



Sanctions Policy

CILEX End-Point Assessment

Purpose

1. CILEX has a responsibility to protect the integrity of CILEX End-Point Assessments (EPAs) (Appendix 1), the interests of its apprentices 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 apprentices. 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 apprentices, CILEX staff and CILEX EPA assessors and other CILEX contractors involved in EPA delivery.

Definitions

4. Sanctions are the penalties applied by CILEX to apprentices due to non-compliance with the EPA conditions, regulations, policies, procedures, and requirements governing CILEX EPAs.
5. An adverse effect is defined as follows:
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.

Purpose of sanctions

6. Generally, sanctions may be imposed to:
 - minimise risks to the integrity of CILEX EPAs
 - prevent or mitigate an adverse effect
 - ensure that there is no benefit from breaching CILEX regulations, policies, and procedures
 - deter others from breaching CILEX regulations, policies, and procedures
 - maintain confidence in CILEX EPAs.
7. Apprentice sanctions may be applied to an apprentice who has breached CILEX regulations, policies, and procedures, to mitigate the impact of the breach, ensure that an apprentice does not gain an advantage and/or deter other apprentices from breaching CILEX rules and regulations.

Implementation of sanctions

8. CILEX imposes sanctions commensurate with the gravity of the incident, non-compliance, malpractice or maladministration identified in accordance with the criteria set out in Appendix 2. The criteria are not exhaustive, and each case is considered on its own merits.
9. 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.
10. Where the malpractice proven in relation to one EPA component is considered to have a significant impact on the integrity of the whole EPA, CILEX reserves the right to void the complete EPA and not just one component.

Roles and Responsibilities

11. Apprentice sanctions may be decided by the CILEX Qualifications Malpractice Panel, CILEX Qualifications Appeals Panel, CILEX Responsible Officer or a Manager nominated by the CILEX Responsible Officer.

Appeals

12. Apprentices may appeal against sanctions imposed in relation to an incident of malpractice or maladministration. Apprentices should refer to the CILEX Appeals Policy – CILEX End-Point Assessment and the CILEX Malpractice and Maladministration Appeals Procedure – CILEX End-Point Assessment.

Record keeping

13. All records and evidence applicable to the CILEX Sanctions Policy – CILEX End-Point Assessment will be retained for seven years.

Policy review arrangements

14. 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.
15. This policy is also reviewed as part of CILEX ongoing quality improvement monitoring.

Summary of changes between V3.0 and previous version
<ul style="list-style-type: none">▪ Added Appendix 1 that lists the End-Point Assessments offered by CILEX.▪ Amended the retention period of all records and evidence.▪ Changed Appendix 1 Apprentice Sanctions Criteria to Appendix 2.

CILEX End-Point Assessments

CILEX Level 3 End-Point Assessment for ST0245 Paralegal Apprenticeship Version 1.2

CILEX Level 3 End-Point Assessment for ST0245 Paralegal Apprenticeship Version 1.3

CILEX Level 6 End-Point Assessment for ST0244 Chartered Legal Executive Apprenticeship Version 1.0

CILEX Level 6 End-Point Assessment for ST0244 Chartered Legal Executive Apprenticeship Version 1.1

CILEX Level 7 End-Point Assessment for ST1368 Chartered Legal Executive Litigator and Advocate Apprenticeship Version 1.0

Apprentice Sanctions Criteria

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

Sanction	Criteria
Written warning	<p>Minor breach of the regulations which does not affect the integrity of the EPA, for example:</p> <ul style="list-style-type: none"> ▪ minor refusal to adhere to assessor's instructions which does not compromise the integrity of the EPA ▪ failing to keep own work secure which does not have an adverse impact on the integrity of the assessment.
EPA component result declared void*	<p>Significant breach of the regulations which compromises, attempts to compromise, or may compromise the process of EPA, the integrity of EPA or the validity of the EPA result and/or damages the reputation or credibility of CILEX, for example:</p> <ul style="list-style-type: none"> ▪ failing to comply with ID check requirements ▪ arranging to be impersonated in an assessment ▪ failing to comply with requirements to ensure the integrity of the EPA ▪ engaging in activities which undermine the integrity of the EPA ▪ unprofessional, disruptive or non-compliant behaviour ▪ having non-permitted materials/devices or similar in a Timed Assessment, Interview, Professional Discussion or Presentation with Questions and Answers ▪ producing or attempting to produce work for an EPA which is not original or authentic ▪ submitting work for EPA which is not the apprentice's own work ▪ falsifying evidence of competence ▪ attempting to breach or breaching the security or confidentiality of confidential assessment materials ▪ altering or interfering with CILEX assessment documentation, for example, results notifications ▪ repeating violations which CILEX has previously brought to an apprentice's attention.

* The EPA components are the assessments set out in the relevant IfATE EPA Plan, for example Timed Assessment, Interview, Professional Discussion underpinned by Portfolio, Project Report and Presentation with Questions and Answers, Case Study, and Portfolio.