



Complaints and Appeals Procedure

Policy/Procedure creator: Simone King

Policy/Procedure created/reviewed: 29/03/2022

Centre Name	The Elland Academy
Centre Number	37730
Date procedure first created	September 2021
Current procedure reviewed by	Simone King
Current procedure approved by	Ed Staton
Date of next review	September 2022

Key staff involved in the procedure

Role	Name
Exams officer	Simone King
Senior leader(s)	Simone King, Linda Scott, Kirsty Fields
Head of centre	Ed Staton
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 The Elland Academy 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 The Elland Academy 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 The Elland Academy 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:

N/A

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:

N/A

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:

N/A

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:

N/A

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:

N/A

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, The Elland Academy encourages an informal resolution in the first instance. This can be undertaken by Raising the concern in person, in writing or via the telephone..

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 Dirk Pittard. Formal complaints will be logged and acknowledged within 10 working days. Where a complaint is made outside of term time dates, the 10 working dates will be counted from the start of the next school term..

To make a formal complaint, candidates (or parents/carers) must complete and return the complaints form - Appendix 1 of Delta complaints policy and procedures to the Head of Academy..

How a formal complaint is investigated

- The Principal, AAB Chair or Executive Leadership Team member will normally delegate responsibility for undertaking an investigation of the complaint to an appropriate member of their team unless he/she deems it appropriate for him/her to deal with the matter personally.

- The Principal, AAB Chair or Executive Leadership Team member will decide, after considering the complaint, the appropriate course of action to take.

- In most cases, the Principal, AAB Chair or Executive Leadership Team member will meet or speak to the complainant concerned to discuss the matter. If possible, a resolution will be reached at this stage.

- A written record of all meetings, interviews and telephone conversations held in relation to the complaint will be kept. All stages of the process should be documented in a single file. All such records are subject to the Freedom of Information and Data Protection Acts. Content should be factual and objective.

The findings and conclusion of any investigation will be provided to the complainant within 10 working days following initial contact with the complainant.

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 lodge their appeal in writing and within ten (10) working days of the date of the Stage Two decision. Complainants should provide details of the complaint made and the reasons why they believe the complaint has not been resolved by the Stage Two Procedure. Complainants should also outline how they wish their complaint to be resolved.

Appeals will be logged and acknowledged within 20 working days after receipt of request..

The appeal will be referred to Head of centre, AAB or executive Leadership team.

It will be the responsibility of Head of Academy to inform the appellant of the final conclusion.

Additional details on the appeals process:

N/A