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# **Learner Guide: Appeals, malpractice and maladministration complaints – Summer 2020**

**What to do if you have concerns or questions  
about your grades?**

August 2020

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# Introduction

The Minister for Education announced on Monday 17 August that GCSE, AS, A level and Welsh Baccalaureate Skills Challenge Certificate qualifications would now be awarded on the basis of centre assessment grades.

As a result of this change in approach to awarding qualifications, learners in Wales will now receive the higher of the centre assessment grade and calculated grade for GCSE, AS level and Welsh Baccalaureate Skills Challenge Certificate qualifications. For A levels, learners will receive the higher of their AS level grade, centre assessment grade and calculated grade.

Most learners will have received 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.

**Part 1** of this guide gives information for learners who have received results for GCSE, AS, A levels and Welsh Baccalaureate Skills Challenge Certificate qualifications.

**Part 2** gives information for learners who have received results for vocational qualifications.

# Part 1 GCSE, AS, A level and Welsh Baccalaureate Skills Challenge Certificate qualifications

For GCSE, AS, A level and the Welsh Baccalaureate Skills Challenge Certificate (SCC) this year, you will either receive your centre assessment grade (described below) or your calculated grade (your standardised grade), whichever is higher. For A levels, you will either receive your centre assessment grade, your calculated grade or your AS level 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<sup>1</sup> for each learner in every GCSEs, AS, A level and SCC qualification they planned to take this summer, and a rank order of learners by their expected performance. We asked schools and colleges to use a range of evidence when making these judgements.

Where a disabled learner would have had a reasonable adjustment for their exams, centres were asked to take account of the learner'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 learner's disability. They are needed because some disabilities can make it harder for learners to show what they know and can do in an assessment than it would have been had the learner 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 WJEC for each of your subjects. The centre assessment grade and rank order information that your school provided to WJEC had to be agreed by two 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 produced, 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.

## 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

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<sup>1</sup> <https://www.qualificationswales.org/media/5973/information-for-centres-on-the-submission-of-centre-assessment-grades-version-2-18-may-2020.pdf>

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 error when submitting information to WJEC. Errors might include, for example, mixing up two students with similar names, or accidentally copying across the wrong data. If your school or college finds it made a mistake in the information it provided it can ask WJEC to correct it.
2. **Your school or college can** appeal to WJEC on your behalf if it believes WJEC made a mistake when it communicated your grades.
3. **You cannot** challenge the centre assessment grades or your rank order positions submitted by your school or college under WJEC's appeals process. 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 WJEC can fulfil this role.

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. Private candidates can appeal directly to WJEC in certain circumstances (please see our [Private Candidate Policy Statement](#) for further details). 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 WJEC for further guidance.

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 better understand the grade you have been given.

Where you believe there may have been an error made when your school or college submitted your centre assessment grades to WJEC or when WJEC communicated your result, you should speak to your school or college in the first instance.

## **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 there are concerns from some learners, and groups representing learners, 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 WJEC.

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 WJEC instead; see contact details at the end of this guide.

## **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 WJEC that your centre assessment grade was lower than you think you deserved will not be enough to make WJEC 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.

## **What will WJEC do with my allegation?**

If WJEC 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.

It is likely that WJEC will 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 WJEC 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 WJEC will allow the teacher an opportunity to explain when they do not agree with the allegation.

If WJEC thinks there has been malpractice or maladministration, it 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.

## Part 2: Appeals and complaints for Vocational Qualifications

As vocational 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 body 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 bodies are accepting appeals directly from learners. Private candidates can appeal directly.

Awarding bodies:

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

If you are unhappy with the way in which an awarding body has dealt with your appeal, you can [make a complaint to Qualifications Wales](#).

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 body, 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 body instead. We advise you to check your qualification's awarding body 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 qualifications there are already a number of assessment opportunities throughout the year. Some awarding bodies are providing additional assessment opportunities for some qualifications – Ofqual's [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.

# Help and support

## ***Careers Wales***

Whatever your results, Working Wales, delivered by Careers Wales, can give you the free, impartial help and advice you need.

Careers Wales continues to provide its vital careers service by telephone ([0800 0284844](tel:0800 0284844)), web chat and email.

Careers Wales are extending the times of its webchat and telephone services. From Tuesday 1st September, the Careers Wales Connect team will be available Monday to Thursday from 8am to 9pm, and Friday 9am to 4:30pm. This means that you will have more flexibility to contact them at a time that suits you.

Telephone: [0800 028 4844](tel:0800 028 4844)

Monday to Thursday: 9am to 5pm, Friday: 9am to 4:30pm

Or, request a [callback](#)

### [Webchat](#)

Chat to an adviser using instant messaging.

Monday to Thursday: 9am to 5pm, Friday: 9am to 4:30pm

[Email](#) and they will answer within 2 working days.

## ***Qualifications Wales***

If you have a complaint about an awarding body or a regulated qualification, you should contact the awarding body in the first instance.

However, if you have exhausted the awarding body's complaints procedure and remain dissatisfied, you should bring the complaint to our attention.

### [Complaints about Awarding Bodies Policy](#)

If you wish to make a complaint, please email [report@qualificationswales.org](mailto:report@qualificationswales.org) and title your email "Complaint about an awarding body".



## **WJEC**

Contact WJEC to progress a complaint if you think you have evidence of malpractice.

**02920 265000**

[\*\*malpractice@wjec.co.uk\*\*](mailto:malpractice@wjec.co.uk)

[www.wjec.co.uk](http://www.wjec.co.uk)

## ***Equalities advice and support***

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: [www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com).