

Complaints, enquiries and appeals policy (Graded Examinations and Diplomas)

1 Introduction

1.1 This policy applies to the following RSL qualifications:

- Graded Examinations in Music Performance, Music Production and Music Theory
- Performance Arts Awards (PAA)
- Diplomas at Levels 4 and 6

It covers all units and assessment modes including Graded Examinations, Graded Certificates, and Performance Certificates whether delivered live (face to face), via live video, or recorded video, regardless of where in the world they are delivered.

Separate policies are available for Vocational Qualifications and for general (corporate) complaints: <https://www.rslawards.com/about-us/policies-regulations/>

1.2 This policy sets out the procedures that users of these qualifications should follow if they wish to make a complaint, enquiry about a result or an appeal.

1.3 For any advice or clarification about this policy and the procedures outlined, please contact appeals@rslawards.com

2 Issue and review

2.1 The date of issue of this policy is October 2020.

2.2 This policy will be subject to review and monitoring by RSL (at a minimum, annually, although more frequently if necessary) and will be amended and updated accordingly. As part of this monitoring process, feedback from candidates, teachers and parents will be taken into account. All revisions of this policy will be posted on our website.

3 Definitions

3.1 An *enquiry about a result* questions on whatever grounds the result(s) awarded to a candidate or group of candidates. It gives a candidate or their representative the opportunity to have results reviewed. There are three types of enquiries about results: (i) clerical check, (ii) remark, and (iii) investigation and report. Enquiries about results are not available in respect of decisions related to reasonable adjustments, special consideration, complaints or malpractice.

3.2 A *complaint* records dissatisfaction with procedures, processes or services provided, but does not explicitly question marks awarded. Complaints may be made about any aspect of RSL's examination services, but may in particular relate to:

3.2.1 the way in which a teacher or organisation delivering RSL's qualifications has interacted with RSL, for example if candidates were entered correctly for examinations or if candidates have not received certificates in good time. Please note however that RSL Awards does not regulate or accredit teachers or training providers and has no liability for other aspects of their work.

3.2.2 the way in which an examination service was delivered by RSL, including the conduct of the examiner, the facilities provided, and the associated administrative processes.

Please note that this policy does not cover general complaints about RSL Awards or those related to non-examination services.

3.3 If a *complaint* subsequently develops into an *enquiry about a result*, the matter will be treated as an enquiry about a result from that point onwards.

3.4 Customers who are dissatisfied with the outcome of a *complaint* or an *enquiry about a result* may lodge an *appeal*. Appeals may also be made against decisions in respect of reasonable adjustments, special consideration, or malpractice investigations.

4 Submitting a complaint, enquiry about a result or appeal

4.1 Users of these qualifications who wish to make a complaint or enquiry about a result may do via www.rslawards.com/complaint-page or by emailing appeals@rslawards.com or writing to: Operations Manager (UK) / Operations Manager (International), RSL Awards Ltd., Harlequin House, 7 High Street, Teddington, TW11 8EE, UK, setting out the nature of their concern.

4.2 The relevant Operations Manager (UK or International) will review the communication in consultation with relevant colleagues. Where necessary, the Operations Manager will decide, on the basis of the content of the communication, whether the matter is to be treated as a *complaint* or an *enquiry about a result* and will advise on the appropriate process to follow.

4.3 The following customer options will be available:

- **informal review**
- **clerical check**
- **remark** (applies to written, recorded video and live video examinations: Graded Certificate / Performance Certificate, Music Theory, Music Production, 2019 Diplomas)
- **investigation and report** with possible action depending on outcome (applies to face-to-face examinations: Graded Examination, Performance Certificate, 2015 Diplomas; and may

on occasion be the most suitable way to investigate some matters relating to written, recorded and live video examinations)

- **first level appeal** (applies where the outcome of a complaint or enquiry about a result has not been accepted, or to decisions in respect of reasonable adjustments, special consideration, or malpractice investigations)
- **second level appeal** (applies where the outcome of first level appeal has not been accepted)

- 4.4 Applications for all options other than the first (informal review) must be made by completing the prescribed form (available on our website [here](#)) and sending it to appeals@rslawards.com or via post to: Operations Manager (UK) / Operations Manager (International), RSL Awards Ltd., Harlequin House, 7 High Street, Teddington, TW11 8EE, UK.
- 4.5 Complaints, enquiries and appeals should be submitted no later than **30 working days** after the relevant result or decision has been received. We may not be able to investigate enquiries or appeals received later than this timeframe as evidence is time-sensitive and can become less reliable when it lies further in the past.
- 4.6 We will acknowledge all complaints, enquiries and appeals no later than 5 working days after receipt and provide an indication as to the likely timescale for resolution. This will normally be within 20 working days of the next appeals panel meeting.
- 4.7 Please note that in order to ensure that full records are kept, all correspondence must be dealt with in writing. Any matters discussed by telephone cannot be considered part of the formal process. This is because if matters are escalated to the appeals stage, the appeals panel will need to review all correspondence as part of the appeals process.
- 4.8 Complaints, enquiries and appeals may be made by the following people:
- 4.8.1 A complaint may be made by anyone who seeks information/guidance or receives an examination service from RSL.
- 4.8.2 An enquiry or appeal may be requested by the candidate themselves if they are aged 16 or over, their teacher, or a designated person acting on the candidate's behalf (e.g. a parent, guardian or carer).
- 4.9 No special consideration can be applied in relation to a complaint or enquiry, even if the candidate experienced a disruption during the exam that was beyond their control. More information on access arrangements and special consideration is available on our website [here](#).
- 4.10 Fees are as shown in the table below. The method of payment will be explained to complaints / enquirers / appellants once the appropriate option has been agreed. Outside the UK a local equivalent will be advised in each case.

Service	Fee	Cap for multiple candidates	Refundable
Informal review	no charge		
Clerical check	£10	£50	no
Remark	50% of exam fee	£100	if marks change by more than +/-5 or there is a change of assessment band
Investigation and report	no charge		
First level appeal	60% of exam fee	£150	if appeal is upheld
Second level appeal	75% of exam fee	£200	if appeal is upheld

5 Process

- 5.1 All users of qualifications have a right to make a complaint or enquiry about a result and accordingly all matters will be dealt with fairly, objectively, and without bias.
- 5.2 The appeals panel for Graded Examinations and Diplomas consists of the Head of Compliance and Responsible Officer, the Chief Examiner, the Operations Manager (UK) and Operations Manager (International), and meets on a monthly basis.
- 5.3 Where an enquiry or appeal involves further evidence to be collected or further review which will impact the stated timescale, the person making the complaint, enquiry or appeal will be informed as soon as possible and a revised timescale provided.
- 5.4 If no response to the panel decision is received within 20 working days of it being communicated, RSL will close the case and no further correspondence will be entered into.
- 5.5 In order to protect the interests of all concerned, RSL will maintain appropriate confidentiality at all stages of the process unless disclosure is necessary to progress the matter. Notwithstanding this, individuals who are the subject of a complaint have the right to be informed about the nature and substance of a complaint made against them, and the outcome.
- 5.6 Depending on the nature of the complaint, enquiry or appeal, and if the issues raised are deemed to be likely to have affected other candidates, for example in the same examination session, venue, or examined by the same examiner, action will be taken to ensure that such candidates are afforded the same treatment as the candidate who is the subject of the complaint, enquiry or appeal. In some circumstances this may result in longer timescales for resolution of the complaint, enquiry or appeal, in which case the complainant / enquirer / appellant will be informed of this and of the likely change to timescales.
- 5.7 Logs of all complaints, enquiries and appeals are maintained and are made available to RSL's Quality Committee (QC) for monitoring purposes. In some circumstances, problematic or complex

cases may be referred to QC for additional discussion and decision. QC is a sub-committee of RSL's Board of Directors and all senior staff are in attendance.

6 Informal review

- 6.1 The matters raised will be reviewed by relevant RSL staff and feedback and advice offered. There is no charge for this service.
- 6.2 RSL will not take any action (eg. mark adjustment, free re-submission or re-entry, etc.) as the result of an informal review.
- 6.2 Please note that where a complaint is judged by RSL to be trivial, vexatious or malicious, this may be indicated at this stage, with reasons given.

7 Clerical check

- 7.1 A check will be made to ensure that the marks awarded by the examiner have been subjected to quality assurance procedures and entered correctly on the system generating the correct result for the candidate.
- 7.2 In the event that any administrative error which led to the issuing of an incorrect result is determined, the higher mark will stand as the official result.

8 Remark

- 8.1 A re-mark of the examination will be conducted by the Chief Examiner, Senior Examiner or other member of academic staff who was not involved in the original decision.
- 8.2 If the mark changes when re-marked, the higher mark will stand as the official result.
- 8.3 A tolerance of + or -5 marks will be applied to the re-mark to take account of acceptable margin of error. A re-marked examination which falls within this tolerance will be considered as within an acceptable range of the original mark (i.e. the enquiry is not upheld) unless it results in a higher or lower grade (attainment band) being awarded. For written exams, any change in the mark will be considered as the enquiry is upheld.

9 Investigation and report

- 9.1 Complainants or enquirers should provide as much information as possible in order to enable a thorough investigation to be carried out, including the reasons for the complaint or enquiry, the

basis on which any results or decisions are being questioned (for enquiries only), and where relevant, details of how it is alleged that RSL did not follow correct procedures. Additional supporting documents (for example, copies of previous correspondence with RSL) can be included and must be clearly referenced. If insufficient information is provided, we may need to ask for it and this may delay the process.

9.2 The investigation will consider any or all of the following as appropriate:

- evidence from statistical analysis including the result history of the candidate, results of other examinations in the same session, examiner profile, etc.
- feedback from the examiner and/or venue
- evidence provided by the marksheet / written feedback
- evidence / information provided by the person making the enquiry

9.3 The outcome will be one of the following:

9.3.1 **Upheld.** This may include the offer of a free re-sit of the examination at the next available opportunity, or in exceptional circumstances, where there is clear evidence that an error of assessment is likely to have taken place, a small adjustment of the marks.

If a re-sit is offered, RSL will agree a time limit to protect the interests of all concerned and reproduce the original conditions as closely as possible.

Candidates may also be given the opportunity to re-sit individual components of exams and/or to submit work via video.

The offer of a re-sit, video submission or adjustment to marks will terminate the enquiry.

9.3.2 **Rejected.** No further action will be taken; however we will provide relevant feedback / information explaining and clarifying the mark awarded.

10 First level appeal

10.1 Appeals can be lodged in respect of the following:

10.1.1 **Appeals against RSL's decision on an enquiry about a result.** Please note that issues related to marking judgements or results cannot be submitted as an appeal before the enquiry stage has been completed.

10.1.2 **Appeals against RSL's decision on the outcome of a complaint.** Please note that issues regarding alleged errors in procedure or policy, including examiner conduct, which do not relate to marks or results should first be dealt with as a complaint.

10.1.3 Appeals against RSL's decision on an applications for special consideration or reasonable adjustment

10.1.4 Appeals against RSL's decision on the outcome of a malpractice or maladministration investigation

10.1.5 Appeals against RSL's decision on the outcome of an RPL mapping exercise

- 10.2 The application must contain a clear rationale for escalating the matter to appeal, and an indication of the action which the appellant considers appropriate.
- 10.3 The application, supporting documents and any records relating to the original decision made by RSL will be reviewed by the appeals panel.
- 10.4 Once receipt of the appeal is confirmed, there must be no further communication or correspondence between the appellant and RSL Awards until the appeal is concluded.
- 10.5 An appeal may be upheld or rejected. Once the judgement has been made the appellant will receive written confirmation of the outcome. Where the appeal is upheld, this will include details of any remedial action to be taken.

11 Second level appeal

- 11.1 A second level appeal consists of a review by an independent person who has no involvement with RSL, either currently or at any time in the past. The decision of the independent person will be final.
- 11.2 The application form must contain a clear rationale for escalating to this stage of appeal, and an indication of the action which the appellant considers appropriate.
- 11.3 On receipt of the application RSL will collate full documentation related to the case including any additional evidence provided by the appellant at this stage.
- 11.4 Once receipt of the appeal is confirmed, there must be no further communication or correspondence between the appellant and RSL until the appeal is concluded. Under no circumstances may the appellant contact the independent reviewer directly.
- 11.5 The independent reviewer will draw upon the evidence from the previous appeal stages and will request any further information from the candidate or RSL staff as required.
- 11.6 The independent reviewer will consider whether RSL has followed relevant processes, procedures and policies correctly and whether it has applied them properly and fairly in arriving at judgements. He/she will not re-mark a candidate's work.
- 11.7 There are two possible outcomes of the independent review:

- 11.7.1 If the independent reviewer finds that appropriate processes, procedures and policies have been followed and confirms the decision of the first level appeal, the appeal will be rejected.
- 11.7.2 If the independent reviewer finds that any of the appropriate processes, procedures or policies were not followed, the first level appeal will be upheld. The independent reviewer will recommend appropriate remedial actions to RSL for its consideration.
- 11.8 The appellant will be notified as to the outcome of the independent review as soon as possible after it has been completed.
- 11.9 Please note that the independent appeal is not a court of law and appellants do not require legal representation. Issues involving points of law will not be admissible. In these cases appellants should take legal advice on an appropriate next step.

12 Contacting the regulators and seeking legal advice

- 12.1 If an appellant is unhappy with the decision reached after independent review, they may contact the relevant regulator as follows, and/or seek legal advice:
 - 12.1.1 for England (or any country outside the UK), Ofqual www.ofqual.gov.uk
 - 12.1.2 for Wales, Qualifications Wales www.qualificationswales.org
 - 12.1.3 for Northern Ireland, CCEA www.ccea.org.uk
 - 12.1.4 for Scotland, SQA Accreditation
[accreditation.sqa.org.uk/accreditation/About Us/Complaints Handling Procedure](http://accreditation.sqa.org.uk/accreditation/About_Us/Complaints_Handling_Procedure)
SQA Accreditation is unable to overturn assessment decisions or academic judgements.
- 12.2 Where the complaint originated from a public body in Scotland, such as a Further Education (FE) College or local authority centre, the appellant may escalate their appeal to the Scottish Public Service Ombudsman (SPSO) once the public body's and the RSL's complaints procedures (where appropriate) have been exhausted. The SPSO will not consider complaints about academic decisions, such as the outcome of an assessment. Complaints should have been raised within the previous 12 months. The SPSO's Further Education Colleges Model Complaints Handling Procedure can be found at <http://www.valuingcomplaints.org.uk/sites/valuingcomplaints/files/resources/The-FurtherEducation-Model-Complaints-Handling-Procedure1.pdf>