



**Pensions
Management
Institute**

Sanctions policy

Introduction

This policy is aimed at everyone involved in the delivery, assessment and certification of PMI approved qualifications or units and who have failed to meet aspects of our delivery requirements and/or the standards laid down by the regulatory authorities in respect of regulated qualifications and units. It sets out the sanctions PMI may impose in such situations.

It is also for use by our staff to ensure they apply any sanctions in a consistent manner.

Responsibility

It's important that anyone involved in the delivery, assessment and certification of PMI qualifications are fully aware of the contents of the policy and its possible implications should anyone fail to comply with requirements specified (some of which are required of us by the regulators).

Review arrangements

We'll review the policy annually as part of our self-evaluation arrangements and revise it as and when necessary in response to customer feedback; trends from our internal monitoring arrangements, changes in our practices, actions from the regulatory authorities, external agencies or changes in legislation.

If anyone would like to offer any views please contact the PMI via the details provided at the end of this policy.

Ensuring the standards of our qualifications and units

PMI has a responsibility to the learners taking our qualifications and the UK regulatory authorities to ensure that our qualifications and units are delivered in accordance with relevant national standards. For that we undertake a yearly Qualification Review, where this issues, content and outcomes are addressed.



Approach to sanctions

PMI has a range of sanctions that can be imposed on depending on the seriousness of the situation; the level and track-record of compliance/ non-compliance, the risk to the interests of learners and the integrity of the qualifications and units.

Nonetheless PMI aims to ensure that the application of sanctions is a last resort and through our approach to support, management and the creation of appropriate action plans. We will always work with our delivery partners to prevent situations arising that would warrant a sanction being imposed.

However, if sanctions are required then we will not hesitate to apply them.

Sanctions that may be imposed on Examination Partners, Learners and/or Delivery Partners/Third-Parties

1. Sanctions that may be imposed on Examination Partners

In normal circumstances sanctions that may be imposed include:

1. Withholding certificates (e.g. suspending certification status) and preventing further learner registrations by the Examination Partners, Delivery Partners and/or Learners (e.g. suspending registration status)

Recommendations in relation to the above suspension types will be reviewed by the Responsible Officer, and if there is clear evidence of non-compliance or commercial disengagement (likely to cause an adverse effect) without sufficient rationale, then the sanction/suspension will be imposed on the Examination Partners, Delivery Partners and/or Learners.

In all instances the nature of the sanction and the rationale for its application will be communicated in writing to the Examination Partners, Delivery Partners and/or Learners.

If an Examination Partners, Delivery Partners and/or Learners disagrees with the decision the first point of call is the relevant external verifier/monitoring officer, then the PMI Responsible Officer and finally PMI's appeals arrangements.



2 Only in exceptional circumstances of extremely serious non-compliance or the persistent failure of the Examination Partners, Delivery Partners and/or Learners to address outstanding actions, and/or the failure of previous sanctions to address the issue, would PMI impose, via the Responsible Officer, the ultimate sanction of removal of qualification approval in relation to:

- A single qualification
- An entire qualification sector
- An entire qualification type
- All qualifications and in turn the Examination Partners, Delivery Partners and/or Learners' 'recognition' with PMI

The PMI expects that it would never impose the immediate withdrawal of approval for a qualification or range of qualifications without:

- the Examination Partners, Delivery Partners and/or Learners being given an opportunity to address the area(s) of non-compliance (through an Action Plan)
- first of all imposing one of the previous sets of sanctions
- there being evidence that the non-compliance poses a significant threat to the interest of learners or the integrity of the qualifications and units (adverse effect)

Should an Examination Partners, Delivery Partners and/or Learners have its approval for a qualification/suite of qualifications removed, we will take all reasonable steps to protect the interests of any learners currently registered on the qualification(s). For example, we will either certificate them for any achievements achieved to date and/or seek to transfer them – where possible and feasible – to another Examination Partners, Delivery Partners and/or Learners to enable them to carry on with their learning.

In addition, upon the removal of approval, the Examination Partners, Delivery Partners and/or Learners shall:

- immediately cease to offer PMI qualifications and services and shall at its own expense immediately deliver to PMI all relevant and specified deliverables (e.g. assessment materials) and/or dispose of materials if instructed to do so by PMI. If the Examination Partners, Delivery Partners and/or Learners fails to do so we may take action to recover such materials where relevant.
- immediately cease to operate as an Examination Partners, Delivery Partners and/or Learners recognised/approved by PMI and shall immediately cease to describe, promote, market or advertise itself as a Examination Partners, Delivery Partners and/or Learners approved by and/or offering the relevant qualification(s)/service(s);



2. Sanctions that may be imposed on learners

Should a learner, or range of learners, be found to have committed malpractice then the following sanctions may be imposed on them in accordance with the arrangements outlined in our Malpractice and Maladministration policy (which may be communicated to the learner by PMI and/or the learner's Examination Partners, Delivery Partners and/or Learners):

- 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
- Placing a ban from taking any further qualifications with us (e.g. for a set period of time)

3. Sanctions that may be imposed on delivery partners/third-parties

If working with a third party could give rise to an 'adverse effect', then we would, where possible, initially suspend the activities of that 'contract' and investigate.

If the third party was involved in a part of the process of delivery, assessment and/or certification where it was not possible to suspend immediately, then the process would be allowed to continue, with mitigation and actions that would alleviate the prospect of creating an 'adverse effect'. On completion of the process then the activities of the third party would be suspended and investigated.

For example, it is not possible, if we have a venue where exams are being held on multiple days/occasions (if a problem occurs on one of those days/occasions) in a series of examinable units, to immediately suspend that activity. We would continue to use the venue for the rest of exams in that series then investigate after the examination component/use of the venue had been completed for the whole series. Mitigating elements on the day of concern would be to find an alternative venue immediately, or move to an online assessment, or move to one of the other days within that series depending on the availability.



Sanctionable Activity

Part 1 (relating to operational/organisational activities)

There may be reasons for a breakdown in communication and understanding that creates the environment for sanctionable activity, and we will always try and mitigate this wherever possible.

Firstly we would normally issue an Action Plan and follow-up actions before issuing a sanction directly. It would be up to Examination Partner or Delivery Partner to fulfil this Action Plan accordingly. However, if the situation was something that could or has related directly to an 'adverse effect' then we will automatically suspend the activities of the Examination/Delivery Partner and investigate with a view to imposing corrective action(s).

Part 2 (relating to administrative/financial activities)

It is important to note that the following are not classified as sanctions as such, but standard good Awarding Organisation or business practice and they may be applied instead of a formal sanction and/or alongside an issuable sanction*:

1. When an Examination Partner is first recognised and approved by us to offer one of our qualifications, and/or if they have subsequently applied and been approved to offer another qualification in a sector or qualification type that is significantly different from previous qualifications they offer, we will approve the Examination Partner to offer the qualification(s) and not process any certificate claims for the qualification(s) until they have received a satisfactory monitoring visit.

This approach is normal practice amongst Awarding Organisations and is generally seen as good practice and is intended to help ensure the delivery of this 'new' qualification effectively before certificates can be issued.

2. Should there be a refusal to pay outstanding fees after various contacts with our Qualifications or Finance team then this may result in an action of suspending activity until a resolution is found. It may also result in further action, if still unresolved, in the removal of approval and/or recognition with immediate effect (for the Examination Partners), removal of contract (for the Third-Party supplier) or the removal of the learner from any particular exam, as long as any of these do not realise an 'adverse effect'.

Such a decision would not only be considered a sanction but also a commercial decision.



3. Undertaking additional visits to an Examination Partners or Delivery Partners to provide them with a greater level of support and/or monitoring depending on their needs and performance.
- **in these situations, the engagement is participating in activities that could lead to an ‘adverse effect’. There would be a request to resolve the situation or face suspension and face corrective action(s).**

*again, the list is not exhaustive and does not cover every possible situation

Ensuring consistency in our approach

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

The Responsible Officer will be responsible for regularly reviewing the application and maintenance of sanctions to ensure they continue to be appropriate and proportionate to the incident(s) and risk of future incidents occurring.

Avoidance of doubt

For the avoidance of doubt, and as this policy refers to the phrase ‘adverse effect’, the regulator stipulates an adverse effect as being:

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 a way that complies 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

Contact us

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

PMIQualifications@pensions-pmi.org.uk

with the subject title “Sanctions”.