

Complaints and Appeals Procedure

Policy/Procedure creator: John Bevan

Policy/Procedure created/reviewed: 20/10/2022

Centre Name	Westhaven School
Centre Number	50646
Date procedure first created	20/10/2023
Current procedure reviewed by	John Bevan
Current procedure approved by	Governing Body
Date of next review	• 20/10/2023

Key staff involved in the procedure

Role	Name
Exams officer	John Bevan
Senior leader(s)	Not Applicable
Head of centre	Jamie Peacock
Other staff (if applicable)	Not Applicable

This procedure is reviewed and updated annually to ensure that the complaints and appeals in relation to examinations at Westhaven School is managed in accordance with current requirements and regulations.

Reference in this procedure to GR refers to the JCQ publication **General Regulations for Approved Centres**.

Purpose of the procedure

The purpose of this procedure is to confirm the arrangements for complaints and appeals in relation to examinations at Westhaven School and confirms compliance with JCQ's **General Regulations for Approved Centres** (section 5.8) in drawing to the attention of candidates and their parents/carers their written complaints and appeals procedure which covers general complaints regarding the centre's delivery or administration of a qualification.

Grounds for complaint

A candidate (or his/her/parent/carer) at Westhaven School may make a complaint on the grounds below.

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 examination 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

Candidate not informed of their centre assessed mark prior to marks being submitted to the awarding body

Candidate not informed of their centre assessed mark 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 the centre assessed mark Candidate unhappy with

internal assessment decision (complainant to refer to the centre's **internal**

appealsprocedure) Centre fails to adhere to its internal appeals procedure

Additional grounds for complaint relating to teaching and learning:

Not applicable

Access arrangements and special consideration

Candidate not assessed by the centre's appointed assessor

Candidate not involved in decisions made regarding their 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 arrangement(s) in place and the subjects or components of subjects where the arrangement(s) would not apply

Examination information not appropriately adapted for a disabled candidate to access it

Adapted equipment/assistive technology put in place failed during examination/assessment

Approved access arrangement(s) not put in place at the time of an examination/assessment

Appropriate arrangement(s) not put in place at the time of an examination/assessment as a consequence of a temporary injury or impairment

Candidate unhappy with centre decision relating to access arrangements or special consideration (complainant to refer to the centre's **internal appeals procedure**)

Centre fails to adhere to its internal appeals procedure

Additional grounds for complaint relating to access arrangements:

Not applicable

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 examination/assessment

Candidate entered for a wrong examination/assessment

Candidate entered for a wrong tier of entry

Additional grounds for complaint relating to examination entries:

Not applicable

Conducting examinations

Failure to adequately brief candidate on examination timetable/regulations prior to examination/assessment taking place Room in which assessment held did not provide candidate with appropriate conditions for taking the examination

Inadequate invigilation in examination room

Failure to conduct the examination according to the regulations

Online system failed during (on-screen) examination/assessment

Disruption during the examination/assessment

Alleged, suspected or actual malpractice incident not investigated/reported

Failure to inform/update candidate on the accepted/rejected outcome of a special consideration application if provided by awarding body Additional grounds for complaint

relating to the conducting of examinations:

Not applicable

Results and Post-Results

Before examinations, candidate not made aware of the arrangements for post-results services and the availability 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 a decision on the submission of a results 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 Senior Leadership Team to Exams Officer via awarding post results service)

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 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 a candidate without gaining required candidate consent/permission

Additional grounds for complaint relating to results and post-results:

Not Applicable

Complaints and Appeals Procedure

If a candidate (or parent/carer) has a general concern or complaint about the centre's delivery or administration of a qualification, Westhaven School encourages an informal resolution in the first instance. This can be undertaken by Stage 1 of the policy on the school's website, speak directly with the member of staff involved or the Headteacher

<https://www.westhavenschool.org.uk/wp-content/uploads/2022/08/Complaints-Policy-NS-Model-V1.2-Reviewed-October-20.pdf> .

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

complaint

All documentation relating to the submission of a formal complaint is available from, and should be returned to Stage 2 of the school's complaint policy on the school's website, must be in writing to the Headteacher

<https://www.westhavenschool.org.uk/wp-content/uploads/2022/08/Complaints-Policy-NS-Model-V1.2-Reviewed-October-20.pdf> . Formal complaints will be

logged and acknowledged within 5 School days.

To make a formal complaint, candidates (or parents/carers) must Stage 1 - This may be by letter, telephone or in person by appointment Stage 2 - In Writing to the Headteacher

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 the complaint and has no personal interest in the outcome) to investigate the complaint and report on the findings and conclusion.

The findings and conclusion of any investigation will be provided to the complainant within five school working days of the school receiving your formal complaint, of how the school intends to proceed. This notification will include an indication of the anticipated timescales.

Appeals

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

To submit an appeal, candidates (or parents/carers) must Follow stage 3 of the School's complaints policy <https://www.westhavenschool.org.uk/wp-content/uploads/2022/08/Complaints-Policy-NS-Model-V1.2-Reviewed-October-20.pdf> and provide in writing to the Clerk to the Governing Body within ten school working days of receiving the notice of the outcome, and must include a statement specifying any perceived failures to follow the procedure.

Appeals will be logged and acknowledged within Ten school days.
The appeal will be referred to Three members of the Governing Body

(forming a committee). It will be the responsibility of The Chair of the

Committee formed to inform the appellant of the final conclusion.

Additional details on the appeals process:

If the outcome is still not satisfactory then representation may be made to the Secretary of State for Education.

CHANGES 2022/23

(Changed) For clarity under **Teaching and learning**: The marking of an internal assessment, which contributes to the final grade... (To) The marking of an internal assessment (**centre assessed work**), which contributes to the final grade...

(Added) New bullet point to be agreed/disagreed by selecting 'Edit'

(Changed) Heading - **Access arrangements** (To) **Access arrangements and special consideration**

(Changed) Under **Access arrangements and special consideration:** (to reflect terminology in JCQ's 'Access Arrangements and Reasonable Adjustments' publication) 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) (To) Candidate did not consent **to record their personal data online** (by the non-acquisition of a **completed candidate personal data consent form**)

(Added) Two new bullet points to be agreed/disagreed by selecting 'Edit' in relation to the centre's internal appeals procedure (to reflect changes to section 5.3x) of JCQ's 'General Regulations for Approved Centres')

(Changed) For clarity under **Conducting examinations:** Failure to inform/update candidate on the outcome of a special consideration application (To) Failure to inform/update candidate on the **accepted/rejected** outcome of a special consideration application **if provided by awarding body**

(Added) New bullet point under **Results and Post-results** to be agreed/disagreed by selecting 'Edit'

CENTRE-SPECIFIC CHANGES

Not Applicable

Written:	October 2022
Review Date:	November 2022
Signed by Chair of Governors / Chair of Committee:	
Date:	
Date of Next Review:	Oct 2023

History of Document

Version No.	Author/ Owner	Date Reviewed	Approved by Governors on	Comments	Next Review Date
1	John Bevan	24/11/22	24/11/22		Nov 23