such materials.
- immediately stop operating as a Centre recognised/approved by BWYQ and not describe, promote, market or advertise itself as such a Centre.

### Sanctions that may be imposed on learners

If it is proved that a learner or learners have committed malpractice then sanctions may be imposed on them in accordance with the BWYQ 017 Malpractice and Maladministration policy. These include;

- Issuing a written warning that if the offence is repeated further action may be taken
- Loss of all marks/credits for the related work/unit
- Disqualification from the unit(s)/qualification or
- Placing a ban on taking any further qualifications with BWYQ for a set period of time

### Ensuring consistency in our approach

The length of time that any of the above sanctions will be imposed will depend on the situation that warranted the sanction.

The BWYQ Directors will regularly review sanctions to ensure that they continue to be appropriate and proportionate to the incident(s) and to mitigate the risk of future incidents occurring.

### Arrangements that are alternative to Sanctions

It is important to note that the following are standard good practice and **not** classified as sanctions. They may be applied alongside a sanction or as a way of working with a Centre to avoid an issue arising which may lead to a formal sanction:

- When a Centre is first recognised and approved to offer a BWYQ qualification, or if they have been given approval to deliver a new qualification that is significantly different from previous ones, then BWYQ will approve the centre to offer the qualification(s) but not process any certificate claims until the centre has received a satisfactory monitoring visit. This approach, which is consistent with BWYQ 028 Centre Assessment Standards Scrutiny (CASS) Strategy, is intended to help ensure the centre is delivering the qualification(s) effectively and in a manner consistent with the expected standards.
- Should a Centre refuse to pay outstanding fees despite communications from us, then centre approval or recognition may be removed. This would be considered a commercial decision not a sanction.

- Undertaking additional centre visits to offer more support or monitoring, depending on need.
- Requiring specific Centre staff to undergo additional training or scrutiny by the centre if there are concerns about their ability to deliver BWYQ qualifications effectively. Such decisions would normally be communicated to the centre via an 'action' following a Centre visit. It is important to note that BWYQ reserves the right to impose restrictions against individuals at any time. Restrictions against individuals may include removing them from the delivery/assessment of BWYQ qualifications for a specified period of time.
- Altering the way in which Centres receive assessment materials from BWYQ if there are concerns around the security and confidentiality of these materials.
- Appointing BWYQ staff to observe an assessment at the Centre if there are concerns around the Centre's arrangements or the Centre is unable to resource particular assessments. Such actions will be discussed with the centre during or after a centre visit.
- Applying a penalty fee on the centre if they have breached assessment procedures.

## Contact us

If you have any queries about the contents of the policy, please contact:

[bwyqcoordinator@gmail.com](mailto:bwyqcoordinator@gmail.com)

Document History		
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