



Co-op Academy
Failsworth

COMPLAINTS POLICY AND PROCEDURE

**Including Annex 1 Complaints about
Examinations**

Issue 3

The academy wishes to maintain close working relationships between pupils, their parents/carers, staff, community and governors. We recognise the need to be fair and objective in the resolution of any issue that may arise and we also aim to have a simple and clear procedure in place for dealing with any formal complaints which helps everyone feel the matter has been dealt with in this way.

1. Introduction

- 1.1. In accordance with The Education Independent School Standards (England) Regulations 2014 all Academies must have in place and make available to parents of pupils a procedure to deal with all complaints relating to their academy (which may include any complaints about community facilities or services that the academy provides).

This academy complaints procedure sets out how the academy will respond to any complaints received, and adheres to the Best Practice Advice in respect of the handling of complaints provided by both the Education and Skills Funding Agency (E&SFA) and the Local Authority (LA).

This procedure will apply to most general complaints received by the academy. It is not intended to cover those matters for which there is a specific statutory requirement, or where there is a separate appeal process that parents can access. (For example in respect of special needs assessment and exclusions). Concerns about allegations of a safeguarding nature, and staff disciplinary matters will be dealt with through the governing body and LA procedures that have been adopted for these purposes. Complaints about services provided by other agencies using the academy facilities should be progressed in the first instance direct with the provider concerned.

- 1.2. Information for parents regarding this procedure and how to progress a concern or complaint is available on the academy website, or can be obtained via the academy office on request.
- 1.3. The Headteacher will have responsibility for ensuring a robust and fit for purpose complaint process is in place, and will assess each case in respect of the level of involvement of the Headteacher at each individual stage.
- 1.4. Should any individual academy governor or member of the staff team be approached about a complaint they should assist the complainant to access the academy complaint procedure, or direct them to the Headteacher or the Chair of Governors. It is important that no individual governor becomes involved in the investigation of a complaint as this will prejudice their involvement if this is required at a later stage.
- 1.5. It is expected in line with the E&SFA guidance that most concerns and complaints will be dealt with and resolved informally in the first instance, usually by the class teacher or Pastoral Leader and without the need to invoke any formal investigation process. Where matters cannot be resolved informally then a formal written complaint may be raised with the academy.
- 1.6. Complaints will be considered by the academy as quickly as possible with emphasis on early resolution, therefore any concern or complaint will need to be raised with the academy as soon as possible after the incident or concern arises. The academy will not generally consider any complaint made later than three months after the incident or concern has arisen. Where complaints are made outside of this timeframe they will be considered on a case by case basis by the Headteacher who will determine whether the academy feels able to reasonably and practicably investigate and respond.
- 1.7. The Governing Body will nominate five governors to form a Complaints Committee from which when needed, three members can be identified to form a Complaints Hearing Panel. The Governing body will have wherever possible regard to the advantages of having a mix of different type of governor on the committee and be sensitive to issues of equal opportunity in the composition of the committee.
NB: The Headteacher will not be involved in the preparations or management of this committee or the panel hearing stage of the complaint process.
- 1.8. When a panel hearing request is received a Chair Person (who is independent of the management and running of the Academy) will be nominated and two panel members selected to hear the complaint and review the academy's response. Complainants have the right to request an independent panel, if they believe there is likely to be bias in the proceedings. Any such request will be considered, but ultimately this decision will be made by the academy.
- 1.9. The Governing Body will be provided with a report in respect of the number and type of complaints received by the academy, and any actions/improvement taken as a result of complaint outcomes and information.

2. General principles

- 2.1. Complaints will be responded to quickly and in a way that is consistent with fairness to all and with access to all stages.
- 2.2. Where a complainant has difficulty in providing written details of their complaint or other support needs are identified, then an alternative method of contact and support will need to be agreed.
- 2.3. Staff who may be the subject of a complaint or questioned as part of a complaint investigation must be treated fairly and have an opportunity to respond. They should be offered appropriate support and kept informed as to the outcome.
- 2.4. Confidentiality is important, and all conversations and correspondence must be treated accordingly. Parents will need to be reassured and feel confident that making a complaint will not disadvantage their child. Anonymous complaints cannot be investigated and responded to, however the academy will take any internal action that may be identified as being necessary.
- 2.5. If the outcome of a complaint is that the academy is shown to be at fault, then the academy will take appropriate action to address matters.
- 2.6. All staff and governors in the academy will have the opportunity to take part in training or briefing sessions to raise their awareness of the complaint procedure, and develop their skills in responding to complaints and concerns.
- 2.7. We will aim to ensure that parents feel that they can raise any concerns they may have with staff without undue formality, either in person, by telephone or in writing. There may be occasions when it is appropriate for someone to act on behalf of a parent in such an approach, where this is the case appropriate permission will be sought before accepting the complaint.
- 2.8. Parents may not always wish to make a complaint, they may wish to make a compliment, ask a question or express an opinion, and the academy will welcome positively any such feedback and suggestions. A preliminary discussion with academy staff may be needed to clarify any issue and help to decide whether the parent wishes to take any matter further.
- 2.9. Staff will respond initially to any concerns or complaint, with the Headteacher normally dealing with those complaints that proceed to a later stage. At any stage however the Headteacher may designate responsibility for the investigation of a complaint to another member of staff or the Chair of Governors where this is felt to be appropriate.
- 2.10. Any complaint investigation will be conducted in a way that is fair and transparent and the complainant will be kept updated as to progress made and any timescales.
- 2.11. In the case of serial or persistent complaints or where the complaint is deemed to be malicious and where the outcome sought is not one which is reasonable or achievable, or where the behaviour of a complainant in pursuing their complaint is deemed to be unacceptable, the academy will put in place a management plan and respond to such complaints and behaviour in line with academy policies and the guidance provided by the E&SFA, the Local Government Ombudsman and the Local Authority.

3. Complaint procedure – Stage one (Informal Resolution)

- 3.1. Parents will be offered opportunity for an informal discussion with an appropriate member of staff regarding their concerns or complaint.
- 3.2. If the member of staff cannot deal with the matter immediately, they should make firm arrangements for when it will be dealt with, or refer the matter to another member of staff.
- 3.3. Where the concern or complaint is regarding a serious matter this may require the immediate attention or involvement of the Headteacher, and staff should seek advice from the Headteacher or Senior Leadership Team where necessary.
- 3.4. If the complaint is about the Headteacher, the complainant should be advised to put their complaint in writing direct to the Chair of Governors. Complaints about the Chair of Governors or any individual governor should be made in writing to the Clerk to the Governing Body.
- 3.5. If no satisfactory solution can be found within 15 working days or any other agreed timeframe, the complainant if they wish may ask for their complaint to be progressed to the next stage of the process. They will be given clear information on how to proceed and any advice and support that may be available to them.

4. Complaint procedure – Stage two (Formal Investigation)

- 4.1. Parents who wish to progress a complaint to stage two will be asked to put the complaint in writing to the Headteacher, or where appropriate to arrange an appointment to meet with the Headteacher. The complaint will be acknowledged either orally or in writing within five working days of receipt, and the complainant will be provided with information about what will happen next and the timescale for response. A response will normally be provided by the Headteacher or nominated responder within 15 working days of receipt of the complaint details. If it is not possible to deal with the matter in this timeframe, the complainant will be informed of when it is likely to be concluded.
- 4.2. The complainant will be offered opportunity to discuss their complaint and provide any additional information, and can if they wish be accompanied to any meeting arranged by a friend or relative for support.
- 4.3. The Headteacher (or designated member of staff) will then investigate the complaint including as necessary interviewing witnesses, obtaining statements from those involved and reviewing information available. Where it is deemed necessary to speak to pupils this will be done in a way that is sensitive, and normally with a parent/guardian present or with their consent. In some circumstances it may not be possible for a parent to attend any meeting or interview and in this case a senior member of staff with whom the pupil feels comfortable should attend with him/her.
- 4.4. The Headteacher (or designated member of staff) will keep a written record of any interviews, meetings, telephone conversations and other complaint documentation.
- 4.5. Once all the relevant facts have been established, the Headteacher (or designated member of staff) will arrange for the complainant to receive a written response to their complaint detailing how the complaint has been investigated and any outcome, remedy or actions agreed. Where it is felt to be helpful, a meeting with the complainant to discuss the outcome and try to provide for a resolution may be offered. The complainant should be advised in the response letter that if they remain dissatisfied with the outcome and wish to take the complaint to the final stage that they will need to contact the Chair of Governors with a written request for a complaint panel hearing to be convened within ten working days of receiving the letter detailing the stage two outcome of the complaint.
- 4.6. Where it is felt to be helpful by the academy and the complainant the Chair of Governors may be asked prior to a panel to look at any further resolution to the complaint that may be available.
- 4.7. If the complaint is in respect of the Headteacher or if the Headteacher has been very closely involved at stage one, the Chair of Governors should carry out any stage two investigation.

5. Procedure - Stage three: Panel Hearing

- 5.1. The following procedure will be followed upon receipt of a written request from the complainant for the complaint to proceed to stage three.
- 5.2. Upon receipt of a written stage 3 request from the complainant, the request will be acknowledged and confirmation provided that a Governing Body Complaint Hearing Panel will be arranged to hear the complaint within ten working days of receipt of the request.
- 5.3. The Clerk to the Governing body will consult with the Chair of Governors and identify three panel members (one of whom, the Chair must be independent of the Academy), and a date for the panel meeting will be agreed.
- 5.4. The Clerk will write to the Headteacher, Chair of Governors and the complainant confirming the agreed panel date, time and venue, including details of the timeframe within which they must submit any documentation for consideration by the panel members. All parties will be given at least five working days' notice of the panel date.
- 5.5. The letter of notification to the complainant should also inform him/her of their right to be accompanied by a friend/relative for support.
- 5.6. The clerk will ensure that all those attending the panel receive a panel information pack containing all of the information submitted by the complainant and the academy, no later than three working days prior to the panel date agreed.
- 5.7. Normally at the Panel the Headteacher will represent the academy and any other staff involved in the complaint. The attendance at the panel of academy staff other than the Headteacher, pupils or witnesses will be subject to the discretion of the Headteacher and the Panel Chair.

- 5.8. The academy or Panel Chair may request (subject to Service Level Agreement) that a representative/s from the Local Authority attends the panel to provide advice in respect of the complaint process, or where a professional opinion or advice may be considered helpful.
- 5.9. The Panel Chair will make appropriate arrangements for notes to be taken to aid the panel in their deliberations and response, and these will be kept with the complaint record, and can be made available on request to attendees.

NB: Any notes or minutes will be subject to Data Protection/confidentiality considerations and may need to be redacted to protect any third parties involved.

It is not appropriate for legal or Union representatives to attend any complaint panel meeting as it is not within the remit of the complaint process to consider any legal or staff HR matters.

Complaint Panel Hearings should not be tape recorded on any device, other than in exceptional circumstances where prior agreement and consent has been obtained from all parties involved and subject to agreement by the Chair.

The panel meeting:

- 5.10. The Chair of the panel will ensure that the proceedings are as informal as possible and that the complainant feels at ease. The Chair will make introductions and confirm the remit of the panel, along with the details of the complaint and any outcome sought.
- 5.11. The aim of the panel will be to listen to all parties attending and consider any information provided, to review how the academy have responded to the complaint and also to try to identify or provide for any further action or resolution.
- 5.12. It is acknowledged that not all complaints will be resolvable, and that there may be some cases where the panel are unable to provide for a resolution or the outcome which is being sought. In such cases a panel will look to ensure a fair hearing, to establish the facts, acknowledge any differences and try to identify a way forward that can be agreed by all parties and is in the interests of any pupil involved.
- 5.13. All parties will be treated fairly and addressed in a way that is respectful. Should any party behave in a way that is deemed by the Chair to be unacceptable then the Chair may issue appropriate warnings that behaviour is unacceptable, adjourn the meeting for a time, ask the individual concerned to leave the meeting or may if necessary bring the meeting to an early conclusion.
- 5.14. Both parties will be provided with an opportunity to address the panel and panel members may ask questions or seek further clarification. The Chair will decide if any witnesses should attend, and if so whether for all or only part of the hearing and will call on any attending witnesses or professionals to provide information as required.
- 5.15. At the conclusion of the meeting, the chair will explain that the committee will consider its decision, and will write to both parties with the outcome within five working days.
- 5.16. At the conclusion of the meeting the Headteacher, complainants and any witnesses will withdraw and the committee will consider its decision. This should include:
1. A decision on the complaint
 2. Any appropriate action identified to be taken by the academy or complainant
 3. Identify any recommendations in respect of changes to the academy's systems or procedures to ensure similar problems do not arise in the future.
- 5.17. The academy will ensure that a copy of all correspondence and notes is kept on file in the academy. This will be separate from pupils' personal records.

6. The role of the Local Authority (LA)

- 6.1. When the LA receives a general complaint about an Academy matter, which does not fall within their remit or any independent appeal process, the LA will signpost the complainant to the academy's own complaints procedure. The complainant will be advised to discuss their concern/complaint with the Headteacher/Chair of Governors as appropriate. Assistance may be given to the complainant to contact the academy I, or where they are having difficulty or ask for support in accessing the academy complaint process.

NB. Where there are matters of serious concern or safeguarding issues then the LA will contact the academy /relevant professionals as appropriate.

- 6.2 The academy may seek subject to Service Level Agreement, support and advice, including legal advice as appropriate from relevant LA officers in respect of responding to any complaints and concerns received.

Procedure for the conduct of a panel meeting to hear a complaint

- 1.1 The Chair will invite attendees into the room, introduce them and explain the purpose and limits of the remit of the panel
- 1.2 The panel meeting will proceed along the following lines:
- i. The complainants will be invited to tell the panel members the details of their complaint, discuss any information they have submitted and explain why they remain dissatisfied with the academy response. They should be given opportunity to identify what outcome/action they feel would resolve matters for them.
 - ii. The panel members may then ask questions or seek any further information/clarification required. If appropriate there may be opportunity at the discretion of the Chair for some questions, discussion or to hear from any witnesses.
 - iii. The academy representative (usually the Headteacher) will then be given an opportunity to respond and clarify what the academy has done to try to resolve matters. Any information/reports submitted may be discussed and the panel members may ask any questions or seek any clarification required. If appropriate at the discretion of the Chair there may be opportunity for discussion, questions and to hear from any witnesses or professionals.
 - iv. The Headteacher will be given an opportunity to share anything further they wish to add.
 - v. The complainant will be given an opportunity to share anything further they wish to add.
 - vi. When the Chair is satisfied that they have sufficient information the Chair will close the meeting and both the academy representatives and the complainants will leave.
 - vii. The panel members will make a decision regarding the complaint and any recommendations. The Chair will then write to the academy and the complainants within five working days to inform them of the outcome.
 - viii. The complainant will be advised both at the panel hearing and in the panel response letter that this is the last stage of the Academy based procedure, that the Academy will now consider the matter to be closed, and that if they remain dissatisfied with the way the academy have handled their complaint they can refer their complaint to:
 - The Education and Skills Funding Agency, by completing the online contact form at the following website address:
<https://www.gov.uk/government/publications/complaints-about-an-academy>

Matters not in scope of this procedure

A complaints procedure should cover all complaints about any provision of facilities or services that a school/academy provides with the **exceptions** listed below, for which there are separate (statutory) procedures.

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools/ academies • Statutory assessments of Special Educational Needs (SEN) • Academy re-organisation proposals • Matters likely to require a Child Protection Investigation 	<p>Concerns should be raised direct with local authorities.</p>
<ul style="list-style-type: none"> • Exclusion of children from an academy 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>Schools/academies have an internal whistleblowing procedure for their employees and voluntary staff. Other concerns can be raised direct with Ofsted by telephone on: 0300 123 3155, via email at: whistleblowing@ofsted.gov.uk or by writing to: WBHL, Ofsted, Piccadilly Gate, Store Street Manchester M1 2WD The Department for Education is also a prescribed body for whistleblowing in education.</p>
<ul style="list-style-type: none"> • Staff grievances and disciplinary procedures 	<p>These matters will invoke the academy's internal grievance procedures. Complainants will not be informed of the outcome of any investigation.</p>
<ul style="list-style-type: none"> • Complaints about services provided by other providers who may use academy premises or facilities. 	<p>Providers should have their own complaints procedure to deal with complaints about service. They should be contacted direct.</p>

Appendix – Roles, Responsibilities and Guidance

The Complainant

The complainant or person who makes the complaint will receive a more effective response to the complaint if he/she:-

- co-operates with the academy complaint process in seeking a solution to the complaint;
- provides clear information about the complaint in full as early as possible;
- responds promptly to any requests for further information or meetings;
- asks for assistance as needed;
- progresses the complaint in a way that is respectful towards those involved.

The Complaints Co-ordinator (or Headteacher)

The complaints co-ordinator should:-

- ensure that the complainant is fully updated at each stage of the process;
- ensure that all those involved are aware of the legislation around complaints including the Equality Act 2010, Data Protection Act 1998 and Freedom of Information Act 2000;
- liaise with staff members, the Headteacher, Chair of Governors and Clerk to ensure the smooth running of the complaints process;
- keep appropriate and clear records;
- be aware of issues regarding:-
 - sharing third party information;
 - any additional support needs - this may be needed by complainants when making a complaint including interpretation support.

The Investigator

The Investigator is the person who is looking into the complaint at the formal stages and their role can include:-

- following a discussion with the complainant to establish what has happened and who has been involved;
 - consideration of records and other relevant information;
 - interviewing staff and children/young people and other people relevant to the complaint;
- effectively liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right;
- identifying solutions and recommending courses of action to resolve problems;
- being mindful of the timescales to respond;
- conduct interviews with an open mind with appropriate questioning;
- keeping notes of interviews or arrange for an independent note taker to record minutes of the meeting.

The Panel Clerk (this could be Clerk to the Governors or the Complaints Coordinator)

The Clerk is the contact point for the complainant for the panel meeting and is expected to:-

- set the date, time and venue of the hearing, ensuring that the dates are convenient to all parties and that the venue and proceedings are accessible;
- collate any written material and send it to the parties in advance of the hearing;
- meet and welcome the parties as they arrive at the hearing;
- record the proceedings;
- circulate the minutes of the panel hearing;
- notify all parties of the panel's decision;
- liaise with the complaints co-ordinator.

The Panel Chair

The Panel Chair has a key role in ensuring that:-

- the meeting is minuted;
- the remit of the panel is explained to the complainant and both they and the academy have the opportunity of putting their case without undue interruption;
- the issues are addressed;
- key findings of fact are made;
- parents/carers and others who may not be used to speaking at such a hearing are put at ease – this is particularly important if the complainant is pupil;
- the hearing is conducted in an informal manner with everyone treated with respect and courtesy;
- the panel is open-minded and acts independently;
- no member of the panel has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure;
- both the complainant and the academy are given the opportunity to state their case and seek clarity;
- written material is seen by everyone in attendance – if a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the hearing;

Panel Member

Panellists will need to be aware that:-

- it is important that the review panel hearing is independent and impartial, and that it is seen to be so;

NB: No governor may sit on the panel if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the hearing, will always be to review how the academy has responded and try to agree a resolution and way forward. It should be recognised however that the complainant might not be satisfied with the outcome if the hearing does not find in their favour and in such circumstances it may only be possible to establish the facts and make recommendations which will satisfy the complainant that his or her complaint has been taken seriously.
- many complainants will feel nervous and inhibited in a formal setting;

Parents/carers often feel emotional when discussing an issue that affects their child. The panel chair will ensure that the proceedings are as welcoming as possible.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the hearing;

NB: If the pupil is the complainant, the panel should ask in advance if any support is needed to help them present their complaint. (Support would normally be provided by a parent or carer). Where the adult is the complainant, the panel chair and complainant may need to consider and agree where appropriate which parts of the hearing, if any, the pupil may need to attend.

- The welfare of the child/young person will remain paramount, and the academy may take a view that it is not appropriate for a pupil to attend a complaint panel meeting.

Interview guidance:

Children/young people (pupils)

- Children/young people should be interviewed in the presence of another member of staff, or in the case of serious complaints (e.g. where the possibility of criminal investigation exists) in the presence of their parents/carers. However, it might not always be possible to conduct an interview in case it prejudices a LADO or police investigation.
- Care should be taken in these circumstances not to create an intimidating atmosphere.
- Children/young people should be told what the interview is about and that they can have someone with them.

Staff/Witnesses

- Explain the complaint and your role clearly to the interviewee and confirm that they understand the complaints procedure and their role in it.
- Staff may have a colleague to support them at their interview. The colleague must not be anyone likely to be interviewed themselves, including their line manager.
- Use open, not leading questions.
- Do not express opinions in words or attitude.
- Ask single not multiple questions, i.e. one question at a time.
- Try to separate 'hearsay' evidence from fact by asking interviewees how they know a particular fact.
- Persist with questions if necessary. Do not be afraid to ask the same question twice. Make notes of each answer given.
- Deal with conflicting evidence by seeking corroborative evidence. If this is not available, discuss with the Complaints Co-ordinator/ Headteacher/ Chair of Governors the option of a meeting between the conflicting witnesses.
- Make a formal record of the interview from the written notes as soon as possible while the memory is fresh. Show the interviewee the formal record, ask if s/he has anything to add, and to sign the record as accurate.

CONCERNS AND COMPLAINTS GUIDANCE NOTES FOR PARENTS

IF YOU HAVE A COMPLAINT OR CONCERN

We welcome suggestions for improving our work in the academy, and if you do have a concern or complaint we would like you to tell us about it as soon as possible. It is difficult or may not be possible for us to investigate properly an incident or problem which has happened some time ago. Please be assured that no matter what you tell us our support for you and your child in the academy will not be affected in any way.

WHAT TO DO FIRST

Most concerns and complaints can be sorted out quickly by speaking directly to your child's teacher, Family Tutor or Progress Leader. If needed a teacher or the academy receptionist can help you find the right member of staff.

All staff will make every effort to resolve your problem both quickly and informally. They will make sure that they understand what you feel went wrong, and they will explain their own actions to you. They will ask what you would like the academy to do to put things right. Of course, this does not mean that in every case they will come round to your point of view, but it will help both you and the academy to understand things and could help to prevent a similar problem arising again.

WHAT TO DO NEXT IF MATTERS NOT RESOLVED

If you have a complaint which you feel should be looked at immediately by the Headteacher you can contact him straight away. He will listen to your concerns, may agree your complaint in writing and, in the first instance, may ask one of the Deputy Headteachers to investigate your complaint. Most complaints can be resolved by the Headteacher or a Deputy Head at this stage.

WHAT TO DO NEXT

If you still remain dissatisfied with the response and matters are not resolved or if your complaint is about the Headteacher, you can make an official written complaint to the Chair of Governors. The Chair will look into how the academy has responded and try to further resolve matters for you.

IF YOU ARE STILL DISSATISFIED

If you are still not satisfied you may wish to request in writing that the Chair of the Governing Body refers your complaint to a Governors Complaints Panel. Your complaint will then be reviewed by three Governors who have had no previous involvement in the matter and so will be able to give it a fresh assessment. You will be invited to attend and speak to the panel and the Headteacher will also attend. You will receive a written outcome from the Panel Chair which will conclude the academy complaint process.

If you remain dissatisfied with the way the academy has dealt with your complaint you are able to contact the Education and Skills Funding Agency via <https://www.education.gov.uk/help/contactus/dfc>

COMPLAINTS AND APPEALS ABOUT EXAMINATIONS**Purpose of the procedure**

This procedure confirms Co-op Academy Failsworth's compliance with JCQ's *General Regulations for Approved Centres 2017-2018, section 5.7* that the centre has in place "...a written complaints and appeals procedure 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
- ▶ 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 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 (online) 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 an 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 check, a review of marking, a review of moderation or an appeal (complainant to refer via Mrs Z Ali to the centre's *internal appeals procedure*)
- ▶ Centre applied for the wrong post-results service/for the wrong exam paper 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

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, Co-op Academy Failsworth encourages him/her to try to resolve this informally in the first instance. Co-op Academy Failsworth's process - a concern or complaint should be made in person, by telephone or in writing to the 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

- ▶ The following bullet points are provided as example
- ▶ A complaint should be submitted in writing by completing a **complaints and appeals form**, available on the academy website
- ▶ Forms are available from Mrs Z Ali
- ▶ Completed forms should be returned to Mrs Z Ali
- ▶ Forms received will be logged by the centre and acknowledged within 10 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 10 working days

Appeals

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

- ▶ Withinh Co-op Academy Failsworth the following bullet points are provided as example
- ▶ Any appeal must be submitted in writing by again completing a **complaints and appeals form**
- ▶ Forms received will be logged by the centre and acknowledged within 10 working days
- ▶ The appeal will be referred to the Chair of Governors or a special Committee of the Governing body for consideration
- ▶ The Chair of Governors or Committee will inform the appellant of the final conclusion in due course

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

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

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

If necessary, continue on an additional page if this form is being completed electronically or overleaf if hard copy being completed

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/appealant

Change Control Log

Issue	Date	Reason for Change	Custodian
1	Sept 16	Introduction of Document Control	
2	Dec 17	Updated following LA guidance	
3	April 2017	Updated following Examinations Appeals procedure introduction	RLO/ZAL