

Complaints and Appeals Procedure (Exams)

2021/22

This procedure is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
mr Cuomo	
Date of next review	October 2022

Key staff involved in the complaints and appeals procedure

Role	Name(s)
Head of centre	Mr Cuomo
Exams officer	Miss Oldham
Senior leader(s)	Mr Hutchinson/ mrs Johnson
ALS lead/SENCo	mrs Bamford/ mr Hopwood

Purpose of the procedure

This procedure confirms All Saints' Catholic Voluntary Academy compliance with JCQ's General Regulations for Approved Centres 2020-2021 (section 5.8) that the centre will draw to the attention of candidates and their parents/carers their written complaints and appeals procedure which will cover general complaints regarding the centre's delivery or administration of a qualification.

Grounds for complaint

A candidate (or his/her/parent/carer) may make a complaint on the grounds below (this is not an exhaustive list).

Teaching and learning

- Quality of teaching and learning, for example
 - Non-subject specialist teacher without adequate training/subject matter expertise utilised on a long-term basis
 - Teacher lacking knowledge of new specification/incorrect core content studied/taught
 - Core content not adequately covered
 - Inadequate feedback for a candidate following assessment(s)
- Pre-release/advance material/set task issued by the awarding body not provided on time to an exam candidate
- The taking of an assessment, which contributes to the final grade of the qualification, not conducted according to the JCQ/awarding body instructions
- The marking of an internal assessment, which contributes to the final grade of the qualification, not undertaken according to the requirements of the awarding body (complainant should refer to the centre's *internal appeals procedure*)
- Centre fails to adhere to its *internal appeals procedure*
- Candidate not informed of his/her centre assessed marks prior to marks being submitted to the awarding body
- Candidate not informed of his/her centre assessed marks in sufficient time to request/appeal a review of marking prior to marks being submitted to the awarding body
- Candidate not given sufficient time to review materials to make a decision whether to request a review of centre assessed marks

Access arrangements

- Candidate not assessed by the centre's appointed assessor
- Candidate not involved in decisions made regarding his/her access arrangements
- Candidate did not consent to personal data being shared electronically (by the non-acquisition of a signed data protection notice/candidate data personal consent form)
- Candidate not informed/adequately informed of the arrangements in place and the subjects or components of subjects where the arrangements would not apply
- Exam information not appropriately adapted for a disabled candidate to access it
- Adapted equipment put in place failed during exam/assessment
- Approved access arrangement(s) not put in place at the time of an exam/assessment
- Appropriate arrangements not put in place at the time of an exam/assessment as a consequence of a temporary injury or impairment

Entries

- Failure to clearly explain a decision of early entry for a qualification to candidate (or parent/carer)

- Candidate not entered/entered late (incurring a late entry fee) for a required exam/assessment
- Candidate entered for a wrong exam/assessment
- Candidate entered for a wrong tier of entry

Conducting examinations

- Failure to adequately brief candidate on exam timetable/exam regulations prior to exam/assessment taking place
- Room in which exam held did not provide candidate with appropriate conditions for taking the exam
- Inadequate invigilation in exam room
- Failure to conduct exam according to the regulations
- Online system failed during (on-screen) exam/assessment
- Disruption during exam/assessment
- Alleged, suspected or actual malpractice incident not investigated/reported
- Eligible application for special consideration for a candidate not submitted/not submitted to timescale
- Failure to inform/update candidate on the outcome of a special consideration application

Results and Post-results

- Before exams, candidate not made aware of the arrangements for post-results services and the accessibility of senior members of centre staff after the publication of results
- Candidate not having access to a member of senior staff after the publication of results to discuss/make decision on the submission of a review/enquiry
- Candidate request for return of work after moderation and work not available/disposed of earlier than allowed in the regulations
- Candidate (or parent/carer) unhappy with a result (complainant to refer via exams officer to awarding body *post-results services*)
- Candidate (or parent/carer) unhappy with a centre decision not to support a clerical re-check, a review of marking, a review of moderation or an appeal (complainant to refer via [insert who] to the centre's *internal appeals procedure*)
- Centre applied for the wrong post-results service/for the wrong exam paper for a candidate
- Centre missed awarding body deadline to apply for a post-results service
- Centre applied for a post-results service for candidate without gaining required candidate consent/permission

Complaints and appeals procedure

If a candidate (or his/her parent/carer) has a general concern or complaint about the centre's delivery or administration of a qualification he/she is following, All Saints' encourages him/her to try to resolve this informally in the first instance. A concern or complaint should be made in person, by telephone or in writing to the head of centre.

If a complaint fails to be resolved informally, the candidate (or his/her parent/carer) is then at liberty to make a formal complaint.

How to make a formal complaint

Stage 1- Informal Concerns or Complaints

Concerns or complaints should initially be discussed informally with the relevant Academy Trust employee or representative, for example the subject teacher or form tutor, with a view to resolving the issue. There is no need at this stage for the complaint to be made in writing, however the Academy Trust employee/representative will make a note of any agreed actions using the form at Annex A and this will be retained as a record. Resolution discussions are expected to take place **within 10 school days** of the school being notified of the concern/complaint.

If the complaint has already been discussed with the relevant Academy Trust employee, or that would be inappropriate, a senior manager (for instance the Head teacher, Head of School or Executive Head teacher) will discuss the complaint again with you with a view to seeking to resolve the matter informally. We would expect the vast majority of concerns or complaints to be resolved at this early stage.

In the unusual event that your complaint remains unresolved after these discussions then you may put your complaint in writing and this will be handled under Stage 2.

Stage 2 - Formal Complaint Investigation

If your complaint cannot be resolved informally, then you will be given the opportunity to put it formally in writing using the form at Annex B. You will need to send this to the Complaints Co-ordinator **within 10 school days** of the conclusion of Stage 1.

Following this, an appropriate person (the Investigating Officer) will be appointed to investigate your complaint further who will:

- * Acknowledge your complaint **within 5 school days**.
- * Investigate the complaint and then decide how best to resolve it within a further **10 school days**.
- * Provide a written response to you outlining how the investigation was conducted and the outcome of the complaint, as well as offering you an opportunity to discuss the outcome if appropriate. This will normally be **within 5 school days** of completing the investigation.
- * Advise you on the next steps if after this review your complaint has not been resolved which will be covered under Stage 3.

Stage 3 - Formal Complaint Panel

If your complaint has not been resolved at Stage 2 then you may write **within 10 school days** of the notification of the Stage 2 outcome to the Complaints Co-ordinator requesting a Formal Complaints Panel and explaining why you feel that your complaint has not been fully addressed at Stage 2. You should do this using the reporting form at Annex C.

Your request will be acknowledged **within 5 school days** and you will be informed of the arrangements for the Formal Complaint Panel.

A meeting of the Panel will be convened normally **within 20 school days** of your request. The Panel will consist of a minimum of three people who have not been directly involved in the matters detailed in the complaint and will include at least one person who is independent of the

management and running of the school (i.e. not a governor at the school or a Director of the Academy Trust).

The Panel will consider the following:

- * any appropriate action to be taken to resolve the complaint;
- * whether to dismiss the complaint in whole or in part;
- * whether to uphold the complaint in whole or in part;
- * whether changes to school or Academy Trust procedures in the future may be necessary.

The Panel will take into account whether the complaint has been handled properly and reasonably in accordance with this procedure and whether the Stage 2 outcome was reasonable and appropriate.

You will normally be informed of the outcome at the end of the Formal Panel and this will be confirmed in writing within **7 school days**. You will receive a copy of the findings and recommendations made by the panel, and that these will be retained at the school.

The decision of the Panel is Final.

Taking your Complaint Further

Although the decision of the Panel is final under this procedure, if you consider that the school or Academy Trust or their representatives are proposing to act unreasonably, or have failed to carry out their statutory duties then you may write to the Secretary of State for Education via the Education & Skills Funding Agency (ESFA). Further details can be found at: <https://www.gov.uk/complain-about-school>

Appeals

All Saints' Catholic Academy is committed to ensuring that whenever teachers assess students' work for an external qualification this is done fairly, consistently and in accordance with the specification for the qualification concerned. Assessments are conducted by teachers who have appropriate knowledge, understanding and skills, and who have been trained in this activity. The school is committed to ensuring that assessment evidence provided by students is produced and authenticated according to the requirements of the relevant specifications for each subject. Where a set of work is divided between teachers, internal moderation and standardization will ensure consistency.

If a student feels that this may not have happened in relation to his or her work, he or she may make use of this appeals procedure. This will be the final stage in the normal process of considering and resolving disputes. It is expected that it will be used only in exceptional circumstances.

1. The Examinations Officer is in overall charge of managing appeals relating to internal/controlled assessments.

2. If a student wishes to appeal about his or her internal/controlled assessment marks then the following procedures should be followed:

- * The appeal should be made in writing to the Examinations Officer stating the details of the complaint and the reasons for the appeal.
- * The appeal must be submitted as soon as possible and at the latest **two weeks before** the end of the last externally assessed paper in the examination series.
- * The appeal can relate only to the procedures used in arriving at internal assessment decisions and does not apply to the judgments themselves; you cannot appeal against the mark or grade, only the procedures used.

3. The teacher(s) concerned in marking the assessment which is the subject of the appeal will respond to the appeal in writing to the Examinations Officer; a copy will be given to the student.

4. If the student is not happy with the written response they have received then they can request a personal hearing before an appeals panel.

* The appeals panel will consist of the Examinations Officer and two of the following - the Head of Sixth Form, a deputy head teacher, a school governor.

* The request for a personal hearing must be made within two days of receipt of the written reply to the initial appeal. The student will be given at least two days' notice of the hearing date.

* A breakdown of the marks awarded will be given to the student in advance of the appeal.

* The student may bring a parent or carer to the hearing.

* The teacher(s) involved will be present at the hearing.

5. The Examinations Officer will convey the outcome of the appeal and the reasons for that outcome in writing to the student. The outcome will also be made known to the Head teacher.

6. The centre will maintain a written record of all appeals.

7. The centre will inform the awarding bodies of any change to an internally assessed/controlled assessment mark as a result of an appeal.

After work has been assessed internally, it is moderated by the awarding body to ensure consistency between different centres. Such moderation frequently changes the marks awarded for internally assessed work. That is outside the control of All Saints' Catholic Academy and is not covered by this procedure. If a student has concerns about this, they should ask the Examinations Officer for a copy of the appeals procedure of the relevant awarding body.