

Community Learning MK

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Complaints and Appeals Procedures (Exams) 2022-23



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Purpose of the Complaints and Appeals Procedure

The purpose of this procedure is to confirm the arrangements for complaints and appeals in relation to examinations at CLMK 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. [[JCQ General Regulations for Approved Centres \(GR\)](#)]

Grounds for complaint

A candidate (or his/her/parent/carer) at CLMK 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 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 (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 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
- Candidate unhappy with internal assessment decision (complainant to refer to the centre's internal appeals procedure)
- Centre fails to adhere to its internal appeals procedure

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 record their personal data online (by the non-acquisition of a completed **candidate personal data 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/assistive technology 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
- Candidate unhappy with centre decision relating to access arrangements or special consideration (complainant to refer 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 examination/assessment
- Candidate entered for a wrong examination/assessment
- Candidate entered for a wrong tier of entry

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
- 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 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*)
- 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 a candidate without gaining required candidate consent/permission

Complaints and Appeals Procedure

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, Community Learning MK encourages him/her to try to resolve this informally in the first instance. A concern or complaint should be made in person or in writing to the Curriculum Manager or Head of Centre.

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

- To make a formal complaint, candidates must complete and return a *Complaints and Appeals Form*
- All documentation relating to the submission of a formal complaint is available from and should be returned to the relevant Curriculum Manager or Exams Officer, who will inform the Head of Centre
- Formal complaints will be logged by the centre and acknowledged within **3 working days**

How a formal complaint is investigated

- The Head of Centre 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 within **12 working days**

Appeals

Following the outcome, if the complainant remains dissatisfied and believes there are clear grounds, an appeal can be submitted

- Appeals must be made in writing by the candidate (or parent/carer) using the *Complaints and Appeals Form*
- Completed forms should be returned to the Head of Centre
- Appeals will be logged and acknowledged within **3 working days**
- The appeal will be referred to a special Committee of the senior leadership team for consideration
- It will be the responsibility of the special Committee of the senior leadership team to inform the appellant of the final conclusion of the appeal within **15 working days**

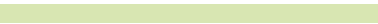
Complaints and appeals form

This form should be completed in all cases to lodge a complaint or appeal.

Please tick to indicate the nature of the 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 <i>if different to complainant/appellant/</i>	
Subject/ Qualification	
<p>Please state the grounds for your complaint/appeal below:</p> <p><i>If your complaint is 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</i></p> <p><i>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</i></p> <p style="text-align: right;"><i>Continue overleaf if necessary</i></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:

The complaint/appellant declaration must be signed, dated and returned to the Curriculum Manager, Exams Officer or the Head of Centre.

