

# **Queen's College London (10256)**



## **Complaints and appeals procedure (exams) 2018/19**

This procedure is reviewed annually to ensure compliance with current regulations

## **Purpose of the procedure**

This procedure confirms Queen's College's compliance with JCQ's General Regulations for Approved Centres 2018-2019, 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.*

## **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 [insert who] 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, Queen's College encourages him/her to try to resolve this informally in the first instance.

From the *Complaints Procedure (QCL and QCPS)*:

7. *It is hoped that most complaints will be resolved informally and within five working days. Parents with complaints should in the first instance raise these informally with an appropriate member of staff (which in most cases is likely to be the pupil's Form Teacher / Tutor) who may pass the matter to a more senior colleague such as a Head of Department, the Assistant Head (Pastoral) or Deputy Head (Academic) / Senior Tutor.*
8. *Complaints will be acknowledged as soon as practicable and within five working days. Parents will be told what is happening to their complaint and, if a more detailed response is needed, by what date it will be received.*
9. *Should the matter not be resolved to the parent's satisfaction within 15 working days, the parents should proceed with their complaint in accordance with Stage 2 the Formal Stage of this procedure.*

### How to make a formal complaint

From the *Complaints Procedure (QCL and QCPS)*:

#### Stage 1:

10. *If the parents remain dissatisfied following the Informal Stage, they should put their complaint in writing, addressed to the Headmistress/Principal, within three working days. If the Headmistress/Principal, or a decision made by her/him, is the subject of the complaint, it should be addressed to the Chair of the Council, c/o Clerk to the Council, 43 - 49 Harley Street, London, W1G 8BT.*
11. *In some cases, parents may feel sufficiently concerned to put their complaint in writing directly to the Headmistress/Principal (or the Chair of the Council if the Headmistress/Principal is the subject of the complaint) without going through the Informal stage outlined above. In these circumstances, complaints will usually be referred; having informed the parents, to the relevant teacher/staff member unless the person to whom the original complaint is made deems it inappropriate for that person to deal with it personally. In the latter case, the Complaint will constitute a Stage 1 formal complaint.*

### How a formal complaint is investigated

From the *Complaints Procedure (QCL and QCPS)*:

12. *Having received the written complaint, the Headmistress/Principal will acknowledge receipt within three working days and will either investigate the matter personally, or delegate the investigation to a senior member of staff. Written records of all meetings and interviews in relation to the complaint will be kept and, if the investigation has been delegated, a report for the Principal will be prepared.*

13. *If the Headmistress/Principal is the subject of the complaint or has been materially involved in circumstances directly involved with the complaint, the Chair of the Council will investigate and respond in writing to the parents directly.*
14. *Once the investigation is complete, the Headmistress/Principal will shall inform the parents in writing of her/his conclusions. It is aimed that this should take place within ten working days of the original Stage 1 Formal Complaint being received. Where there are exceptional circumstances resulting in a delay, the parents will be notified of this and informed of the new timescales as soon as possible.*

## **Appeals**

From the **Complaints Procedure (QCL and QCPS)**:

15. *If parents remain dissatisfied, they should apply for a review hearing (Stage 2).*

### Stage 2 (Review Hearing):

16. *A Review Hearing is a review of the decision taken at Stage 1 by the Headmistress/Principal (or in circumstances where the formal complaint concerns the Principal, the Chair of Council). The Complaints Panel will not consider any new areas of complaint which have not been previously raised as part of the complaints procedure.*
17. *Parents must apply in writing for a review only after the Stage 1 process above has been exhausted. The letter must be addressed to the Clerk to the Council, 43 - 49 Harley Street, London, W1G 8BT and should be sent within three working days of the date of written notification of the decision. In their written request, the parents must state the grounds upon which they are requesting the Panel Hearing and the desired outcome and provide all relevant documents.*
18. *The Clerk to the Council will respond to the request for a Review Hearing within three working days.*
19. *The Review Panel will comprise at least two members of the Council and one person, nominated by the Chair of the Council, who shall be independent of the management and running of the School. The members of the panel will, so far as is reasonably possible, have no previous detailed knowledge of the case, or of the pupils and parents, and will not usually include the Chair of the Council. The panel will elect its own chairman.*
20. *The role of the Review Panel is to establish the facts surrounding the complaints that have been made by considering:
  - a. *the documents provided by both parties and*
  - b. *any representations made by the parents and the Principal*and to reach a decision, on the balance of probabilities, as to whether each complaint is upheld in whole or in part.*
21. *It is not within the powers of the Review Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Complaints Panel may make recommendations to the School on these matters or any other issues as appropriate.*
22. *The Review Hearing will take place at the School or such other place as the Chairman of the Review Panel should determine. The hearing should take place within 15 working days of receipt of the application for the review hearing.*
23. *Those present at the hearing will normally be:*

- *The Review Panel*
  - *The Headmistress/Principal (unless this is considered inappropriate because s/he is the subject of the complaint)*
  - *Parents or those with parental responsibility*
  - *The pupil (if appropriate)*
  - *Clerk to the Council or another appropriate member of staff to minute the hearing*
24. *The applicants for a Review Hearing may be accompanied by a friend or a member of staff acting as a friend if required and are asked to inform the Review Panel three working days in advance of the hearing if this will be the case.*
  25. *The Review Hearing is not a legal proceeding and legal representation is not appropriate. If the parents wish to be accompanied by someone who is legally qualified, they must notify the Clerk to the Governors of this at least 5 working days prior to the Hearing and the parents should note that the Complaints panel will wish to speak to the parents directly and this person will not be permitted to address the Hearing unless invited to do so by the Chair of the Panel.*
  26. *Each member of the Review Panel will be supplied with a copy of the relevant documents. The parents shall be entitled to copies of any documents that will be considered at the Review Hearing.*
  27. *The proceedings will be chaired by one member of the Review Panel and conducted in a formal manner. A minute will be kept of the main points that arise. If the Headmistress/Principal considers it necessary in the interests of the individual or the School that the identity of any person should be withheld, the chairman of the Review Panel may require that the name of that person, and the reason for withholding it, may be written down and shown to the Review Panel. The Chairman may direct that the person be identified.*
  28. *The Chair of the Panel will explain the procedure to all present at the beginning of the Hearing. The Panel shall be under no obligation to hear oral evidence from witnesses and all statements made at the Hearing will be unsworn. All present will be entitled to write their own notes.*
  29. *The parents will be given the opportunity to put forward their point of view. The Review Panel can investigate further as it sees fit.*
  30. *The requirements of natural justice will apply. If for any reason the parents are dissatisfied with any aspect of the Hearing, they must inform the Chair of the Panel at the time and ask the clerk to note their dissatisfaction and the reasons for it.*
  31. *All those attending the Hearing are expected to show courtesy, restraint and good manners. The Chair may, at his/her discretion, adjourn or terminate the Hearing if these expectations are not met. If the Hearing is terminated, the original decision will stand. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and his/her comment will be minuted.*
  32. *When the Chair of the Panel considers that all the issues have been sufficiently discussed, he/she will conclude the Hearing. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within five working days of the hearing.*
  33. *The Chair of the Panel will write to the parents, the Headmistress/Principal and, where relevant, the person complained about, informing them of its decision and the reasons for it*

*within five working days of the Hearing being concluded. A copy of these findings and any recommendations will also be made available for inspection at the School premises by any member of Council and by the Headmistress/Principal.*

34. *The decision of the Panel will be final and represents the conclusion of the School's complaints procedure.*
35. *It is important to note that in exceptional circumstances, in order to ensure a fair decision-making process, deviation from the foregoing procedure may be authorised by the Review Panel. Parents will be notified of any such deviations relevant to any review that they request. Any such deviation will be within the standards set out in The Education (Independent School Standards) Regulations 2014.*
36. *Whether complaints are resolved following a formal procedure or proceed to a Review Panel hearing, parents can be assured that all concerns and complaints will be treated seriously and, so far as reasonably possible, all correspondence, statements and records relating to individual complaints will be treated confidentially within the requirements of the Education (Independent Schools Standards) Regulations 2014 except where the Secretary of State or a body conducting an inspection under section 108 or 109 of the Education and Skills Act 2008 requests access to them.*
37. *Please note that the number of formal complaints registered during the preceding school year is available from the School upon request.*

#### ***Early Years Foundation Stage***

38. *Written complaints about the fulfilment of the EYFS requirements must be investigated and the complainant notified of the outcome of the investigation within 28 days. If parents are dissatisfied with the outcome of a complaint concerning the school's EYFS provision, they are entitled to make a complaint direct to Ofsted and/or ISI if they so wish.*