

LASER Sanctions Policy and Procedures

Policy Statement

Laser Learning Awards (LASER)¹ reserves the right to apply conditions and sanctions on centres and/or to individual staff within centres including trainers and invigilators, to safeguard the award of credit and protect its interests and those of its learners. Sanctions may also be applied to learners.

This policy sets out the types of sanctions which may be applied and the rationales for different levels of sanctions, and LASER's procedures for applying sanctions.

Policy Relevance

This policy outlines the types of sanctions which may be applied to centres, centre staff, and learners, in different circumstances.

Policy Responsibility and Review

This policy is the responsibility of the Quality Manager, and will be reviewed by December 2022 at the latest.

Determining Sanctions

Sanctions are imposed where necessary on individuals and/or centres in order to:

- minimise the risk to the integrity of examinations and assessments, in both the present and the future;
- maintain the confidence of the public in the delivery and awarding of qualifications;
- ensure as a minimum that there is nothing to gain from breaking the regulations;
- deter others from doing likewise.

The level of sanction imposed will depend on the nature of the non-compliance and any history of non-compliance in the same or other areas.

In determining the appropriate sanction, LASER will consider factors including:

- any potential risk to the integrity of the examination or assessment;
- any potential adverse effect on learners;
- the number of learners and/or centres affected; and
- any potential risk to those relying on the qualification (eg employers or members of the public).

Failure to comply with conditions or sanctions, and/or repeated actions requiring sanctions, will escalate the level of sanction, and may lead to the withdrawal of centre and/or individual approval.

LASER will consider any mitigating factors supported by appropriate evidence. Ignorance of regulations will not be considered a mitigating factor.

LASER reserves the right to apply sanctions flexibly, outside of the defined ranges, if particular mitigating or aggravating circumstances are found to exist.

Some sanctions may incur costs, which must be borne by the centre. Where sanctions involve any extra visits to the centre by LASER (eg additional quality assurance visits, or for LASER staff to carry out assessment or invigilation), the centre will be charged £250 plus expenses for each visit, and/or other fees may be charged to the centre as necessary (eg courier fees to send assessment evidence). These fees are non-refundable.

Learners

If a centre's approval is withdrawn, if relevant LASER will provide centres with guidance/requirements on protecting the interests of any potentially affected learners, appropriate to the circumstances of the withdrawal. LASER will endeavour to protect learners who, through no fault of their own, are potentially affected by such a situation. It must, however, be noted that there may be instances where the integrity of an award is in doubt, and it may not therefore be possible to issue learners with certificates, or to allow previously issued certificates to stand.

¹ All references to LASER in this document also refer equally to Trident Awards, which is the brand name for LASER's work in the security industry.

Sanctions Against Centre Staff

'Centre staff' refers to any individual working for or on behalf of an approved centre, either as an employee or in any capacity such as (but not limited to) a contractor, consultant, trainer, assessor, invigilator, or internal quality assurer. Sanctions will be communicated to the individual concerned, and to the head of centre of any LASER approved centres in which the individual is working. Any sanction imposed on any individual will apply in all LASER centres in which the individual is working.

It is not the role of LASER to be involved in any matter affecting the individual's contractual relationship with their employer or engager. LASER recognises that employers may take a different view of an allegation to that determined by LASER, and an employer may wish to make its own decisions after LASER has reached its conclusion.

Some examples in the table below may be relevant only where an individual requires specific LASER approval before being able to deliver certain qualifications.

Level	Examples of Misconduct	Sanctions Against Individual
1	<p>Low scale/low impact non-compliance with qualification requirements/poor practice not specifically related to the integrity of delivery of training/assessment/examination practices/ security of awards.</p> <p>Low scale/low impact maladministration.</p>	<p>Any one or more of the following:</p> <ul style="list-style-type: none"> • Written warning. • Additional monitoring. • Condition(s) imposed on individual with deadline(s) for implementation. • Temporary suspension of individual's involvement with LASER provision (may include suspension of approval to deliver/assess/invigilate).
2	<p>Poor practice in the delivery of training.</p> <p>Inadvertent/low scale/low impact malpractice.</p> <p>Potential for loss of/damage to integrity of delivery of training/assessment/examination practices/security of awards.</p> <p>High scale/high impact/persistent maladministration.</p> <p>High scale/high impact non-compliance with qualification requirements not specifically related to the integrity of delivery of training/assessment decisions/examination practices/security of awards.</p> <p>Bringing or potentially bringing the name of LASER into disrepute.</p>	<p>Any of the above, plus one or more of the following:</p> <ul style="list-style-type: none"> • Removal of Approved Internal Quality Assurer status from individual for one or more specific qualifications. • Banning individual's involvement with LASER provision (may include withdrawal of approval to deliver/assess/invigilate).
3	<p>Intentional/negligent malpractice.</p> <p>Submission of false certificates/documents.</p> <p>Non-compliance with qualification requirements related to the integrity of delivery of training/ assessment decisions/examination practices/ security of awards.</p> <p>Loss of/damage to integrity of delivery of training/assessment/examination practices/ security of awards.</p> <p>Vexatious behaviour.</p>	<p>Banning individual's involvement with LASER provision (may include withdrawal of approval to deliver/assess/invigilate).</p>

Sanctions Against Centres

If failings are judged to be the result of a management failure within a department or a whole centre, LASER may apply sanctions against the department or the whole centre.

Sanctions will be communicated in writing by LASER to the head of the centre, and/or to other individuals as appropriate to the circumstances.

Centres whose approval has been withdrawn must remove any reference to LASER, Laser Learning Awards and Trident Awards, and use of all LASER logos from their websites and literature, including publicity and delivery materials. Action will be taken against any centre displaying a LASER logo which is not approved by LASER, which may include reporting to the relevant regulatory authorities. LASER logos include Trident Awards and Access to HE logos.

Level	Examples of Misconduct	Sanctions Against Centre
1	<p>Low scale/low impact non-compliance with centre recognition criteria not specifically related to the integrity of delivery of training/assessment/examination practices/security of awards.</p> <p>Low scale/low impact maladministration.</p> <p>Failure to comply with financial terms and conditions.</p>	<p>Any one or more of the following:</p> <ul style="list-style-type: none"> • Written warning. • Additional monitoring. • Condition(s) imposed on centre with deadline(s) for implementation. • Temporary suspension of registration of courses and/or learners. • Temporary suspension of certification. • Temporary suspension of examinations/assessments. • Temporary suspension of approval for one or more specific qualification. • Temporary suspension of one/more individual's involvement with LASER provision (may include suspension of approval to deliver/assess/invigilate). • Temporary suspension of centre approval. • Immediate payment terms (no credit). • Payment prior to release of certificates.
2	<p>Poor practice in the delivery of training.</p> <p>Inadvertent/low scale/low impact malpractice.</p> <p>Potential for loss of/damage to integrity of delivery of training/assessment/examination practices/security of awards.</p> <p>Breakdown in management and/or quality assurance relating to a specific department/ sector.</p> <p>High scale/high impact/persistent maladministration.</p> <p>High scale/high impact non-compliance with centre recognition criteria not specifically related to the integrity of delivery of training/assessment decisions/examination practices/security of awards.</p> <p>Bringing or potentially bringing the name of LASER into disrepute.</p>	<p>Any of the above, plus any one or more of the following:</p> <ul style="list-style-type: none"> • LASER to approve specific or all assessment and/or internal quality assurance activity normally left to discretion of centre. • Appointment of a LASER invigilator for one or more specific examinations. • Removal of Direct Claims Status for one or more specific qualifications. • Removal of approval for one or more specific qualifications. • Recall of learners to retake training/assessment/examinations. • Withdrawal of centre approval.
3	<p>Intentional/negligent malpractice.</p> <p>Loss of/damage to integrity of delivery of training/</p>	<p>Withdrawal of centre approval.</p>

assessment/examination practices/security of awards. Organisation-wide breakdown in management and/or quality assurance. Actions leading to loss of confidence in head of centre/senior management of centre. Vexatious behaviour.	
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Sanctions Against Learners

Any sanction imposed on any learner will apply in all LASER approved centres.

Sanctions will be communicated to the learner concerned, and to any LASER approved centre at which the learner is registered.

Level	Examples of Misconduct	Sanctions Against Learner
1	Low scale/low impact non-compliance.	Written warning.
2	Low scale/low impact malpractice. Loss of/damage to integrity of assessment/examination practices/security of awards. Bringing or potentially bringing the name of LASER into disrepute.	Any one or more of the following: <ul style="list-style-type: none"> • Loss of marks for a unit/piece of work/assessment. • Learner disqualified from the qualification. • Certificate withdrawn if already issued.
3	Intentional malpractice. Vexatious behaviour.	As above, plus: Learner barred from being registered on any LASER provision in the future.

Sharing Information

LASER may share information relating to the imposition of sanctions and/or withdrawal of centre and/or centre staff approval, with other Awarding Organisations and relevant regulators (including Ofqual, and the SIA for security qualifications), as appropriate. This may impact upon the centre's/individual's ability to be approved by other Awarding Organisations.

LASER may share information about sanctions imposed on learners, with all LASER centres at which that learner is registered, with other Awarding Organisations, and with the relevant regulators, as appropriate.

Where criminal activity is involved, LASER may inform the police.

In cases where LASER is informed of sanctions imposed by a regulator and/or another Awarding Organisation or stakeholder, on a LASER centre and/or centre staff, LASER will take appropriate action to attempt to establish the reasons for the sanctions, check the centre's/individual's current activity and quality assurance performance to date, and/or undertake a risk assessment based on the information provided.

Where appropriate, LASER may increase its monitoring of the centre/individual to ensure that the award of credit of LASER provision is sound and safeguarded, and/or may impose sanctions of its own which may include withdrawing its approval. In the case of a learner, LASER may impose sanctions of its own, which may include disqualifying the learner from one or all qualifications and/or barring from all LASER provision in the future.

Definitions

Term	Meaning	Potential examples (not exhaustive)
Malpractice	<p>Any act, default or practice which is a breach of the regulations, or which:</p> <ul style="list-style-type: none"> • compromises, attempts to compromise or may compromise the process of assessment, the integrity of any qualification or the validity of a result or certificate, and/or • damages or potentially damages the authority, reputation or credibility of any awarding organisation or centre or any officer, employee or agent of any awarding organisation or centre. 	<p>Breach of security.</p> <p>Deception including falsification of assessments/examinations or documents.</p> <p>Improper assistance to learners.</p> <p>Cheating.</p> <p>Failure to co-operate with an investigation.</p> <p>Failure to take action as required by LASER or a regulatory authority.</p> <p>Failure to notify, investigate and report allegations or suspicions of malpractice.</p> <p>Deliberate maladministration.</p>
Maladministration	Failure to adhere to administrative requirements.	<p>Poor record-keeping.</p> <p>Repeated mistakes in record-keeping.</p> <p>Failure to register learners within required timescales.</p>
Non-compliance	Failure to abide by requirements.	<p>Failure to comply with centre recognition criteria.</p> <p>Failure to maintain appropriate CPD.</p> <p>Failure to switch off phone left at front of examination room (not on learner's person).</p>
Regulations	The requirements relating to the delivery and/or assessment of a qualification or course.	<p>Qualification specification.</p> <p>LASER examination handbook.</p> <p>LASER centre handbook.</p> <p>SIA requirements.</p>
Vexatious behaviour	Actions, which may be made without sufficient grounds, to cause or intend to cause annoyance, inconvenience, harassment or stress.	<p>False allegations.</p> <p>Repeated contact with no new information or after being asked to stop.</p> <p>Nuisance, timewasting or frivolous contact.</p> <p>Abusive or distressing contact.</p>

Policy Approval

Approved internally by Deputy CEO 08.10.2018

Approved externally by Quality Committee 02.11.2018