

ADDENDUM TO COMPLAINTS POLICY

**RAISING COMPLAINTS AND CONCERNS RELATING TO THE CALCULATION OF
EXAMINATION RESULTS IN SUMMER 2020**

1. INTRODUCTION

1.1 This policy addendum sets out how we will deal with complaints and concerns relating to the calculation of examination results which are published in August 2020.

1.2 As a result of the coronavirus pandemic, the government cancelled public examinations that were due to take place in the summer term and an alternative system was consulted on and implemented by Ofqual. In summary, this initially involved a 2-stage process:

Stage 1: Teachers were asked to decide on a predicted grade for pupils based on evidence of pupils' performance. This is known as the Centre Assessment Grade ('**CAG**'). Teachers were then asked to rank pupils within each grade. After a thorough moderation process (See 1.3), the CAG and ranking positions were submitted by the academy to the relevant exam boards; and

Stage 2: The exam boards then carried out a standardisation exercise with the aim of ensuring that the same standard is applied across different academies and colleges. Following the standardisation exercise, grades have been determined using an algorithm. This may not be the same as pupils' CAG.

1.3 The grades academies submitted to the exam boards were agreed through a robust internal quality assurance process. They are not the sole responsibility of any individual teacher. The following approaches were taken across all Trust schools:

- The professional experience of teaching staff was deployed to make a fair and objective judgement of the grade they believe a student would most likely to have achieved had they sat their exams this year.
- Judgements were objective and based upon student performance.
- Grading and ranking decisions for each student were based upon a holistic professional judgement which balanced different sources of evidence and data which were agreed between all teachers of a subject to ensure consistency
- Heads of department and senior leaders in schools were involved in rigorous quality assurance to ensure ranking across a year group was an accurate reflection of each student's ability.
- Grades and ranking were decided on an objective basis and not on any characteristics protected under equalities legislation such as a student's gender, race, religion/belief, disability status, gender reassignment, or sexual orientation.

- The internal quality assurance process ensured that judgements on grades were not affected by a student's behaviour (both good and poor), character, ethnicity, appearance, social background, or the performance of their siblings.
 - Finally, school judgements were quality assured by Trust leaders to ensure the best possible accuracy on teacher judgement with grades and ranking
- 1.4 On 17 August 2020, it was announced that pupils would be awarded the highest GCSE grade that they were given either in Stage 1 or Stage 2.
- 1.5 There are limited grounds when a grade can be challenged. However, pupils can raise a complaint with the academy if they believe there has been bias or discrimination in the way that the academy decided on the CAGs. For example, if pupils think factors other than their academic performance were considered, they can raise a complaint. If a complaint is upheld, it may amount to malpractice or maladministration. Details about how the academy will handle such complaints are set out in Section 4 of this policy.
- 1.6 We will consider whether to request information from the exam boards in accordance with the Ofqual guidance.
- 1.7 If pupils are unsure about what to do, they should contact **Mr Lamoury, Deputy Headteacher** to discuss their options in more detail.
- 1.8 For pupils who were taking Vocational and Technical Qualifications (VTQ), the courses can vary considerably so, at the time of writing, Ofqual has not adopted a standardisation exercise in respect of VTQs. In some cases, the assessments may have been adapted due to the coronavirus pandemic and in other cases they may have been delayed. The exam boards have come up with different approaches for dealing with the assessment of VTQs. If pupils have obtained a grade for a VTQ which they are not happy with, they should speak to **Mr Lamoury, Deputy Headteacher** who will inform them whether there is a right of appeal. Concerns will be dealt with on a case-by-case basis. If pupils have concerns about bias, discrimination or something else that suggests that we did not behave with care or integrity when determining CAGs or providing evidence to the exam board, they should follow the complaints process set out in section 4 of this policy.
- 1.9 For free, impartial and confidential advice on next steps, pupils should contact the Exam Results Helpline: 0800 100 900 which is available 7 days a week from 8am – 10pm.

2. SITTING EXAMS IN THE AUTUMN

- 2.1 If pupils are unhappy with their grade, but the grounds for bringing an appeal or a complaint have not been met, then it is open to pupils to sit the exam for the subject(s) that they are concerned about in the autumn term (provided that there are no restrictions in place to prevent this due to Covid-19). We are required to submit the details of the pupils who wish to sit exams in the autumn by **4 September 2020 for AS and A Levels, 18 September 2020 for GCSEs except English language and mathematics and 4 October 2020 for GCSEs in English language and mathematics.**

Pupils should notify Mr Blyth (andrewblyth@westleigh.wigan.sch.uk) if they would like to be entered for an exam in the autumn

- 2.2 **by:**

2.2.1 **16 September for GCSEs except English language and mathematics; and**

2.2.2 30 September for in English language and mathematics

- 2.3 Pupils will be allowed to keep the highest grade that they obtain, whether that is the Centre Assessed Grade, the grade they were allocated through Ofqual's algorithm, or the grade they achieve in any resit exams in the Autumn Term.
- 2.4 Even if pupils decide to pursue a complaint, we recommend that pupils enter for an exam by the above deadlines if they are unhappy with any grades. This means that pupils keep open the option of sitting the exam in the autumn if a complaint is not successful. This because it is possible that the outcome of any complaints will not be known by the above deadlines.
- 2.5 If pupils ask the academy to enter them for an exam in the autumn, they and their parents will be asked to sign a letter to confirm that is what they want to do. Currently, the government have stated that there will be no charge for sitting a resit exam.
- 2.6 If the relevant examinations cannot go ahead in the autumn, for example, due to coronavirus restrictions, we will consider any guidance that is issued by the government, Ofqual and/or the exam boards at the time and notify pupils about how this will be handled and what pupils' options are.

3. OBTAINING MORE INFORMATION

If pupils are disappointed with their final grade, they might feel that it will be helpful for them to know what information the academy used to calculate their grade. This would be done through a Subject Access Request to the academy.

To help us to deal with such requests as quickly as possible, pupils should send them to Paul Lamoury, paullamoury@westleigh.wigan.sch.uk by Tuesday 25 August. Pupils should also specify the information that they are requesting from the academy. A member of staff will contact pupils to verify that the request has come from them. If your parent/ carer wishes to make the request on pupils' behalf, we will need evidence that pupils have given their agreement to us disclosing their personal data to them. We may also need to contact pupils to verify that they have given their consent.

We will do our best to respond to such requests as soon as possible, and within the statutory timescales which is one calendar month unless a request is complex. However, our ability to obtain and disclose some of the information that has been requested, will be affected by the limited resources available to us due to the academy holidays and by the volume of requests that we may receive.

4. THE COMPLAINTS PROCESS

- 4.1 If pupils believe that their CAG(s) were wrong because they were influenced by factors other than evidence about their academic performance, they can raise a complaint with the academy under this section of the policy. This might apply if pupils think there has been:
- 4.1.1 bias (e.g. if there is evidence that pupils from a particular background received lower than expected grades and there is no good reason to explain this, which might also amount to discrimination);
 - 4.1.2 discrimination (e.g. concerns that any reasonable adjustments were not considered when determining CAG information, or a protected characteristic – i.e. race, colour, ethnicity, nationality, religious belief, sex, gender assignment, sexual orientation or disability negatively affected a CAG); and / or

- 4.1.3 other factors which suggests that we did not act with care or integrity when we were determining CAGs (e.g. if there is a big difference between a CAG and academic record which might suggest that there has not been an objective judgement of performance had the exams taken place).
- 4.2 For further information about when such a complaint can be brought, please see [Ofqual's pupil guide to post-16 qualifications results](#) and [Ofqual's pupil guide to appeals and malpractice or maladministration complaints](#).
- 4.3 The expectation is that all concerns should be raised with the academy initially.
- 4.4 If pupils believe that they you have grounds for bringing a complaint, they should complete the attached form and send it to Andrew Blyth within **10 working days (A Level students) or 5 working days (GCSE pupils) of receiving final results**. Pupils who do not have access to the internet, should request a paper based copy of the form by contacting the Main Office on 01942 202580.
- 4.5 We will send an acknowledgement letter when we receive the completed attached form. If pupils do not receive an acknowledgement letter within 2 working days of submitting their form, they should contact *Paul Lamoury, Deputy Headteacher, paullamoury@westleigh.wigan.sch.uk*
- 4.6 Complaints under Section 4 of this policy will be handled under a 2-stage process:

Stage 1: The Principal will investigate and consider the complaint. The Principal may delegate this decision to other members of staff at his discretion and/or ask members of staff to provide support with the investigation, as long as those members of staff are not the subject of the complaint.

If a complaint relates to the Principal, then the chair of the academy council will investigate and consider the complaint. The chair may delegate this decision to other academy councillors at his discretion and / or ask members of staff at the academy to provide support with the investigation if the staff are not the subject of the complaint.

Pupils will be notified about the outcome of their complaint within 5 working days of receipt. If more time is needed to investigate and respond, we may extend the deadline by a reasonable timeframe and will let pupils know if we are doing this.

If a complaint is upheld, the academy will take such action as it considers appropriate in the circumstances, which may include reporting any issues to the relevant exam board and complying with any subsequent investigation regarding any allegations of malpractice or maladministration. Where the investigation finds that the Centre Assessment Grade was determined inappropriately and that this has led to an incorrect result, the Trust will take such action as it considers appropriate in the circumstances.

If a complaint is not upheld at Stage 1, pupils will be informed about the outcome with reasons for the decision. Pupils will also be notified about their right to appeal to a complaints panel.

If a complaint relates to more than one subject, it is possible that part of the complaints may be upheld and others might not be, depending on the circumstances relating to individual subjects and grades.

Stage 2: If pupils are not satisfied with the outcome of Stage 1, they have the right to request an appeal to a panel within [3 working] days of receiving the outcome of Stage 1. Requests for a Stage 2 appeal must be submitted to Carlton Bramwell, Headteacher and must include the reasons for disagreeing with the outcome of Stage 1 with any supporting evidence.

The panel will be made up of the following 3 people: 2 Shaw Education Trust (SET) academy councillors and one person who is independent of the direct management and running of the academy. The panel will elect a chair from their number for the purposes of the complaints hearing.

When we receive a request for an appeal, the clerk to the academy council will contact pupils to arrange a date for the panel to hear the complaint. All hearings will take place remotely using video or telephone conferencing facilities unless pupils confirm that the panel should consider the complaint based only on the written information that they have submitted. We will aim to arrange the complaint panel hearings within 5 working days of receipt of the request for a hearing, but we may extend this timescale by a reasonable timeframe and will let pupils know if we are doing this.

The panel will consider the complaint and will decide whether to uphold it.

Pupils will be notified about the outcome of the complaint within 5 working days of the complaint hearing. If more time is needed to respond to the request, we may extend the deadline by a reasonable timeframe and will let pupils know if we are doing this.

If a request for an appeal is upheld at Stage 2, SET will take such action as it considers appropriate in the circumstances.

If a complaint is not upheld at Stage 2, the pupil will be informed in writing of the outcome with reasons for the decision. The Stage 2 decision is final.

The Westleigh School

COMPLAINTS AND APPEALS FORM RELATING TO EXAMINATIONS RESULTS IN SUMMER 2020

Please complete this form if:

- You would like to bring a complaint because you think that bias, discrimination or another factor other than your academic performance influenced the calculation of your CAG(s).

Please send this form to Paul Lamoury, paullamoury@westleigh.wigan.sch.uk or telephone the main office and request a paper based version on 01942 202580.

Please read the academy's policy on '**Raising complaints and concerns relating to the calculation of examination results in summer 2020**' for further information about the process

| | | |
|----|---|--|
| 1. | Pupil's full name | |
| 2. | Is the pupil or their parents / carers bringing the complaint or appeal request? Pupils must give their consent before parents / carers can bring a complaint or appeal on their behalf. | |
| 3. | Parent(s) / carer(s) name(s) if you are bringing an appeal on behalf of your child | |
| 4. | Email address | |
| 5. | Telephone number | |
| 6. | Pupil's year group | |
| 7. | Pupil's class and form tutor | |
| 8. | Please confirm what you are challenging: | |
| 8A | Centre Assessment Grade(s) - Insert grades and subjects that you are challenging | |

DECLARATION

I confirm that I would like the academy to consider my complaint on for the reasons set out in this form:

| | |
|-------------------|--|
| PRINT NAME | |
| DATE | |

Please complete the following declaration if your parents are dealing with your request on your behalf:

I confirm that I give my consent for my parent/carer identified in this form to bring a complaint on my behalf. I understand that this will involve the academy sharing my personal data with my parent/carer to the extent that it is necessary for the academy to respond to the complaint and I give me consent for the academy to do so:

| | |
|-------------------|--|
| PRINT NAME | |
| DATE | |

Privacy notice:

The personal data provided in this form and generated through the course of any appeals or complaints process will be used for the purposes of considering your request for an appeal or a complaint and may be shared with external exam boards and / or Ofqual to the extent that necessary to do so as part of this process. Please see the Academy's privacy notice for more information.