



**BURSCOUGH**  
**PRIORY ACADEMY**

# **Exams Complaints and Appeals Procedure 2018-2019**

**These procedures are reviewed annually to ensure compliance with  
current regulations**

## Key staff involved in the complaints and appeals procedure

<b>Role</b>	<b>Name(s)</b>
Head of centre	<b>Mrs L. Gwinnett Executive Headteacher</b> <b>Mr M. Berry Head of School</b>
SLT members	<b>Mr S. Day</b>
HOF	<b>Head of Faculty - relevant subject</b>
Exams officer	<b>Mrs N. Miller</b> <b>Mrs C. Brook</b>

## Purpose of the procedure

This procedure confirms Tarleton Academy compliance with JCQ's General Regulations for Approved Centres 2018-2019, 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 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 – at the centre’s discretion
- ▶ Candidate entered for a wrong tier of entry– at the centre’s discretion

## **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
- ▶ 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, Tarleton Academy 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

- ▶ If the complaint cannot satisfactorily be resolved informally, the complainant should put their complaint in writing by letter to the Chair of the Local Academy Council (or Chair/ nominated Trustee where the complaint is against the CEO/Chair of Trustees). The Chair of the LAC/ Chair of Trustees/nominated Trustee will meet with the complainant to discuss his/her concerns within twenty working days of receiving the complaint, or as soon as is reasonably practicable after this.
- ▶ The Chair of LAC/Chair of Trustees/nominated Trustee will review the investigation and will consult the Chair of Trustees to ensure standardisation across the Trust. He/she may then confirm this decision or reach a different decision.
- ▶ The Chair of LAC/ Chair of Trustees/ nominated Trustee will communicate his/her response in writing to the complainant as soon as possible but, in any case, within thirty working days of receiving the written complaint.
- ▶ Where the complainant is dissatisfied with this response the complaint should move to the appeal stage of the procedure.

### Appeals

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

- ▶ If the complainant wishes to appeal against the decision made at the formal stage s/he must indicate his/her intention to do so within twenty working days of receipt of the outcome of the formal stage.
- ▶ The complainant should do this by sending a written appeal to the person who conducted the investigation into the formal part of the procedure, either by letter or email. This should state the original complaint and the reasons for on-going dissatisfaction.
- ▶ An appeal panel should be convened, consisting of three Trustees or members of any Local Academy Council within the Endeavour Learning Trust who have had no direct involvement in consideration of the complaint, including one panel member who is independent of the management and running of the school from which the complaint originated. Where the complainant is a parent, school will try to include a parent Councillor on the panel. A complaints appeal meeting will be held in accordance with the procedure in the *Complaints Procedure Endeavour Learning Trust as Appendix A*.
- ▶
- ▶ At this meeting the complainant (or complainants, if this is two parents from the same family) will have the right to be accompanied. The person accompanying the

complainant should not contribute to the meeting and cannot be called as a witness. If the person accompanying the complainant is attending in order to represent the complainant, then the complainants themselves should not speak.

- ▶ The meeting of the appeal panel should take place as soon as possible, but in any case, a date should be set and communicated to the complainant within twenty working days of receipt of the appeal. The panel's findings and recommendations will be communicated in writing to the complainant as soon as possible but, in any case, within five working days of the meeting. The complainant will have no further right to appeal this decision. Where relevant, the findings and recommendations will also be made provided to the person complained about and will be made available for inspection on the school premises by the proprietor and the head teacher.

## Complaints and appeals form

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

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; an incomplete form will be returned to the complainant/appellant**

