

# Complaints Policy (Exams)

<b>Policy:</b>	Complaints (Examinations)
<b>Policy Lead:</b>	Examinations Manager
<b>Category:</b>	Public
<b>Statutory:</b>	Yes
<b>Website (<a href="http://www.loreto.ac.uk">www.loreto.ac.uk</a>):</b>	Yes
<b>Reviewed by:</b>	SLT, Asst Principal: Curriculum, Dir of College Services, HOF Inclusion
<b>Approved by:</b>	Board of Governors
<b>Date Approved:</b>	March 2025
<b>Review Period:</b>	3 years
<b>Next Review Date:</b>	March 2028

## Purpose of the policy

This policy confirms Loreto Sixth Form College compliance with JCQ's **General Regulations for Approved Centres** (sections 5.3, 5.8) in drawing to the attention of candidates and their parents/carers its written complaints and appeals procedures which will cover general complaints regarding the centre's delivery or administration of a qualification.

## Grounds for complaint

A candidate (or their parent/carer) may make a complaint on the grounds below (this is not an exhaustive list).

### 1. 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 (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 marks prior to marks being submitted to the awarding body
- Candidate not informed of their 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
- Candidate unhappy with internal assessment decision (complainant to refer via Head of Centre to the centre's *internal appeals procedure*)
- Centre fails to adhere to its *internal appeals procedure*

### 2. 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 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/assistive technology 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
- Candidate unhappy with centre decision relating to access arrangements or special consideration (complainant to refer via Head of Centre to the centre's *internal appeals procedure*)
- Centre fails to adhere to its *internal appeals procedure*

### 3. 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

#### 4. 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
- The centre being at fault for an online system having 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 accepted/rejected outcome of a special consideration application if provided by awarding body

#### 5. 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 Head of Centre 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 candidate without gaining required candidate consent/permission

### Complaints and Appeals Procedure / Raising a concern/complaint

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, Loreto Sixth Form College encourages them to try to resolve this informally in the first instance, this will usually be through the student's Head of Hall or the Exams Office. The member of staff will try to resolve the matter.

**Appeals and complaints against coursework/NEA are covered in the separate Coursework/NEA Appeals Procedure and students must use that procedure.**

If a complaint is not resolved informally, the candidate (or his/her parent/carer) can then choose to make a formal complaint.

#### How to make a formal complaint

- A formal complaint relating to exams should be submitted in writing using the 'Exam Complaints and Appeals form'
- Forms are available from the Exams Office and are also below
- Completed forms should be returned to the Exam Office
- Forms received will be logged by the centre and acknowledged within 10 working days

#### How a formal complaint is investigated

- In line with the College's existing complaints policy and procedure formal stages:
  - The Exams Officer will send the complaint to the Principal.
  - The Principal will direct the complaint to the appropriate manager for action, which could, for example, be a Senior Manager or the Exams Officer.

- The manager will investigate the complaint in-line with the College's existing Complaints Policy & Procedure and will decide either to find some or all of the complaint is justified or dismiss it if the complaint is unwarranted.
- The findings and conclusion will be provided to the complainant within 10 working days of the Principal receiving the complaint. The College will also inform the relevant Awarding Organisation of the findings of the complaint if appropriate and justified. A copy of all relevant correspondence will be sent to the Principal's Office.

## **Appeals: Internal appeals procedure**

Following the outcome of the investigation of the complaint, if the complainant remains dissatisfied and believes there are clear grounds, an appeal can be submitted. This will follow the College's Complaints Policy & Procedure which has been reproduced here:

### **APPEALS AGAINST DECISIONS**

1. If the complainant wishes to appeal to the Principal against the decision made in response to a formal complaint, it can only be on the following grounds:

- A quality-of-service failure involving standards of teaching, student guidance, information given, discretions exercised, facilities, resources or accommodation.
- Unreasonable actions by the college or the college failing to do what is expected of it.

2. The Principal may consider further evidence offered by the student or parents/carers can offer in the complaint.

3. Within five working days of reviewing the complaint, or of the expiry of that period, the Principal will write to the student and parents/carers to inform them of his decision on whether to uphold or overrule the original outcome of the complaint.

4. In this letter the student and parents/carers will be informed that they can make an appeal to the Governors', only if the College did not follow procedures properly. The Governors' must meet within fifteen working days of receiving the student's or their parent's/carer's appeal, which in turn should be lodged with the Clerk of Governors, at the College address within 7 working days of the date of the Principal's letter informing the parents and student of his decision to uphold the original outcome of the complaint.

5. The Governors' Procedural Review Appeals Committee will comprise of no more than three members of the Governing Body, to include either the Chair or a nominated representative of the Standards Committee.

6. This Committee will determine if all College procedures have been followed. The Committee will consider:

- A written representation from the student/parent/carer as to why they feel procedures have not been followed.
- A report on action taken and procedures followed by the member of staff who investigated the complaint.

The Committee may choose to request further information from the student/parent/carer or college as necessary.

7. The Governors' Procedural Review Appeals Committee will decide if the College has:

- A. Appropriately followed procedures
- B. Not followed procedures and identify where the college deviated from these procedures and/or
- C. May recommend to the Principal that any decisions are reviewed if procedures have not been

fully adhered to.

8. The decision of the Governors' Procedural Review Appeals Committee is final.

9. Both the student/parent/carer and the Principal will be informed of the Governors' Procedural Review Appeals Committee's decision, within 10 working days of the Procedural Review Appeal meeting being held.

10. If, at any stage, it is established that procedures have not been adhered to and in light of any comments made by governors, the Principal will reflect on the impact/significance of the deviation from procedures and will determine if:

1. the original outcome from the complaint should still stand.
2. there should be a revised outcome from the complaint.

11. Appeals are not possible if:

- The college has no discretion in the matter, such as the level of certain fees, some course requirements and legal restraints.
- It concerns a disciplinary matter that has already been the subject of an appeal.
- The complaint can be better made to an outside body that is responsible such as an examination board, the local authority, an employer or a managing agent.
- The issue is the subject of legal proceedings.

## Exam Complaints and Appeals form

FOR CENTRE USE ONLY	
Date received	
Reference No.	

Please tick box to indicate the nature of your complaint/appeal

- ☐ Complaint/appeal against the centre's delivery of a qualification
- ☐ Complaint/appeal against the centre's administration of a qualification

Name of complainant/appellant	
Candidate name (if different to complainant/appellant)	
Please state the grounds for your complaint/appeal below:	
<p>If your grounds are lengthy, please write as bullet points; please keep to the point and include relevant detail such as dates, names etc. and provide any evidence you may have to support what you say</p> <p>Your appeal should identify the centre's failure to follow procedures as set out in the relevant policy, and/or issues in teaching and learning which have impacted the candidate</p> <p style="text-align: center;">If necessary, continue on an additional page if this form is being completed electronically or overleaf if hard copy being completed</p>	
Detail any steps you have already taken to resolve the issue(s) and what you would consider to be a good resolution to the issue(s)	
Complainant/appellant signature:	Date of signature:

This form must be completed in full - an incomplete form will be returned to the complainant/appellant

## Complaints and Appeals log

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