

# COMPLAINTS (Exams)

## 2023/24

This policy is reviewed annually to ensure compliance with current regulations

Approved/reviewed by	
Sonja Unwin	
Date of next review	Sept 24

## Key staff involved in the policy

Role	Name(s)
Head of centre	Sonja Unwin
Exams officer	Tracey Butler
Senior leader(s)	Jannine Clapp, Justin Delap, Rachel Fox, Faye Green, Kirsty Honeysett, Penny King, Ryan Nash, Thomas Unwin, Toby Watkins, Ben Wilkinson

## Purpose of the policy

This policy confirms Nova Hreod Academy's 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 policy which will cover general complaints regarding the centre's delivery or administration of a qualification.

## 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
- 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
- Candidate unhappy with internal assessment decision (complainant to refer via Sonja Unwin to the centre's *internal appeals procedure*)
- Centre fails to adhere to its *internal appeals procedure*

### Access arrangements and special consideration

- 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 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 Sonja Unwin to the centre's *internal appeals procedure*)
- Centre fails to adhere to its *internal appeals procedure*

### 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 accepted/rejected outcome of a special consideration application if provided by awarding body

## 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 Sonja Unwin 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

## Raising a concern/complaint

If a candidate (or his/her parent/carer) has a general concern or complaint about the centre's delivery or administration of a qualification he/she is following, Nova Hreod Academy encourages him/her to try to resolve this informally in the first instance.

If a complaint fails to be resolved informally, the candidate (or his/her parent/carer) is then at liberty to make a formal complaint.

### Stage 1

- If you have had an issue that you have tried to address without success, you can contact the Academy via email and address your complaint to the Head of Centre Sonja Unwin who oversees Nova Hreod Academy. The majority of Academy-related concerns and complaints are dealt with successfully in this way. Few people want a long drawn out process, so the aim is to ensure that complaints are addressed promptly and resolved informally wherever possible. The email address is [admin@novahreodacademy.org.uk](mailto:admin@novahreodacademy.org.uk)
- 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 (Stage 2)**

- Where it is not possible to resolve the matter informally, or if the complaint is specifically about the Head of Centre Sonja Unwin, the next step is to write to Nancy Ang, the Clerk to the Swindon Cluster Governing Body, who may be contacted via email at Nancy.Ang@swindon-academy.org
- The Clerk will pass the complaint to the Chair of Governors who will either: -
- Investigate your complaint
- Ask United Learning to investigate your complaint
- At the end of the investigation, you may be invited to a meeting to get feedback, or you will receive a written response by email.
- The local governing body will only deal with stage 2 complaints. If stage 1 has been bypassed, the matter will be passed back to the complainant who will be asked to contact the Head of Centre in the first instance.

## **Stage 3**

- If you are still unhappy after this investigation, an independent panel of governors will convene a complaints committee to hear your case at a mutually convenient time and place. The panel will consist of at least three people who were not directly involved in the complaint and one member who will be independent of the management and running of the school.

## **Timescales**

- Stage 1 - the Academy will reply to your complaint within 15 school days
- Stage 2 - you should receive a reply within 15 school days
- Stage 3 - you should receive a reply within 20 school days
- There is a longer time limit at stage 3 because your complaint may be complicated and take longer to investigate. If this is the case, you will be notified.

## **Why are complaints referred to governors rather than the education department?**

Under the local management of school's legislation, headteachers are directly accountable to the governing body of the school/academy, and not to the Local Authority. Complaints and concerns must therefore be dealt with by the governors of a school/academy, with guidance and advice from the Local Authority education department where requested.

## **Are there any exceptions to these complaints' procedures?**

Some complaints about educational issues are dealt with in a slightly different way. There are special arrangements in law if you want to appeal about the following:

- Admission to school
- Exclusions from school
- School reorganisation proposals
- Special education provision
- Religious education and collective worship
- Curriculum issues

Set procedures must be followed for each of the above. If your complaint relates to any of the above areas please contact Swindon Borough Council, Civic Offices, Euclid Street, Swindon SN1 2JH.

## **What if I remain dissatisfied after the Governor's complaints hearing?**

Stage 3 is the last Academy-based stage of the complaints process, however if you remain dissatisfied there are two possible courses of action:

### **Either**

Complainants have a lawful right of appeal to the Secretary of State for Education and Skills that the Local Authority has acted unreasonably. In such cases, the Department for Education (DfE) will examine the complaint against the Local Authority and adjudicate. The DfE has the power to require the Local Authority to take certain actions (including issuing of instructions to school governing bodies in appropriate circumstances)

### **Or**

If you think that you have been treated unfairly as a result of maladministration leading to injustice having followed the procedure set out here, you may ask the Local Government Ombudsman to investigate. Please note that the Ombudsman can look into complaints about how we have done something, but he cannot question what has been done simply because you do not agree with it. The Local Government Ombudsman can be contacted via the Swindon Borough Council.

## Complaints form

FOR CENTRE USE ONLY	
Date received	
Reference No.	

Please tick box to indicate the nature of your complaint

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

Name of complainant	
Candidate name (if different to complainant)	
Please state the grounds for your complaint 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>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 signature:	Date of signature:

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

