

Sanctions Policy

Purpose

This Policy sets out Gateway Qualifications' approach to the application of sanctions where Recognised Centres ("Centres") or Apprenticeship Training Providers ("Providers") have failed to meet our requirements.

Gateway Qualifications requires its Centres/Providers to comply and operate in accordance with the requirements set out in our Terms and Conditions, policies and procedures, qualifications and assessment specifications including guidelines for the delivery and quality assurance of our qualifications, units or courses.

Sanctions are actions that aim to provide a proportionate response to a Centre's/Provider's non-compliance with the Centre Agreement Terms and Conditions/Agreement for EPA Services, Gateway Qualifications' policies and procedures, qualifications specifications and assessment requirements including where Gateway Qualifications has found or is investigating malpractice or maladministration.

This Policy explains the sanctions that may be imposed in such situations where a Centre/Provider has failed to meet our requirements and seeks to mitigate/manage a potential or actual adverse effect¹ including Gateway Qualifications' obligations to notify the regulator(s).

Scope

This Policy applies to all Centres and Providers working with Gateway Qualifications' qualifications, units, courses including Access to HE Diplomas and End-point Assessment (EPA).

Audience

This Policy is intended for the following audience:

- Recognised Centres ("Centres") in relation to the offer of qualifications with the exception of End-point assessment – including all Centre staff, associates, freelance staff and contractors
- Apprenticeship Training Providers ("Providers") in relation to End-point assessment – including all staff, associates, freelance staff and contractors
- Learners/Apprentices
- Gateway Qualifications' Board of Trustees and Committee members
- Gateway Qualifications' staff

¹ Definition source: [Ofqual Handbook, Section J](#)
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- Gateway Qualifications' wider workforce – including consultants, qualification developers, assessment.

Definitions

- **Adverse Effect** - 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.²
- **Agreement for EPA** - The formal agreement between Gateway Qualifications and the Recognised Centre which outlines the responsibilities, terms, and conditions of recognition
- **Centre Agreement** - The formal agreement between Gateway Qualifications and the Recognised Centre which outlines the responsibilities, terms, and conditions of recognition
- **Malpractice and Maladministration** - Malpractice and maladministration are two distinct, but related, concepts. In broad terms, maladministration generally covers mistakes or poor process where there has been no intention on the part of the person responsible to do any harm. It may involve some degree of incompetence or ineptitude, or may result from carelessness or inexperience. Whilst malpractice will generally involve some form of intent, it may also include circumstances where an individual has been negligent or reckless as to the consequences of their actions.
- **Sanction**: A penalty or restriction imposed on a centre or individual due to non-compliance.
- **Suspension of Recognition** - A temporary halt of a Centre's recognised status while issues or concerns are being resolved.
- **Termination of Recognition** - A formal end to a Centre's recognition status, which may occur immediately due to specific circumstances outlined in the Centre Agreement.
- **Withdrawal of Recognition** - The process through which a Centre's recognised status is formally ended.
- **Withdrawal Plan** - A written plan developed jointly by the Centre and Gateway Qualifications to ensure that learner interests are protected during the withdrawal process.

Responsibilities

Centre/Provider Responsibilities

It is important that Centre/Provider staff involved in the management, administration and delivery of Gateway Qualifications' regulated qualifications, EPA services, units or courses including Access to HE Diplomas, are knowledgeable of the contents of this policy and the

² Definition source: [Ofqual Handbook, Section J](#)
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impact of any non-compliance with Gateway Qualifications' policies, requirements and its Centre Agreement Terms and Conditions/Agreement for EPA Services.

Where a sanction is applied the Centre/Provider must comply with that sanction and any other requirements determined by Gateway Qualifications. Failure to do so may result in suspension or termination of centre recognition or withdrawal of Gateway Qualifications' services.

Gateway Qualifications Responsibilities

Gateway Qualifications is responsible for maintaining the integrity, quality, and compliance of its products including qualifications and assessments. This includes developing and reviewing qualifications in line with regulatory requirements, providing clear guidance and support to Centres and Providers, and ensuring that all assessments are fair, valid, and reliable. Gateway Qualifications also monitors Centre performance, investigates instances of non-compliance or malpractice, and applies appropriate actions or sanctions where necessary.

Additionally, Gateway Qualifications is committed to working with Centres/Providers to support them in meeting and retaining compliance with Gateway Qualifications' requirements and to ensure the consistent application of its Sanctions Policy.

Related Policies and Documents

This policy is designed to be read in conjunction with the following Gateway Qualifications' policies:

- Appeals Policy
- Access to HE Diploma Learner Appeals Policy
- Centre Recognition Withdrawal Policy and Procedure
- Feedback and Complaints Policy and Procedure
- Feedback and Complaints Policy
- Gateway Qualifications' terms and conditions (centre agreement/agreement for EPA services)
- Invoicing Policy
- Malpractice and Maladministration Policy and Procedure

Equity, Diversity and Inclusion Statement

Whilst developing the policies and processes referenced in this document, we have given due consideration to eliminating discrimination, harassment and victimisation, advancing equality of opportunity, and fostering good relations between people who share a relevant protected characteristic (as defined in the Equality Act 2010) and those who do not.

Approach to Sanctions

Gateway Qualifications will endeavour to work with and support its Centres/Providers to encourage compliance such as issuing a written warning or developing an action plan prior to issuing a formal sanction.

Sanctions are only considered where, for example, a transgression is detected that compromises the integrity or validity of our regulated qualifications, or a non-compliance is detected that we require to be addressed. In these cases Gateway Qualifications' framework provides sanctions at four levels. A level 4 sanction represents the highest level of sanction that may be applied.

The application of a sanction does not follow a process of different stages. Rather, the level of sanction to be applied is determined by Gateway Qualifications' assessment of the nature and severity of a Centre/Provider failure to comply with the approval requirements as set out by Gateway Qualifications. Sanctions applied may embrace one or more levels of sanctions, depending on the transgression. Careful judgement and the establishment of precedents will inform the level of sanction applied.

In applying sanctions Gateway Qualifications will carefully consider the impact on learners/apprentices and aim to protect them. The factors that Gateway Qualifications may take into account when deciding what level of sanction to impose include, but are not limited to:

- the seriousness of the situation
- whether a Centre/Provider (including staff member) has acted dishonestly or in bad faith
- the track record of the Centre's/Provider's non-compliance
- any prejudice to the interests of learners/apprentices
- any adverse effects on the integrity of the qualifications
- whether public confidence in qualifications could be affected.

Sanctions that Gateway Qualifications May Apply

The table below provides guidance on the level of transgression and the resultant level of sanction that may be applied.

Level	Description	Gateway Qualifications' staff responsible for sanction decisions
Level 1	Non-compliances that compromise the Centre Agreement/EPA Agreement for services or are a threat to the integrity of assessment and quality assurance practices and decisions.	Quality Assurance Manager/Access to HE Quality Manager, EPA Operations Manager or Centre Compliance Manager
L1.1	Action Plan with Centre/Provider responses completed within a timeframe specified by Gateway Qualifications.	

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Level	Description	Gateway Qualifications' staff responsible for sanction decisions
L1.2	Written warning	
L1.3	Required participation in Gateway Qualifications' specified support training, which may be remote or onsite. Where onsite, this will be charged for.	
Level 2	Assessment, quality assurance or Centre management practices are doubtful and have a direct effect on the quality or integrity of provision.	Head of Quality and Standards or Director of Awarding
L2.1	Letter of concern to the Head of Centre/Provider if actions identified on the level 1 Action Plan have not been addressed.	
L2.2	Centre visit by relevant Gateway Qualifications' representatives such as the Centre Compliance Manager, Quality Assurance Manager/Access to HE Quality Manager/EPA Operations Manager.	
L2.3	Additional EQA or moderator visits are required to monitor the quality performance of a Centre. The Centre will be charged for additional visits.	
L2.4	Temporary removal of direct claims status (DCS) for a specified qualification(s). The removal of direct claims status (DCS) as part of routine centre monitoring activity is not classified to be a sanction.	
L2.5	Temporary holding back the issue of certificates/results.	
L2.6	Removal of ability to register new learners/apprentices on specific qualification(s).	
Level 3	There are serious compliance concerns over some aspects(s) of the Centre's/Provider's delivery arrangements and/or practices.	Director of Awarding
L3.1	Gateway Qualifications' quality audit, the findings and outcomes of which must be addressed by the Centre/Provider within an agreed timescale. The cost of the quality audit will be charged. Additional visits, where required to check on compliance with audit requirements, will also be charged for.	
L3.2	Visit from the Head of Quality and Standards or the Director of Awarding.	
L3.3	Removal of Qualification Approval for specific qualification(s).	
Level 4	The arrangements at the Centre are very serious and represent too high a risk.	Director of Awarding and Responsible Officer
L4.1	Removal of Recognised Centre/Provider status.	

Finance-related Sanctions

Where a Centre/ Provider fails to comply with the payment terms set out in our Invoicing Policy, is identified as having a high-risk credit rating or being in financial difficulty, Gateway Qualifications reserves the right to impose finance-related sanctions. These may be additional controls and/or specific financial arrangements such as:

- payment in advance of the provision of services
- restrictions on learner/apprentice registrations
- additional fees
- centre recognition withdrawal.

The list is not exhaustive.

If learners are registered later than the times laid out in our Qualification Price List, a late registration fee may be applied.

Fees for quality audits, additional Quality Assurance visits, or visits from the Customer Excellence team members may be charged.

Where a decision to withdraw the right to deliver certain qualification/s or withdrawal of Centre status or EPA services, Gateway Qualifications will put in place a withdrawal plan that will require cooperation from the Centre/Provider.

Sanctions may be:

- Removed, where appropriate, when Centre actions, new evidence or findings are established.
- Reduced as to the level of sanction applied; for example, if through investigation the centre demonstrated compliance with the actions set.

Gateway Qualifications may also identify circumstances which might lead to a higher sanction to be applied than was originally issued.

Gateway Qualifications will notify the Centre/Provider when sanctions are removed, or the level of sanction is changed.

Where Gateway Qualifications May Apply Sanctions

Provided below is a range of areas within which potential transgressions may occur. These are exemplars and do not represent the full range of scenarios in which Gateway Qualifications may choose to apply a sanction, they are intended to provide guidance on the circumstances in which sanctions may be applied:

- failed to comply with Gateway Qualifications' Centre Agreement Terms and Conditions/Agreement for EPA Services, policies and procedures
- failed to comply with the requirements of Gateway to EPA and the procedures for each assessment
- outstanding actions with continued breaches of agreed deadlines for completion

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- failed to adequately respond to Gateway Qualifications' communications or repeatedly ignored requests for information
- kept poor records to confirm assessment decisions
- insufficient internal quality assurance arrangements in place
- been involved in proven collusion or persistent poor marking of internal assessments
- failed to comply with the security arrangements and requirements of external assessments
- been involved in suspected or proven cases of maladministration/malpractice which are being investigated, or have been confirmed
- made certification claims before learners have completed the qualification(s)
- submitted completion claims before full EPA results have been officially released
- acted in a manner that has increased the likelihood of an adverse effect occurring (e.g. something that is likely to prejudice learners or potential learners, have an adverse effect on the standards of the qualifications made available, or adversely affect public confidence in qualifications)
- refused to grant access to premises and/or records to Gateway Qualifications or the regulatory authorities
- failed to pay invoices within the payments terms as detailed in the Invoicing Policy.

This list is not exhaustive.

Information Provided to Centres/Providers

Sanctions applied will be in writing, with such notice specifying the level and nature of the sanction imposed and the reasons for imposing it.

Where necessary Gateway Qualifications will take steps to ensure that the learners/apprentices are supported during the period a sanction is in place. Where a Centre/Provider has qualifications/standards removed or Agreement terminated, a withdrawal plan will be set out by Gateway Qualifications to be followed by the Centre/Provider.

Generally, a sanction will remain in place until the issue or circumstance is resolved to our satisfaction. Where a Centre/Provider responds to the requirements made by Gateway Qualifications but later demonstrates that its approach/resolution is not sustained Gateway Qualifications will consider whether to impose a higher-level sanction.

Appeals Against Sanctions

Centres/Providers have the right to make an appeal against Gateway Qualifications' decision to impose a sanction. Please refer to Gateway Qualifications' Appeals Policy and Procedure.

Notifying Relevant Parties

In the context of applying a sanction, Gateway Qualifications is required to notify the relevant Regulator where there is a potential or actual Adverse Effect, or where regulatory requirements prescribe such action.

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Gateway Qualifications may also inform other third parties, where appropriate (e.g. Awarding Organisations, Access Validating Agencies, qualification funding bodies, student loan companies), where there may have an interest in case they need to take relevant action. Where the sanction applied is in relation to a credible allegation of suspected malpractice or maladministration that could constitute criminal activity, Gateway Qualifications will consider whether there is a requirement to notify the police or any other such relevant authority. In all instances, Gateway Qualifications' will protect personal data and comply with data protection requirements, unless it is legally required to do so.

Review Arrangements and Monitoring

Gateway Qualifications will periodically review this Policy and the associated procedures and revise as necessary. As part of the review consideration will be given to feedback received and regulatory/legislative requirements. If you would like to feedback on any views on this Policy, please contact us via the details provided at the end of this document. Gateway Qualifications' Quality and Standards and Access to HE Committees are responsible for monitoring the effectiveness of the application of this Policy. An annual summary is also submitted to the Board of Trustees for monitoring and ratification.

Legal and Regulatory References

Regulator or Relevant Governing Body	Reference Details	Legislation/Regulatory Reference
Ofqual	General Conditions of Recognition	Condition A6: Identification and management of risks Condition A8: Malpractice and maladministration Condition B3: Notification to the Regulator of Certain Events Condition C2: Arrangements with Centres
Qualifications Wales	Standard Conditions of Recognition	Condition A6: Identification and management of risks Condition A8: Malpractice and maladministration Condition B3: Notification to the Regulator of Certain Events Condition C2: Arrangements with Centres
Quality Assurance Agency	AVA Licencing Criteria	Criteria No: 9: Governance 51(g), 56-57 Provider and course recognition

Contact us

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

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Document Controls

Document Name	Sanctions Policy
Version	6.2
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Revision History

Revision Date	Version	Updated By	Summary of Changes
October 2025	6.2	Director of Awarding	Minor amendment to expand the third party organisations that may be notified following the application of a sanction.
July 2025	6.1	Director of Awarding	<p>Policy transferred to the new policy document template with new sections added, Gateway Qualifications Responsibilities and Notifying relevant parties.</p> <p>Presentation of the tables setting out the sanction levels combined into one table.</p> <p>Updated statement regarding finance-related sanctions in respect of organisations with high-risk credit ratings.</p>