

Exam Appeals Policy

Key Document Details:			
Author:	Trust Data Manager	Department:	Central Services
Reviewer:	Headteacher	Version No:	1.0
Last Review:	November 2023	Next Review:	November 2024
Approver:	Executive Team	Date Ratified:	

Contents

Mission Statement	3
Values.....	3
Statement of Equality.....	3
Purpose	3
1. Legal framework	4
2. Roles and responsibilities.....	4
3. Acceptable grounds for appeal	5
4. Internal appeals process	5
5. External appeals process.....	6
Enquiries about results (EARs)	6
Appeals against outcomes of post-results services.....	7
Appeals against malpractice, maladministration or non-compliance.....	8
Appeals against decisions made in respect of access arrangements, reasonable adjustments and special consideration.....	8
6. Disputes over appeals	9
Internal.....	9
Appeals against school’s decision to not support a clerical check, review of marking, review of moderation or an appeal.....	10
7. Appeal hearing.....	10
8. Further avenues of appeal	10
9. Quality assurance.....	11
Appendix A - Internal Appeals Form.....	12

Document Change History

Date:	Version:	Description of Changes:
10/12/22	1.0	New policy

Mission Statement

“To nurture and develop all people in our Trust so that they reach their full potential academically, vocationally, and personally, including being positive role models for future generations in the community. We will achieve this by providing high quality values-based education that cultivates employability and life skills making our schools the first choice for young people, parents, carers, staff and employers.”

Values

The values of Respect, Excellence, Collaboration, Independence, Perseverance, Enjoyment, Leadership, Integrity and Care are central to everything we do at the Skills for Life Trust.

Statement of Equality

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

Purpose

Skills for Life Trust is committed to ensuring that all pupils are able to achieve the exam results that they are capable of. It is the responsibility of everyone involved in the exam processes to read, understand and implement this policy. The purpose of this policy is to ensure the school has an efficient appeals procedure with clear guidelines for all relevant staff.

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Equality Act 2010
- JCQ (2022) 'A guide to the awarding bodies' appeals processes'

2. Roles and responsibilities

The exams officer is responsible for:

- Implementing this policy throughout the school and ensuring the relevant staff understand its impact.
- Responding to queries in regards to this policy.
- Liaising with candidates when an internal or external appeal is submitted.
- Liaising with awarding bodies when an external appeal is submitted.
- Ensuring moderating standards are maintained and effective.
- Processing all [Internal Appeals Forms](#) and establishing the next course of action from each.
- Handling any disputes in accordance with this policy.

The headteacher is responsible for:

- Reviewing the marking of all new internal markers, to ensure standards are satisfied.
- Reviewing this policy in liaison with the exams officer and SLT.

Heads of departments are responsible for:

- Ensuring that markers within their department are familiar with the grade boundaries, marking criteria and high standards of consistency that they are expected to use when internally marking work.
- Offering guidance and training to internal markers as required.
- Monitoring the effectiveness and consistency of marking within their departments and addressing any issues promptly.

Internal markers are responsible for:

- Marking internal work against the correct marking criteria and grade boundaries.

- Ensuring their marking is consistent and fair, in accordance with the Equality Act 2010.
- Ensuring they are unbiased when completing their marking.
- Participating in reviews and monitoring activities of marking data, to ensure it remains consistent across the school.

Candidates are responsible for:

- Completing exams to a high standard, revising appropriately and preparing themselves for exam season.
- Taking responsibility for their learning.
- Completing and submitting an [Internal Appeals Form](#) if required.

3. Acceptable grounds for appeal

Appeals will only be deemed valid when based on procedural irregularity in terms of the conduct of the examination or determination of the result.

Appeals will be deemed invalid and not upheld if based purely on the following:

- Academic judgement of examiners
- Extenuating circumstances affecting performance
- The candidate's lack of awareness of exam regulations and procedures

4. Internal appeals process

The school will ensure that candidates are informed of their centre-assessed marks prior to them being submitted to the awarding body, so that candidates may request a review.

Candidates will be informed that they may request copies of materials to assist them in considering whether they wish for a review to take place. Any requests for copies of materials will be returned to the candidates within seven days and candidates will have seven days to review the materials.

If a candidate, or their parent, wishes to appeal against the procedure used in an internal assessment, they should write to the school's exams officer using the [Internal Appeals Form](#).

The deadline for appeal applications is 10 days prior to the start of the written exam series.

Internal appeals will be resolved by the date of the last externally assessed paper of the series (e.g. by the end of June for the Summer series).

On receipt of a written appeal, an enquiry will be conducted by the exams officer, a member of the SLT and a head of department who is not involved in the internal assessment decision. The school will ensure that those completing the review have the appropriate competence and are unbiased.

This enquiry will consider whether the procedure used in the internal assessment conformed to the published requirements of the awarding body and the JCQ Code of Practice.

Consideration will be given to whether the original mark awarded is fair and just. If necessary, comparisons will be made to other pupils' work to help determine a correct and appropriate mark.

A written response to the appeal will be sent to the candidate and their parents within 10 working days of the school receiving the appeal.

A written record of the appeal and the outcome will be kept on file at the school, with the awarding body being informed of any amendments.

Candidates should note, after their work has been internally assessed, it is moderated by the awarding body to ensure consistency – this moderation process may lead to marks being altered and the school has no control over this.

5. External appeals process

Enquiries about results (EARs)

EARs can be submitted throughout the academic year.

Candidates should be aware that EARs can result in the marks/grades being raised, confirmed or lowered.

Any candidate who wants to query a mark/grade awarded by an awarding body should adhere to the following procedure:

- Contact the exams officer and the subject teacher as soon as possible in person to discuss the mark/grade.
- The exams officer will advise on the options available to query the mark/grade and any costs involved in doing so.
- Candidates must sign a consent form to confirm that they understand the consequences of an EAR; these forms will be issued by the exams officer.
- Consent forms must be returned before an EAR can be valid.
- The subject teacher will review the candidate's grades and discuss them with the head of department to agree on the appropriate action, considering the breakdown of marks, the grade boundaries and the candidate's predicted grades.

If the EAR is supported, the head of department will make a request, together with the pupil's consent form, to the exams officer before the deadline for EARs.

The cost of the enquiry will be met by the departmental budget. If the EAR is successful, the fee will be refunded.

If the department does not agree to support the EAR, a candidate may appeal against the decision not to support an EAR by doing the following:

- Appeals should be made in writing to the SBM, at least five working days before the published deadline for EARs
- The appeal should state the reason(s) for the appeal
- This appeal must be signed, dated and include the contact number and email address of the pupil and their parent

The appeal information will be reviewed by the exams officer and a member of the SLT.

The outcome of the appeal will be communicated either by telephone, email or first-class post, as appropriate, within 24 hours of receipt.

The decision that is reached will be final.

If the department does not agree to support the EAR, the fee will be paid by the candidate at the time the EAR is made. No enquiry will be processed until the correct fee is paid.

Requests must be made in person to the exams officer before the published deadline for EARs.

If the department does not agree to support the EAR and the enquiry is successful, the fee will be refunded to the candidate.

Outcomes following EARs will be forwarded by the exams officer to the pupil as soon as they have been received from the awarding bodies.

Appeals against outcomes of post-results services

Post-results services refer to clerical re-checks, reviews or marking and reviews of moderation.

In instances where the school is dissatisfied with an assessment result, the school will apply for a clerical re-check, review of marking or review of moderation.

Once an outcome has been reached in the post-results service, an appeal against this can be made where the candidate or headteacher believe that:

- A marking or moderation error has occurred, including where a review of marking or moderation has already been made.
- The awarding body did not apply its procedures consistently, properly or fairly.

A written request for appeal will be made by the head of centre to the relevant awarding body which sets out clearly and concisely the grounds for the appeal – this must be take place within 30 calendar days of the awarding body issuing the outcome of the post-results service. If an appeal application is accepted, an investigation into candidates' or the school's results will follow – if the appeal is accepted on procedural grounds, this will generally not involve a further review of a candidate's work.

As internal candidates are not entitled to appeal directly, the school will do it on their account, if the school agrees.

The appeal will either be not upheld or upheld in whole or in part.

Appeals against malpractice, maladministration or non-compliance

This covers cases where there is an alleged breach of the published JCQ regulations and awarding body requirements.

The headteacher may appeal against a finding of malpractice and/or the sanction imposed by the awarding body, and on behalf of candidates. Appeals will be made within 14 calendar days of the receiving the malpractice decision. The appeal will set out clearly and concisely the grounds for appeal and include any further relevant and supporting evidence.

Where an appeal is made on a candidate's behalf, the candidate will be informed beforehand. The candidate will be provided the opportunity to submit a statement, if they wish.

Appeals will be based on reasonable grounds relating to the incident in question. Reasonable grounds include:

- The incident was not dealt with in line with JCQ's 'Suspected Malpractice – Policies and Procedures'.
- The decision was unreasonable in light of the evidence presented to the Malpractice Committee.
- Further evidence has come to light which may change the awarding body's decision.
- The sanction imposed is disproportionate to the seriousness of the malpractice.

The awarding body will either reject the appeal or refer it to an appeal hearing.

Appeals against decisions made in respect of access arrangements, reasonable adjustments and special consideration

The school must make appeals on candidates' behalf. The exams officer will attempt to discuss the matter with the relevant awarding body to see if it can be resolved without the need for an appeal. Where this is not possible, a written request setting out the grounds for a preliminary

appeal will be sent to the relevant awarding body within fourteen calendar days of the original decision.

If the outcome of the preliminary appeal is unsatisfactory, a request for an appeal hearing will be made within 14 calendar days of receiving the outcome of the preliminary appeal.

6. Disputes over appeals

Internal

If, after appealing an internal mark, candidates are dissatisfied with the decision, a letter requesting a personal hearing should be made to the exams officer.

Following this:

- A date for a hearing must be given to the candidate and any teachers involved in the assessment.
- A hearing panel should be established. The panel must consist of a least two individuals who have not previously dealt with the particular case.
- The school will make a written record of the hearing, which should include the outcome of the appeal and the reasons for that outcome.
- A copy will be sent to the candidate, their parents and teacher(s) within 10 working days of the hearing.

If, after this, candidates are still dissatisfied, candidates will compile a written explanation of the situation and pass this to the headteacher.

The exams officer will pass the following details on to the headteacher within 24 hours of the headteacher receiving the candidate's letter:

- An explanation and confirmation of the assessment decision
- Assessment record sheets
- Any written comments

Candidates will be given an opportunity to speak to the SLT.

The assessor who marked the work originally will be asked to attend the meeting and answer any questions.

The matter will be discussed in private by the SLT and the candidate will be given a written response within five working days. **This decision will be final.**

Appeals against school's decision to not support a clerical check, review of marking, review of moderation or an appeal

Where the school does not support a decision to appeal for a clerical check, review of marking, review of moderation or an appeal, the candidate is at liberty to pay the appropriate fee and a request will be made to the awarding body on their behalf.

If the candidate (or their parent) believes there are grounds to appeal against the school's decision to not support an enquiry, an internal appeal can be submitted to the school using the [Internal Appeals Form](#) at least one week prior to the internal deadline for submitting an EAR.

7. Appeal hearing

If the school is dissatisfied with an appeal from an awarding body, the school may request for an appeal hearing – the full procedure for this is detailed in JCQ's '[A guide to the awarding bodies' appeals processes](#)'.

If the school decides to submit a request for an appeal hearing, we will submit the application within 14 calendar days of the outcome of the preliminary appeal being issued – appeals made after this period will typically be rejected by the awarding body.

The request will clearly set out the grounds of the appeal with supporting documentation.

A member of school staff will represent the school at the appeal hearing – they will be permitted to be accompanied by a third party, e.g. a friend, colleague or union representative; however, the names and addresses of all representatives must be given to the awarding body no later than seven calendar days before the hearing.

The candidate who the appeal is being made on behalf of, and their parents, will not be called as representatives but can attend as observers with the prior permission of the chair of the panel convened by the awarding body.

Legal representation will not normally be permitted; where the school wishes to be legally represented, this must be agreed with the awarding body beforehand.

The appeal hearing will take the form of a re-examination of the evidence, comments and reports provided to and by the awarding body, and observations presented by the appellant.

8. Further avenues of appeal

Appeal hearings complete the awarding body's internal appeal procedures, and they will not accept further appeals. Where the school or candidate remain dissatisfied with the outcome, further avenues of appeal will be considered.

For issues relating to access arrangements, reasonable adjustments, special consideration and post-results services, the school will consider making an appeal to the Exam Procedure Review Service (EPRS).

For cases of malpractice, no further avenue of appeal will be open to the school.

9. Quality assurance

The school is committed to quality assurance and believes it is an integral part of its processes.

The provision of education is regularly monitored and reviewed by the named quality assurance representative.

At the school, an internal verification process is in place to ensure that consistent testing and assessment standards are maintained.

Several methods of internal verification are carried out on an ongoing basis, including the following:

- Cross-marking
- Peer reviewing and appraisals
- Working observations
- Moderation
- Standardisation

All cases of borderline achievement are internally verified. All internal verification is recorded on pupils' work and on central recording systems.

At least 10 percent of other assessments are checked across all relevant markers and modules.

All necessary staff members attend relevant training and courses, keeping up-to-date with various methods of assessment and marking.

Where a new marker is assessing, all work is double-marked until the headteacher is satisfied with the standard.

All new invigilators will be observed during the first six months and annually thereafter to ensure assessment regulations are being followed.

Existing invigilators will be observed conducting an assessment at least once a year.

Information from the awarding body is circulated to all members of staff involved in the assessing of pupils' work.

Appendix A - Internal Appeals Form

For school use	
Date received:	
Reference number:	

Please complete this form so that the school can establish the nature of your appeal.

Reason for appeal	Please tick
Appeal to dispute the suitability of evidence considered	
Appeal to dispute mitigating circumstances not being appropriately considered	
Allegation of maladministration or malpractice, e.g. bias or discrimination	

Name of appellant:		Candidate name, if different:	
Subject:		Assessment title:	
Please provide details regarding your appeal, e.g. justification for the appeal:			
Tick below, if applicable: <input type="checkbox"/> My appeal is against an internal assessment decision and I wish to request a review of the school's marking <input type="checkbox"/> I confirm that all work submitted is my own			
Appellant signature:		Date:	