



Complaints & Appeals Procedure (exams)

2018/19

This procedure is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Kevin Bawn	
Date of next review	January 2020

Key staff involved in the complaints procedure

Role	Name(s)
Head of centre	Kevin Bawn
Other college staff	As applicable
Exams officer	Rebecca Dominy

Purpose of the procedure

This procedure confirms Clyst Vale Community College's compliance with JCQ's *General Regulations for Approved Centres*, section 5.7 that the centre has in place "...a written complaints and appeals procedure which will cover general complaints regarding the centre's delivery or administration of a qualification."

It also confirms Clyst Vale Community College's compliance with JCQ's *General Regulations for Approved Centres*, section 5.14 that the centre has in place "a written internal appeals procedure to manage disputes when a candidate disagrees with a centre decision not to support a clerical check, a review of marking, a review of moderation or an appeal..."

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 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 (online) 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 an 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 check, a review of marking, a review of moderation or an appeal (complainant to refer to RoMM policy & to complete the appeals form contained therein)
- ▶ 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

Appeals against the centre's decision not to support a clerical check, a review of marking, a review of moderation or an appeal

Following the issue of results, awarding bodies make post-results services available. Full details of these services, internal deadlines for requesting a service and fees charged are provided by the exams officer on Results Day.

Candidates are also informed of the arrangements for post-results services **before** they sit any exams and the accessibility of senior members of centre staff immediately after the publication of results by through the Exam Information Booklet and a school assembly.

If the centre or a candidate (or his/her parent/carer) has a concern and believes a result may not be accurate, an enquiry about the result may be requested.

Enquiries about results (EARs) offers three services.

- ▶ Service 1 – clerical re-check
- ▶ Service 2 – review of marking
- ▶ Service 3 – review of moderation (this service is not available to an individual candidate)

Written candidate consent (informed consent via candidate email is acceptable) is required in all cases before a request for an EAR service 1 or 2 is submitted to the awarding body as with these services candidates' marks and subject grades may be lowered. Candidate consent can only be collected **after** the publication of results.

If a concern is raised about a particular examination result, the exams officer, teaching staff and head of centre will investigate the feasibility of requesting an enquiry supported by the centre.

Where the centre does not uphold a request from a candidate, the candidate may pay the appropriate EAR fee to the centre, and a request will be made to the awarding body on the candidate's behalf.

If the candidate (or his/her parent/carer) believes there are grounds to appeal against the centre's decision not to support an enquiry, an internal appeal can be submitted to the centre by completing the **internal appeals form** at least 10 calendar days prior to the internal deadline for submitting an EAR.

The appellant will be informed of the outcome of his/her appeal 5 calendar days before the internal deadline for submitting an EAR.

Following the EAR outcome, an external appeals process is available if the head of centre remains dissatisfied with the outcome and believes there are grounds for appeal. The JCQ publications *Post-Results Services* and *JCQ Appeals Booklet (A guide to the awarding bodies' appeals processes)* will be consulted to determine the acceptable grounds for a preliminary appeal.

Where the head of centre is satisfied after receiving the EAR outcome, but the candidate (or his/her parent/carer) believes there are grounds for a preliminary appeal to the awarding body, a further internal appeal may be made to the head of centre. Following this, the head of centre's decision as to whether to proceed with a preliminary appeal will

be based upon the acceptable grounds as detailed in the *JCQ Appeals Booklet*. Candidates or parents/carers are not permitted to make direct representations to an awarding body.

The **internal appeals form** should be completed and submitted to the centre within 7 calendar days of the notification of the outcome of the EAR. Subject to the head of centre's decision, this will allow the centre to process the preliminary appeal and submit to the awarding body within the required **30 calendar days** of receiving the outcome of the enquiry about results process. Awarding body fees which may be charged for the preliminary appeal must be paid to the centre by the appellant before the preliminary appeal is submitted to the awarding body (fees are available from the exams officer). If the appeal is upheld by the awarding body, this fee will be refunded by the awarding body and repaid to the appellant by the centre.

Complaints 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, Clyst Vale Community College 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 Exams Officer or the Principal, depending on the nature of the complaint.

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

- ▶ A complaint should be submitted in writing by completing a **complaints form**
- ▶ Forms are available below and on request from the Exams Office.
- ▶ Completed forms should be returned to the Exams Officer.
- ▶ Forms received will be logged by the centre and acknowledged within 2 working days

How a formal complaint is investigated

- ▶ The head of centre will further investigate or appoint a member of the senior leadership team (who is not involved in the grounds for complaint and has no personal interest in the outcome) to investigate the complaint and report on the findings and conclusion]
- ▶ The findings and conclusion will be provided to the complainant within 2 working weeks

Appeals

Following the outcome, if the complainant remains dissatisfied and believes there are clear grounds, an appeal can be submitted.

- ▶ Any appeal must be submitted in writing by again completing a **complaints form**
- ▶ Forms received will be logged by the centre and acknowledged within 2 working days
- ▶ The appeal will be referred to the Chair of Governors for consideration
- ▶ The Chair of Governors will inform the appellant of the final conclusion in due course.

Complaints form (exams)

FOR CENTRE USE ONLY	
Date received	
Reference No.	

Please tick box to indicate the nature of your complaint/appeal

- Complaint/appeal against the centre's delivery of a qualification
- Complaint/appeal against the centre's administration of a qualification
- Appeal against centre's decision not to support a clerical check, a review of marking, a review of moderation or an appeal.

Name of complainant/appellant	
Candidate name if different to complainant/appellant	

Please state the grounds for your complaint/appeal below

If your complaint is lengthy please write as bullet points; please keep to the point and include relevant detail such as dates, names etc. and provide any evidence you may have to support what you say

Your appeal should identify the centre's failure to follow procedures as set out in the relevant policy, and/or issues in teaching and learning which have impacted the candidate

If necessary, continue on an additional page if this form is being completed electronically or overleaf if hard copy being completed

Detail any steps you have already taken to resolve the issue(s) and what you would consider to be a good resolution to the issue(s)

Complainant/appellant signature:

Date of signature:

This form must be completed in full and sent to the Exams Officer. An incomplete form will be returned to the complainant/appellant

