Part of
Education and childcare during coronavirus

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Guidance

Student guide to appeals, malpractice & maladministration complaints: summer 2020 [HTML version]

Updated 21 August 2020

Contents

1. GCSE, AS, A level, EPQ, AEA
2. Appeals and complaints for vocational & technical qualifications
3. Help and support

Updated 19 August 2020

Part 1 of this guide gives information for students receiving results for GCSE, AS and A levels, Extended Project Qualifications (EPQ) and Advanced Extension Awards (AEA) in maths regulated by Ofqual. Part 2 gives information for students receiving results for vocational and technical qualifications.

Exams and assessments were cancelled this year due to coronavirus (COVID-19) but most students will still receive their grades in time to move on to further study or employment. You may still be able to do this even if your grade isn't what you wanted.

Take a look at our student guide to find out more about how qualifications are being graded this year and the arrangements for exams this autumn.

1. GCSE, AS, A level, EPQ, AEA

This year, you will either receive your centre assessment grade (described below) or your calculated grade (your standardised grade), whichever is higher.

Your centre assessment grade is your teachers' professional judgement of the grade you would likely have received had your exams taken place.

We asked schools and colleges to provide a centre assessment grade for each student in every GCSEs, AS, A level, EPQ or AEA subject they planned to take this summer, and a rank order of students by their expected performance. We asked schools and colleges to use a range of evidence when making these judgements.

Where a disabled student would have had a reasonable adjustment for their exams, centres were asked to take account of the student's likely achievement with this adjustment in place. Reasonable adjustments are changes made to an assessment or to the way an assessment is conducted that reduce or remove a disadvantage caused by a student's disability. They are needed because some disabilities can make it harder for students to show what they know and can do in an assessment than it would have been had the student not been disabled.

Schools and colleges are required to comply with equality legislation (laws). This is another safeguard in the process used this year.

These judgements formed the basis of the centre assessment grade that your school or college submitted to the exam board for each of your subjects. The centre assessment grade and rank order information that your school provided to the exam board had to be agreed by 2 teachers and signed off by the head of centre as a true representation of your performance.

If you have concerns about how your grades were calculated, this information should help you understand if you have a reason to make a complaint about malpractice or maladministration (wrongdoing). This could include if you have concerns about bias or discrimination. There are people who can help you with this. You can talk to your school or college, and there are helplines you can call for more information. You can find the details of these at the end of this guide.

1.1 Can I make an appeal?

Even if your results aren't what you were hoping for, you might still be able to move on to the next stage of your education or employment as you had planned. If you have concerns about how your grades were arrived at you should talk to your school or college about your options. It is important to remember that:

1. You can ask your school or college to check whether it made an administrative error when submitting information to the exam board. Administrative errors might include, for example, mixing up 2 students with similar names, or accidentally copying across the wrong data, but do not relate to the professional judgements of centres in assigning CAGs. If your school or college finds it made a mistake in the information it provided it can ask the exam board to correct it.
2. Your school or college can appeal to the exam board on your behalf if it believes the exam board made a mistake when it communicated your grades.
3. You cannot challenge your school or college under the appeals process on the centre assessment grades it submitted or your rank order positions. Any appeal would have to be undertaken by someone better placed than your teachers to judge your likely grade if exams had taken place. In the unique circumstances of this summer, we do not believe there is such a person.
4. You cannot appeal because your mock result was higher than the grade you were awarded. Your mock grade will have been taken into account in determining your centre assessment grade. You will either receive your centre assessment grade or your calculated grade (whichever is higher).

It is important that you speak to your school or college about whether it believes you have a reason for appeal. All appeals must be made by the school or college. This summer, your grade is protected, meaning that it will not go down to a lower grade as a result of an appeal.

The deadline for appeals is 17 September 2020.

If your school or college won't submit an appeal on your behalf, it must have a process in place for you to ask for a review of that decision, so that someone else at your centre considers your request. You should first raise this with your school or college. If you wish to complain that your school or college does not have a process in place for you to do this, you should follow your school or college's complaints process in the first instance. If your complaint is not resolved, you can speak to the exam board for further guidance.

Where you believe there may have been an error made when your school or college submitted your centre assessment grades to the exam board or when the exam board communicated your result, you should speak to your school or college in the first instance. Your school or college should be able to explain how it made its judgement, and what evidence it relied on. Even where there is no evidence of an error being made, understanding how your centre made a judgement and what evidence it took into account, might help you to understand the grade you have been given.

1.2 Making a complaint about bias, discrimination, malpractice or maladministration

You cannot appeal because you disagree with the centre assessment grades or rank orders given by your school or college. However, you might be concerned that your centre assessment grades or your rank order positions were wrong because you believe the judgement was influenced by things other than evidence about your academic performance. We know that some students, and groups representing students, were concerned that some centre assessment grades and rank order positions could be influenced by bias or discrimination. Individual cases of bias or discrimination would be taken very seriously, and we expect them to be rare.

If bias or discrimination affected your centre assessment grades or rank order positions this summer, this could be a form of malpractice or maladministration (wrongdoing).

If you think malpractice or maladministration might have affected you, then you should first discuss this directly with your school or college and raise a complaint through its complaints policy. If you feel that your concerns have not been addressed, you could then consider raising your concerns about malpractice or maladministration with the exam board. It is important to remember that this would not be an appeal, but rather an allegation (accusation) that malpractice or maladministration happened in relation to your centre assessment grades or rank order positions. Such allegations would be serious and taken seriously. As you would be making a malpractice or maladministration allegation you would not be subject to the deadline for appeals.

Whilst you would be expected to raise any concerns with your school or college initially, if you have evidence of malpractice or maladministration on the part of your school or college and have concerns about raising it with them directly in the first instance, it may be appropriate for you to discuss this directly with the exam board instead; see contact details below.

1.3 Explaining what makes you think malpractice or maladministration took place

Receiving a grade lower than you hoped for or expected does not always mean there has been bias or discrimination. Telling an exam board that your centre assessment grade was lower than you think you deserved will not be enough to make the exam board suspect malpractice or maladministration took place. For your case to be considered, you will need to show something specific or something surprising, which calls for an explanation that your school or college has been unable to give. The following examples may help you think about what this might be. These examples are not a complete list, circumstances will vary, and there must be evidence to support any allegation.

Example 1

Student W is given centre assessment grades of B, C and D for 3 A level subjects. Student W's academic record shows in each subject they have variously attained grades B, C and D in assessments throughout the course.

Student W asked their college to explain the centre assessment grade D. The tutor for that subject demonstrated that the centre assessment grade was correctly submitted to the exam board. They explained that they considered student W had found the subject for which they received a grade D harder to access as the course progressed and, although they had secured a grade C in the mock exam, this was borderline. It was followed by clear D grades in homework assignments following the mock.

An exam board is unlikely to think the grade D is out of line with student W's academic record and is likely to think the explanation given by the tutor is consistent with making a fair judgement of how student W might have performed. It is unlikely the exam board would suspect that malpractice or maladministration might have taken place.

Example 2

Student X's academic record, including progress reviews and grades achieved in assessments such as mock exams and class tests, shows sustained performance at a grade 5 - 7 standard in class assessments for GCSE maths, physics and chemistry. For physics and chemistry student X's centre assessment grades were grade 6, and for maths a grade 3.

Student X asked their school to explain the centre assessment grade and rank order position for maths. The exams officer confirmed that no mistake had been made and added that there was no possibility of a discussion about the grade and that no more information would be provided. An exam board is likely to consider that the big difference between the centre assessment grade and student X's academic record is surprising, all the more so given the centre assessment grades matched the academic record for other related subjects.

The exam board might think the apparently low centre assessment grade for maths should be explained and might be concerned by the school's refusal to provide any further information. Looking at all of these concerns together we anticipate the exam board would have grounds to suspect that the centre assessment grade for maths might not be based on an objective judgement of how student X would have performed had exams taken place and that it would investigate the possibility that malpractice or maladministration had taken place.

Example 3

Student Y is given a centre assessment grade of D for A level English. Student Y's academic record shows 3 grade B, 4 grade C, and 3 grade D in assessments through the course. Student Y's school has confirmed that it submitted the correct centre assessment grade for student Y. The English teacher did not have time to speak to student Y but confirmed the grade D was 'my objective judgement and fair in the circumstances'.

As well as their academic record, student Y is able to produce a series of emails with the school in which they complain that the English teacher dislikes them and marks their work more harshly than other students. There is an email from another English teacher, from a different school, which says they have seen some of student Y's work, marked at grades D and C, which they would have given a grade B. There is a message from the head teacher which notes that student Y does not have an easy relationship with their English teacher.

The exam board might consider that the centre assessment grade, grade D, is not sufficiently out of line with the academic record to cause a suspicion of malpractice. However, the email correspondence means the exam board might decide to request further information and explanation from the school before deciding whether there were sufficient grounds to suspect malpractice or maladministration might have taken place.

Example 4

Student Z is given a centre assessment grade 3 for GCSE history, they had hoped for a grade 4. Student Z is from a BAME (Black, Asian and minority ethnic) background. They learn through social media that a number of other students in their class, also from BAME backgrounds, received lower than expected centre assessment grades. It becomes clear that, in that class, most BAME students were given centre assessment grades which were lower than they anticipated. This does not reflect the students' understanding of how they performed in class relative to other students.

The exam board might review the rank order information from the school as a first step. If the composition of the rank order for GCSE history shows BAME students are mostly in the lower end of the rank order, and this is not the case for other subjects, the exam board might consider the rank order for history requires further explanation. If the school cannot provide a good reason, the exam board is likely to decide it has grounds to suspect malpractice or maladministration might have affected the rank order which it will investigate.

1.4 What will the exam board do with my allegation?

If the exam board decides that it has a reasonable basis to suspect malpractice or maladministration might have occurred in relation to your centre assessment grades or rank order positions, it will carry out an investigation to gather evidence so it can decide whether or not malpractice or maladministration actually happened. The exam board is likely to review your academic record, and any other specific evidence you provide, and also to talk to your head teacher or college principal and to the teacher you say is responsible for the malpractice or maladministration. They may also choose to look at any other relevant data, which may include historical data. When an exam board decides that there has been malpractice or maladministration, for example, because discriminatory views influenced a centre assessment grade or rank order position, this can have serious consequences for any teacher involved, so the exam board will allow the teacher an opportunity to explain when they do not agree with the allegation.

If the exam board thinks there has been malpractice or maladministration, the exam board will then consider whether the results it issued to you which took that information into account were wrong and, if so, whether it should change those results.

2. Appeals and complaints for vocational & technical qualifications

As vocational and technical qualifications come in a range of shapes and sizes, and fulfil a range of purposes, they are not all being treated in the same way and the grounds for appeal may vary. Whether you have received a calculated grade, have taken an adapted assessment or your assessment has been delayed, if you feel that the awarding organisation did not apply procedures consistently or that procedures were not followed properly and fairly. You should speak to your school or college if you think you might have reason to appeal. Schools and colleges can submit an appeal on your behalf, and in some cases awarding organisations are accepting appeals directly from learners. Private candidates can appeal directly.

Awarding organisations:

- must allow reasonable time for learners and centres to decide whether to request an appeal
- are required to publish their appeals process on their website

If you are unhappy with the outcome of the appeals process, you can make a complaint to Ofqual.

If you have concerns about bias, discrimination or anything else that suggests that your school or college did not behave with care or integrity when determining a centre assessment grade or providing evidence to the awarding organisation, you should normally raise these concerns with your school or college. In some cases, it may be appropriate to bring those concerns directly to the awarding organisation instead. So, do check your qualification's awarding organisation website for further details on appeals.

You may decide that instead of appealing, you want to take an assessment at the next available opportunity. For many vocational and technical qualifications there are already a number of assessment opportunities throughout the year. Some awarding organisations are providing additional assessment opportunities for some qualifications – our online qualifications explainer tool provides details of when the next assessment opportunities will be. Talk to your school or college to see if this applies to you and your qualification.

If you have not received a result and were expecting to, you should first speak to your school or college.

3. Help and support

Exam Results Helpline

Telephone 0800 100 900

nationalcareers.service.gov.uk

The Exam Results Helpline can provide information on appeals, complaints, or what your next steps may be once you've received your results.

Ofqual

Telephone 0300 303 3344

Contact the Ofqual student support phoneline if you want to find out more about how you were graded, the autumn exams series, how to make an appeal or how to raise a concern about bias or discrimination.

AQA

Telephone 0800 197 7162

www.aqa.org.uk

OCR

Telephone 01223 553 998

www.ocr.org.uk

Pearson

Telephone 0345 618 0440

www.pearson.com

WJEC Eduqas

Telephone 029 2105 5443

www.eduqas.co.uk

3.1 Advice on issues relating to equalities

You can contact the Equality Advisory and Support Service (EASS) for advice on discrimination claims under the Equality Act 2010. EASS advises and assists individuals on issues relating to equality and human rights.

EASS

Telephone 0808 800 0082

Textphone 0808 800 0084

www.equalityadvisoryservice.com

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