



# Sanctions Policy

Version 5.0 (October 2018)

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## Document History

The following chart presents the version control of the policy:

Version	Date	Reason for Change
1.0	April 2016	First published
2.0	June 2016	Updated following Energy & Utilities Independent Assessment Service Governing Body (EUIAS GB) meeting
3.0	June 2017	Re-branded to remove old EEIP logo and change to Energy & Utilities Independent Assessment Service (EUIAS)
4.0	July 2017	<ul style="list-style-type: none"> <li>Revised following policy review working group</li> <li>Proof read</li> </ul>
5.0	October 2018	Front page, contents page and version control added. Document History relocated.

## Introduction

This policy document details the sanctions EUIAS may be imposed if any end-point assessment (EPA) requirements, as detailed in the assessment plan, Education and Skills Funding Agency (ESFA) funding rules and Institute for Apprenticeships (IfA) guidance, and Energy and Utility Skills Limited EPA documentation, have not been met (non-compliance).

The EUIAS has a responsibility to ensure EPA is conducted in a manner which is consistent and comparable irrespective of the employer, geographic spread and range of technical experts participating in EPA.

The EUIAS will review the policy annually as part of our self-evaluation and commitment to continuous quality improvement and revise it as and when necessary in response changes in policy, external quality assurance or as a result of our internal monitoring arrangements.

## Scope

This policy is for employers, training providers<sup>1</sup>, and employer technical experts involved in the scheduling and delivery and audit of EPA activities.

Sanctions are imposed on the employer as they are the employer of the apprentices and the organisation that has selected Energy and Utility Skills Limited as their EPA service provider. If the employer chooses to contract services to organisations, other than the EPA organisation, they can only do so in line with the ESFA rules on subcontracting and with the recognition that the responsibility remains with the employer.

Where the EPA is delivered by EUIAS experts, internal EUIAS disciplinary procedures apply.

## Responsibilities

It is important that those participating in the delivery of EPA are fully aware of the contents of the policy and its possible implications should there be a failure to comply with requirements specified by EUIAS in relation to the delivery of EPA and to meet the requirements of the ESFA, IfA and the published assessment plans.

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<sup>1</sup> Training providers cannot be involved in end-point assessment delivery unless stated within the published assessment plan. However, training providers can be involved in scheduling and gateway to EPA activities, and may be providing facilities for the delivery of end-point assessment activities.

## Approach to Sanctions

The EUIAS has a range of sanctions that can be imposed. If required these will be imposed depending on the seriousness of the situation, the level and track-record of non-compliance and the risk to the interests of apprentices and the integrity of assessment and / or any effects on the public confidence in EUIAS service delivery.

The EUIAS aims to ensure that the application of sanctions is made only when absolutely necessary to protect the integrity of EPA. Through our approach to support and management, and the creation of appropriate action plans (such as an action plan in response to a minor infringement identified at audit), we will work with employers, training providers, and technical experts to prevent situations arising that would warrant a sanction being imposed.

If sanctions are required then they will be applied depending on the nature of the situation.

Examples of when a sanction may be imposed are as follows:

- Actions identified as a result of audit have not been adopted
- Poor conduct or records of EPA decisions
- No employer process to ensure eligibility to enter EPA
- Proven collusion
- Suspected or proven cases of maladministration / malpractice which are being investigated
- Falsification of apprenticeship data
- Refused access to premises and / or records to the staff of EUIAS or the IfA
- Cancellation of planned audit without a legitimate reason

## Sanctions that may be imposed

Sanctions will be applied in an escalating level of effect. It is the responsibility of the head of the EUIAS to ensure that there is clear evidence of non-compliance and / or a sufficient rationale before determining the sanction. The imposition of any sanction by the EUIAS will be reviewed and endorsed by the chair of the relevant sector assessment and assurance panel (SAAP), and the chair of the EUIAS GB will be informed.

The EUIAS will never impose sanctions without providing the employer an opportunity to address the area of non-compliance. Should sanctions be unavoidable, the EUIAS will take all reasonable steps to protect the interests of any apprentices currently registered on the Standard(s).

Level	Sanction
1	<p>Depends on the area of non-conformance but could include:</p> <ul style="list-style-type: none"> <li>• Additional audit of EPA activities at the next cohort <ul style="list-style-type: none"> <li>○ This will incur an additional charge by EUIAS to the employer</li> </ul> </li> <li>• Additional sampling during EPA organisation quality assurance (only applicable to some standards) <ul style="list-style-type: none"> <li>○ This will incur an additional charge by EUIAS to the employer</li> </ul> </li> </ul>
2	<ul style="list-style-type: none"> <li>• Relocation of EPA activities (for, example, the current facilities are inadequate for quality EPA delivery)</li> <li>• Delay to the delivery of EPA activities, until further evidence has been provided confirming gateway requirements have been met</li> <li>• Removal of approval of a technical expert to deliver EPA activities</li> <li>• Removal of the employer from the relevant SAAP</li> </ul>
3	<ul style="list-style-type: none"> <li>• Prevention of further apprentice registrations for EPA</li> <li>• Stage 3 sanctions will be reported to the IfA</li> </ul>

## Disagreements

If the employer disagrees with the imposed sanctions they can make a complaint (in accordance with our complaint policy) or appeal (in accordance with our appeals policy).

## Removal of Sanctions

It is the aim of EUIAS to support employers and, where possible, work with them to remove / reduce sanctions as soon as possible. In all cases where we impose a sanction, the employer will be provided with an action plan or action points which must be completed to the satisfaction of the head of the EUIAS and the Chair of the relevant SAAP before we review the removal of sanctions.

It is important to note that the removal of sanctions may also be dependent on external forces outside of the EUIAS, e.g., the IfA, but we will inform employers this is the case and work with employers to resolve the situation.

## Activities to Reduce the Risk of Sanctions

In order to ensure consistency and minimise the risk of sanctions being imposed the EUIAS carry out the following monitoring, planning and training activities:

- Provide advice and support on the interpretation of the published standard and assessment plan
- Risk assess and train all technical experts
- Identify auditors, technical experts, final decision panel members and external examiners based on their area of expertise and geographical location

- Ensure no conflicts of interest (refer to conflict of interest policy, which includes conflict of interest mitigation)
- Guidance on the gateway to enter EPA
- Provide all grading documentation and associated guidance
- Produce EPA tools
- Monitor results of apprenticeship by EPA activity and assessor
- Conduct audits of technical experts delivering EPA activities. Audits will identify if there are any minor or major infringements in the delivery of the EPA activity.
- Sample assessment decisions to confirm that the apprentice evidence is authentic and valid and that the standards are being consistently maintained and the requirements of the assessment plan are met
- Check evidence and apprentice information / records ahead of any claim for certification