

SAPIENTIA EDUCATION TRUST



OLD BUCKENHAM HIGH SHOOOL
EXAM COMPLAINTS AND APPEALS POLICY

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Executive summary	This policy has been reviewed and amendments made in order to comply with JCQ ICE Regulations
Review Body	Exams Office
Endorsed by	Governing Body
Review frequency & next review due	Annually – March 2021
Comments	This policy will be reviewed in full by the Governing Body on an annual basis.

Purpose of the procedure

This procedure confirms Old Buckenham High School's compliance with JCQ's *General Regulations for Approved Centres 2019-2020*, section 5.8 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."

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 via Head of Centre 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, Old Buckenham High School 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

Issues which have not been resolved through the informal procedure may form the basis of an official complaint.

Parents, carers and guardians wishing to move to this level should write a formal letter to the Headteacher. The letter will need to set out clearly issues which have previously been discussed and why the parent, carer or guardian considers the issue to be unresolved.

The Headteacher will consider the complaint and discuss a resolution with the complainant. The Headteacher should offer a resolution to the complainant in writing within 10 school days of receipt of the letter.

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 10 school days.

Appeals

Following the outcome, if the complainant remains dissatisfied and believes there are clear grounds, an appeal can be submitted requesting a Governors' Complaints Panel.

Time Scales:

Receipt of complainant's letter	Acknowledgement within 5 school days
Receipt of complainant's letter	Governors' Panel meeting within 15 school days (unless this goes into school holidays). Written
Written documentation sent to Governors' Panel Members and complainant and Headteacher	5 school days before meeting.
Governors' Panel members decision communicated to all concerned	As soon as possible but within 10 school days of meeting.

Complainants wishing to move to this level of the formal complaints procedure will need to write a letter to the Chair of Governors to request that a Governors' Complaints Panel meets to hear the complaint. This formal complaint letter must be received within 10 school days of the last meeting with the Headteacher concerning the issue. The complainant should write to the Chair of Governors at the School address marking the envelope 'urgent and confidential'. The letter will need to set out the complaint that has previously been formally discussed with the Headteacher and show why the matter is not resolved.

Before the meeting:

The Chair of Governors should appoint a clerk to the Governors' Complaints Panel, acknowledge the complainant's letter in writing within 5 school days of receipt and arrange for a panel of Governors to meet within 15 school days of receipt. It must be recognised that if the letter is received within 14 school days to the end of term it may not be possible to organise the Governors' panel meeting. In this case the matter should be dealt with within 10 school days of the School reopening.

The Headteacher should be given a copy of the complainant's letter and written documentation should be requested from the School. The clerk should send both the complainant's letter and the School documentation to the Governors' Complaints Panel members, complainant and Headteacher (and anyone else involved in the meeting) at least 5 school days before the date of the meeting.

The complainant and Headteacher will be invited to attend the Governor's Complaints Panel meeting to give a verbal statement in support of their documentation. Each of them can bring someone to support them if they wish.

At the meeting:

The complainant and Headteacher (or his representative) should provide all the relevant information they wish and the Governors' Complaints Panel members should clarify any points. After the complainant and Headteacher (or his representative) have provided all the information they wish, the Chair will ask all parties to leave except the panel members and the clerk.

After the meeting:

The Governors' Complaints Panel will write to all concerned within 10 school days to explain their decision and suggest a resolution to the problem, if appropriate. The decision of the Governor's Complaints Panel is final.

Chapter 3, paragraph 14 of a Guide to the Law for School Governors states: under the Education Act 1996, paragraphs 496 and 497, anyone can complain to the Secretary of State for Education and Skills if he or she believes that a Governing Body is acting "unreasonably" or is failing to carry out its statutory duties properly. However, intervention can only occur if the Governing Body or the Local Authority has failed to carry out a legal duty or has acted

“unreasonably” in the performance of a duty. Intervention would have to be expedient in the sense that there would have to be something that the Secretary of State for Education and Skills could instruct either party to do to put matters right.

Once a Governor’s Complaints Panel has heard a complaint and it is clear that correct procedures have been followed, that specific complaint cannot be reopened. If a request is received in this respect, the Chair of Governors should inform the complainant that the matter is closed.

Any complaints concerning the conduct of school staff will be handled in accordance with the School’s internal disciplinary procedures. The details of such an investigation will remain confidential.