

Complaints and Appeals Procedure

Policy/Procedure creator: Kelly Ghosal

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Centre Name	Ralph Thoresby School
Centre Number	37655
Date procedure first created	01/10/2020
Current procedure reviewed by	Kelly Ghosal
Current procedure approved by	Waiting for approval
Date of next review	March 2023

Key staff involved in the procedure

Role	Name
Exams officer	Kelly Ghosal
Senior leader(s)	Angela Caswell, Stephen Hackshaw, Graham Cowgill
Head of centre	Will Carr
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 Ralph Thoresby 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 Ralph Thoresby 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 Ralph Thoresby 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**)
- (updated 2021/22) 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, Ralph Thoresby School encourages an informal resolution in the first instance. This can be undertaken by Raising the concern 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 Will Carr (Head of centre). Formal complaints will be logged and acknowledged within 15 school days..

To make a formal complaint, candidates (or parents/carers) must

- A complaint can be made in person, by telephone, or in writing by completing a complaint form
- Forms will be made available from the school website: www.ralphthoresby.com in the policies section
- Completed forms should be returned to Mr Will Carr (Head of centre)
- The Governing body will monitor the level and nature of complaints and review the outcomes on a regular basis to ensure the effectiveness of the procedure, making changes where necessary
- Forms received will be logged by the centre and acknowledged within 15 school days

How a formal complaint is investigated

- Formal Stage 1: a formal written complaint is considered by the Headteacher/Investigating Officer, or - if the complaint is about the head teacher – by the Chair of Governors or nominated governor. The decision of the Headteacher or Chair of Governors at this stage is usually final.
- Formal Stage 2: If Stage 1 has been worked through and the complainant is unhappy with the way in which their complaint has been handled, the case can be referred to a panel of three governors. The panel will carry out a review of the investigation carried out at formal stage one to consider the way the complaint has been investigated and handled by the school. This stage does not involve a rehearing of the complaint.

The findings and conclusion of any investigation will be provided to the complainant within 4 working weeks, this can be adjusted to meet external deadlines e.g. awarding body appeals deadlines..

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

- If the complaint has already been through Stage 1 and the complainant is unhappy with the way in which it has been handled, they may take it to Formal Stage 2. This comprises a hearing before a Governors Appeal Panel. This is a formal process and the ultimate recourse at school level.
- An appeal to Formal Stage 2 must be made to the Chair of Governors within 10 school days of the receipt of the outcome of Stage 1 of the procedure.

- The school will aim to convene the appeal hearing within a further 20 school days. The complainant, the Headteacher/Investigating Officer, the governors and any other relevant parties will be informed of the date, time and venue of the appeal hearing. Any documentation relating to the hearing will be sent to the parties 5 school days in advance of the hearing.
- The purpose of the appeal hearing is to give the complainant the chance to present their concerns with regards to whether the investigation has been conducted fairly and the correct procedures followed. This will be done before a panel of governors who will have no prior knowledge of the details of the case and who can, therefore, consider it without prejudice. The panel will consist of three persons not directly involved in the matters detailed in the complaint.
- The aim of a Panel is not to rehear the complaint: they will not go through the case again. Their role is to review the way in which the complaint has been investigated and to determine whether this has been done fairly and that the correct procedure has been followed. It will also make appropriate recommendations.
- The complainant may ask someone (not acting in a legal capacity) to accompany them to the meeting for support and to help them to explain the reasons for their complaint. The choice of person is the complainants own but it is preferable to involve someone in whom they have confidence but who is not directly connected with the school.
- The Panel will hear the report of the Headteacher/Investigating Officer at Stage 1 and any submissions on that report by the complainant. The review should not entail a rehearing of the case.
- The Panel may:
 - 1. dismiss the complaint in whole or in part;
 - 2. uphold the complaint in whole or in part;
 - 3. decide on the appropriate action to be taken to resolve the complaint;
 - 4. recommend changes to the school's systems or procedures to ensure that problems of a similar nature do not recur

Appeals will be logged and acknowledged within 10 school days.

The appeal will be referred to Chair of Governors.

It will be the responsibility of The Chair of Governors (or committee) to inform the appellant of the final conclusion.

Additional details on the appeals process:

- Within 3 school days.
- The decision of the panel is final.