



Sanctions Policy

*CILEX Professional Qualification
(CPQ)*

Purpose

1. CILEX has a responsibility to protect the integrity of the CILEX Professional Qualification (CPQ), the interests of its trainees and CILEX's reputation.
2. The purpose of this policy is to set out the principles governing CILEX's approach to the implementation of sanctions on trainees and training providers. These principles ensure that sanctions are decided fairly, applied consistently and transparently, and that adverse effects are prevented or mitigated.

Scope

3. This policy applies to CILEX trainees, training providers, training provider staff and associated contractors, CILEX staff and contractors involved in the assessment and/or delivery of the CPQ.

Definitions

4. The term 'trainees' in the context of this policy includes all individuals studying for the CPQ.
5. The term 'assessment' in the context of this policy includes assessments taken towards the CPQ, for example, external examinations.
6. Sanctions are the penalties applied by CILEX to trainees or approved training providers, due to non-compliance with the regulations, policies, procedures and protocols governing the CPQ and/or the CILEX training provider approval standards and/or CILEX training provider agreement.
7. An adverse effect in the context of this policy is an act, omission, event, incident or circumstance which adversely affects:
 - the ability of CILEX to deliver or award the CPQ in accordance with its policies and procedures,
 - the integrity and/or standards of the CPQ, or
 - the reputation of CILEX.
8. The term 'approval' means the approval granted by CILEX to a training provider to deliver the CPQ, and 'approved' shall be construed accordingly.

Purpose of sanctions

9. Generally, sanctions may be imposed to:
 - minimise risks to the integrity of the CPQ and its assessments
 - prevent or mitigate an adverse effect
 - ensure that there is no benefit from breaching CILEX regulations, policies, procedures and protocols
 - deter others from breaching CILEX regulations, policies, procedures and protocols
 - maintain confidence in CILEX qualifications.

10. Sanctions may be applied to a trainee who has breached CILEX regulations, policies, procedures and protocols, to mitigate the impact of the breach, ensure that a trainee does not gain an advantage and/or deter other trainees from breaching CILEX rules and regulations.
11. Training provider sanctions may be applied to a CILEX approved training provider to address performance issues, failings in relation to delivery of the CPQ, suspected or proven malpractice, maladministration, non-compliance with the CILEX approved training provider agreement and/or CILEX training provider approval standards.

Implementation of sanctions

12. CILEX imposes sanctions commensurate with the gravity of the issue, incident, non-compliance, malpractice or maladministration identified in accordance with the relevant criteria set out in Appendix 1 (Trainee Sanctions), Appendix 2 (Training Provider Sanctions), as applicable. The criteria are not exhaustive, and each case is considered on its own merits.
13. In some circumstances, sanctions may be imposed to facilitate the investigation of a suspected incident of malpractice or maladministration, or to mitigate a risk to the integrity of the CPQ whilst an incident is being investigated.
14. Training provider sanctions may be imposed at qualification or training provider level.
15. Sanctions may be applied flexibly, if particular mitigating or aggravating circumstances are identified. CILEX will decide sanctions based on the facts of each case and reserves the right to reduce or increase a sanction accordingly.
16. When deciding training provider sanctions CILEX will consider the impact on trainees who may be affected through no fault of their own. Where necessary, CILEX will seek to support trainees affected, for example, by identifying alternative training providers for continued study.
17. CILEX will advise training providers of the corrective action required to rectify the issues which led to the imposition of a sanction and the timeline for completion.

Roles and responsibilities

18. Trainee sanctions may be decided by the CILEX Qualifications Malpractice Panel, CILEX Qualifications Appeals Panel, the Head of Awarding Body or a Manager nominated by the Head of Awarding Body.
19. Training provider sanctions may be decided by the CILEX Qualifications Malpractice Panel, CILEX Qualifications Appeals Panel, the Head of Awarding Body and CILEX staff responsible for overseeing training provider monitoring and quality assurance or training provider investigations.

Informing training providers

20. In the event that a sanction is imposed on a training provider, the Head of Training Provider will be provided with the following information:
 - the sanction to be applied
 - the reasons underpinning the decision to apply the sanction
 - the corrective action which must be taken, as applicable
 - the timeline for the completion of the corrective action.
21. The Head of Training Provider will be responsible for ensuring compliance with the sanction/s and any associated actions.
22. The Head of Training Provider will normally be advised about sanctions imposed on the training provider's trainees.

Reviewing training provider sanctions

23. The CILEX Accreditation team is responsible for monitoring the corrective action taken by a training provider to address the issues which informed the implementation of a sanction.
24. Sanctions may be reduced or lifted when the corrective action has been completed, subject to CILEX being satisfied that the level of risk is reduced, with the exception of a Level 5 sanction (withdrawal of approval). CILEX may permit a training provider issued a Level 5 sanction to reapply for approval following a minimum period of 12 months since the implementation of the sanction, however, CILEX reserves the right to impose a longer timeframe or to not accept an application for reapproval.
25. Where corrective measures are not put in place in accordance with CILEX requirements and timeline, a higher-level sanction may be applied.
26. Where a sanction is imposed whilst an incident of suspected malpractice or maladministration is being investigated, the sanction may be removed at the conclusion of the investigation subject to the investigation findings.

Appeals

27. Training providers, and trainees, may appeal against sanctions imposed by the CILEX Qualifications Malpractice Panel in relation to an incident of malpractice or maladministration. Training providers, training provider staff or trainees should refer to the CILEX Appeals Policy – CILEX Professional Qualification and the CILEX Malpractice and Maladministration Appeals Procedure – CILEX Professional Qualification.
28. Sanctions imposed by CILEX for other reasons cannot be appealed. In such circumstances training providers or trainees may wish to consider making a complaint in accordance with the CILEX Complaints Policy.

Notification of CILEx Regulation Ltd

29. CILEX reserves the right to notify CILEx Regulation Ltd where an incident which led to the imposition of a sanction could lead to an adverse effect.

Record keeping

30. All records and evidence applicable to the CILEX Sanctions Policy – CILEX Professional Qualification will be retained for seven years.

Policy review arrangements

31. This policy is subject to a three-year review cycle. However, the policy may be reviewed more frequently to address regulatory changes, operational feedback or concerns brought to the attention of CILEX to ensure the policy remains fit for purpose.
32. This policy is also reviewed as part of CILEX ongoing quality improvement monitoring.

Summary of changes between V1.3 and previous version
▪ Amended the retention period of all records and evidence.

Trainee Sanctions Criteria

The trainee sanctions criteria inform the level of sanction imposed on a trainee. The criteria are **not exhaustive** but provide a benchmark against which individual cases are considered.

Sanction	Criteria
Written warning	Minor violations which do not adversely impact the integrity of an examination/assessment, for example: ▪ non-compliance with the examination conditions which is rectified promptly and could not have led to an advantage over other trainees ▪ non-compliance with invigilator's instructions of a minor nature which does not compromise examination conditions ▪ behaving inappropriately, for example, rudely towards an invigilator ▪ providing misleading information to support a Reasonable Adjustment, Access Arrangement, Special Consideration application.
Assessment result declared void	Significant violations which compromise, attempt to compromise or may compromise the process of assessment, the integrity of the CPQ or the validity of a result or certificate, and/or damage the reputation or credibility of CILEX, for example: ▪ failing to comply with ID check requirements ▪ failing to comply with requirements to ensure the integrity of an examination/assessment ▪ engaging in activities which undermine the integrity of the assessment and/or qualification ▪ unprofessional, disruptive or non-compliant behaviour ▪ having non-permitted materials/devices or similar in an examination ▪ producing or attempting to produce work for an examination which is not authentic ▪ attempting to breach or breaching the security or confidentiality of confidential assessment materials ▪ fabricating evidence to support a Reasonable Adjustment, Access Arrangement, Special Consideration application ▪ altering or interfering with CILEX assessment documentation, for example, results notifications or certificates ▪ behaving dishonestly.

Approved Training Provider Sanctions Criteria

CILEX reserves the right to apply the sanctions flexibly, as appropriate, to a determined situation and may use more than one sanction in an instance where it is judged to be required.

Sanction level	Sanction	Criteria
Level 1	Void trainee assessment (including examination) results	Integrity of an assessment/examination has been compromised Integrity of assessment decisions compromised
Level 2	Temporary suspension of training provider enrolment of trainees for CPQ and / or certification for the CPQ	Failure or suspected failure to comply with the CILEX Approved Training Provider Standards, approved training provider agreement and/or qualification requirements for the CPQ which could or has: - led to an adverse effect - compromised the integrity or standards of a CILEX qualification Non-payment of invoices
Level 3	Temporary suspension of training provider enrolment of trainees for all CILEX qualifications and / or certification for all CILEX qualifications	Failure or suspected failure to comply with the CILEX Approved Training Provider Standards, approved training provider agreement and/or qualification requirements which could have or has: - led to an adverse effect - compromised the integrity or standards of a CILEX qualification Non-payment of invoices
Level 4	Withdrawal of approval of training provider to deliver CPQ	Significant or repeated failure to comply with the CILEX Approved Training Provider Standards, approved training provider agreement and/or qualification requirements for the CPQ which could have or has: - led to an adverse effect - compromised the integrity or standards of a CILEX qualification Non-payment of invoices
Level 5	Withdrawal of approval for all CILEX qualifications	Significant or repeated failure to comply with the CILEX Approved Training provider Standards, approved training provider agreement and/or qualification requirements which could have or has: - led to an adverse effect - compromised the integrity or standards of a CILEX qualification - adversely impacted on CILEX's reputation Non-payment of invoices