



Complaints and Appeals Procedure

Policy/Procedure creator: Yvonne Wilcox

Policy/Procedure created: 07/12/2020

Centre Name	St Michael's Church of England High School
Centre Number	20651
Date procedure first created (dd/mm/yyyy)	07.12.2020
Current procedure reviewed by	Jane Mitchell-Barnes
Current procedure approved by	Colin Nicholls, Chair of Governors
Date procedure to be next reviewed (dd/mm/yyyy)	07.12.2021

Key staff involved in the procedure

Role	Name
Exams officer	Yvonne Wilcox
Senior leader(s)	Christina Handy-Rivett, Senior Deputy Headteacher
Head of centre	Jayne Gray, Headteacher
Other staff (if applicable)	<ul style="list-style-type: none">• Alan Brooks, Deputy Headteacher, Whole School Progress• Carolyn Hill, Senior Deputy Headteacher• Wayne Hill, Assistant Headteacher, Facilities and Resources• Faye Jeffreys, Deputy Headteacher, Teaching, Learning and Assessment Damien Mackinney, Assistant Headteacher, Timetabling and Curriculum

This procedure is reviewed and updated annually to ensure that the complaints and appeals in relation to examinations at St Michael's Church of England High 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 St Michael's Church of England High 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 St Michael's Church of England High 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, 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 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

Additional grounds for complaint relating to teaching and learning:

- Not applicable

Access arrangements

- Candidate not assessed by the centre's appointed assessor
- Candidate not involved in decisions made regarding their access arrangements
- 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)
- 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 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

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 outcome of a special consideration application

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 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 to the centre's **internal appeals procedure**)
- Centre applied for the wrong post-results service/for the wrong examination paper 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, St Michael's Church of England High School encourages an informal resolution in the first instance. This can be undertaken by raising the concern or complaint in person, by telephone or in writing to the head of centre..

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 Yvonne Wilcox, Exams Officer. Formal complaints will be logged and acknowledged within 10 calendar days..

To make a formal complaint, candidates (or parents/carers) must complete and return a complaints and appeals form. .

How a formal complaint is investigated

- If the complaint is against the Headteacher, the complainant will initially need to write, in confidence, to the chair of the governing board. The chair will seek to resolve the issue informally before moving directly to stage three of the procedure.
- In terms of a complaint being made against a member of staff, the Headteacher will discuss the issue with the staff member in question. Where necessary, the Headteacher will conduct interviews with any relevant parties, including witnesses and children, and take statements from those involved.
- All discussions shall be recorded by the Headteacher and findings and resolutions will be communicated to the complainant either verbally or in writing.
- Once all facts are established, the Headteacher shall contact the complainant in writing with an explanation of the decision.
- Any further action St Michael's Church of England High School plans to take to resolve the issue will be explained to the complainant in writing.
- If the complainant is not satisfied with the outcome suggested, the procedure will progress to stage three.

The findings and conclusion of any investigation will be provided to the complainant within 4 working weeks..

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

- submit the appeal in writing to the chair of governors within 20 school days.
 - written acknowledgement of the complaint will be made within 3 school days. This will inform the complainant that a CAP will hear the complaint within 20 school days.
 - the chair of governors, or other nominated governor, will convene a governing board CAP comprising three members of the governing board.
 - if the complainant believes there is likely to be bias in the proceedings, they reserve the right to request an independent panel.
- St Michael's Church of England High School will consider the request but ultimately the decision is made by the governing board.
- 5 days' notice will be given to all parties attending the CAP, including the complainant.
 - Prior to the hearing, the chair of governors will have written to the complainant informing them of how the review will be conducted. The Headteacher will also have a copy of this letter.

- At the hearing, all participants will be given the opportunity to put their case across and discuss any issues.
- The CAP will consider issues raised in the original complaint and any issues which have been highlighted during the complaints procedure.
- The meeting should allow for:
 - The complainant to explain their complaint and the Headteacher to explain the reasons for their decision.
 - The complainant to question the Headteacher, and vice versa, about the complaint.
 - Any evidence, including witnesses who have been prior approved by the chair of the CAP, to be questioned.
 - Members of the CAP to question both the complainant and the Headteacher.
 - Final statements to be made by both parties involved.
- The complainant will receive a written response explaining the final outcome within 15 school days. This letter will also explain whether there are any further rights of appeal and to whom they need to be addressed.

Appeals will be logged and acknowledged within Not Applicable.

The appeal will be referred to Not Applicable.

It will be the responsibility of Not Applicable to inform the appellant of the final conclusion.

Additional details on the appeals process:

Not Applicable