



Hayle Academy

Complaints and Appeals Procedure (Exams) 2023-2024



School Name: Hayle Academy

Consultation: This policy has been written in line with DfE legislation

Dissemination: Staff Google Drive and website.

Date policy becomes effective: Immediately

Review date: November 2024

Person responsible for Implementation and Monitoring: Headteacher/Exams Officer

Links to other relevant policies: JCQ Policies, Examinations Policy, TPAT Complaints Policy

Key staff involved in the complaints and appeals process

Role	Name(s)
Head of Centre	Melissa Lock
Exams Officer	Farrah Fulton
Headteacher	Melissa Lock
Deputy Headteacher	James Woodward

Purpose of the Procedure

This procedure confirms Hayle Academy's compliance with JCQ's **General Regulations for Approved Centres** (section 5.8) that the centre will draw to the attention of candidates and their parents/carers their written complaints and appeals procedure which will cover general complaints regarding the centre's delivery or administration of a qualification. Further information can be found in the TPAT Complaints policy.

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 data personal consent form*)
- 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 (on-screen) 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 a 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 via Headteacher to the centre's *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 candidate without gaining required candidate consent/permission

- **Complaints and Appeals Procedure**
- The information below is a summary, further detail, and the Complaints Form can be found in the TPAT Complaints Policy available on the school website.
- If a candidate (or their parent/carer) has a general concern or complaint about the centre's delivery or administration of a qualification they are following, Hayle Academy encourages them to try to resolve this informally in the first instance. Concerns should be raised with either the class teacher or Head of Faculty by email. The school will provide an informal written response within 15 school days of the date of receipt of the complaint.
- 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**
- Formal complaints must be made to the Headteacher
- This should be done in writing (preferably on the Complaint form)
- Forms are available from the school website (from the TPAT Complaint Policy)
- Completed forms should be returned to the school office
- Forms received will be recorded by the centre and acknowledged within 5 school days

- **How a formal complaint is investigated**

- The Headteacher 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 in writing within 20 school days.
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- **Conflict of Interest**
 - Where a conflict of interest arises then an alternative senior member of the SLT (Senior Leadership Team), in this instance the Deputy Headteacher, will assume the position responsible for investigating a Complaint or Appeal. The following process should be followed.
 - Formal complaints where there is a conflict of interest must be made to the Deputy Headteacher
 - This should be done in writing (preferably on the Complaint form)
 - Forms are available from the school website (from the TPAT Complaint Policy)
 - Completed forms should be returned to the school office
 - Forms received will be recorded by the centre and acknowledged within 5 school days

Following the outcome, if the complainant remains dissatisfied and believes there are clear grounds, the Headteacher will advise the complainant of how to escalate their complaint, using the TPAT Complaint Policy.