



Exam Complaints and Appeals Procedure

2022/23

This procedure is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
JLF	
Date of next review	Spring 2024

Key staff involved in the exam complaints and appeals procedure

Role	Name(s)
Head of centre	Stephen Whittle
Exam's officer	Jackie Frampton
Senior leader(s)	Lee Harness
SENCo	Paula Aliwell

Purpose of the procedure

This procedure confirms Hayes School compliance with JCQ's **General Regulations for Approved Centres** (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
- 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 (centre assessed work), 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 and special consideration

- 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 record their personal data online (by the non-acquisition of a completed candidate personal data 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 accepted/rejected outcome of a special consideration application if provided by the awarding body

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 Examinations Officer to the centre's *internal appeals procedure*)
- Centre fails to adhere to its internal appeals procedure
- Centre applied for the wrong post-results service/for the wrong script 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

In cases of suspected malpractice

- Where a candidate has received the outcome of an Exam Board Investigation regarding suspected malpractice, a request to the Head of Centre to appeal the outcome will only be considered upon presentation of new and significant evidence. Where this is not the case, the Head of Centre will not appeal the outcome.

Exam Complaints and Appeals Procedure

If a candidate (or their parent/carer) has a general concern or complaint about the centre's delivery or administration of a qualification they are following, Hayes School encourages the candidate 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 Examinations Officer.

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 exam complaint

Stage 1: Consideration of a complaint

- Complaints should be made using the complaint form at Appendix 1 or clearly set out in writing; however, the School will allow alternative methods of contact where a complainant uses a different communication preference due to disability or a learning difficulty.
- A completed **exam complaints and appeals form** should be returned to the Exams Officer and marked for the attention of The Head of Centre
- Forms received will be logged by the centre and acknowledged (usually within five term-time days).

How a formal exam complaint is investigated

- The Head of Centre will usually also investigate the complaint; however, the Principal may, if appropriate, appoint another suitable person to investigate the complaint (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 and produce a report, which the Principal will consider in reaching their decision.
- The findings and conclusion will be provided to the complainant within 15 term-time days.

Appeals

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

Stage 2: Consideration of complaint by Chief Executive Officer:

- If the complainant remains dissatisfied with the outcome of Stage 2, they should write to the Chief Executive Officer (CEO) giving details of the complaint and the reasons why they disagree with the Principal's decision at Stage 2, no later than 10 working days from the date of the Principal's decision letter.
- Any appeal must be submitted to the CEO via the Trust Governance Manager, Leona Eley. leley@imat.uk.
- The CEO may offer to meet the complainant or other complainant, at a mutually convenient time, if it is felt more information is required, or if the complainant asks for a meeting.
- The CEO has 15 school days to investigate the complaint. If it cannot be resolved within this time, the CEO will inform the complainant and explain why it is taking longer. Reasons for this may be that the complaint is complex and needs more time or someone involved is absent through sickness or holidays. The CEO should, however, give a realistic timescale for when the complaint should be resolved. The CEO should inform the complainant of when it is expected that the investigation should be completed.
- The appeal will be considered by the CEO.
- The CEO will inform the appellant of the final conclusion in due course.

Stage 3: Appeal Panel

If the complainant remains dissatisfied with the outcome of Stage 2, they should write to the clerk to the governing body via the school office, postmaster@hayes.bromley.sch.uk, giving details of the complaint. The request should set out why they disagree with the decision, no later than 10 working days from the date of the stage 2 decision letter.

The Clerk to the Governing Body will convene a Complaints Panel, within 20 School days of the request, consisting of at least three people who have not been directly involved in the matters detailed in the complaint. The complainant will be given at least 7 school day's notice of the planned meeting and will circulate any written material to all parties at least 5 school days before the date of the meeting.

One panel member will be independent of the management and running of the school. A letter will be sent to the complainant inviting them to attend the hearing, which will provide reasonable notice, and the complainant may be accompanied to the hearing by a friend or family member.

The school will follow the procedures set out in the school's complaints policy at stage 3

