

Independent Schools Inspectorate

Complaints Policy

September 2022

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Introduction

1. The Independent Schools Inspectorate ('ISI') is approved by the Department for Education ('DfE') to inspect independent schools in England that are members of an association¹. We also inspect some other education providers (British Schools Overseas ('BSO')² and Private Further Education ('PFE') Colleges³).
2. References to the DfE in this policy relate only to the inspection of independent schools in England that are members of an association – not to BSO or PFE inspections.
3. This complaints policy applies to complaints about any ISI inspection of a school or education provider (i.e. of a school in membership of an association, of a British School Overseas or of a private further education college).
4. The aim of this policy is to make sure that you know how to make a complaint about our work and you understand how we will handle complaints that we receive.
5. We welcome feedback from individuals and organisations on all aspects of our services. We listen to your complaints, treat them seriously, and learn from them so that we can continuously evaluate and improve our work.
6. A complaint is any expression of dissatisfaction by an individual, whether justified or not.
7. If you make a complaint about our work, we will deal with this fairly and thoroughly.
8. We shall endeavour to remain within the deadlines set out below wherever possible, but if circumstances make this impossible, we shall contact the school or other complainant (in the case of a non-inspection complaint) with an explanation and a revised deadline.
9. If your complaint is upheld, we will acknowledge this and our response will depend on the circumstances. It may include an explanation, acknowledgement of responsibility, apology and/or remedial action⁴.
10. Throughout this policy 'us', 'we' and 'our' refer to ISI; 'you' and 'your' refer to someone who has a concern or is making a complaint. Please note that in paragraphs 22 to 47 'you' and 'your' refer solely to the most senior leader in a school or education provider that has been recently inspected by ISI.
11. Throughout this policy, 'working days' refers to the school's term time Monday to Friday working days.
12. Where more than one complaint is made by a school about the same inspection, these will usually be treated as one complaint.
13. This complaints policy tells you:
 - What to do if you think a child in England is at risk (paragraphs 15-20)
 - How to raise a concern about a school or education provider that ISI inspects (paragraph 21)

¹ For details of the associations go to <https://www.isc.co.uk/>

² <https://www.gov.uk/education/inspection-of-british-schools-overseas>

³ <https://educationaloversight.co.uk/about/>

⁴ This may include: reviewing or changing a decision; revising published material; revising procedures, policies or guidance to prevent the same thing happening again; training or supervising staff; or any combination of these.

- How to complain about an ISI inspection (paragraphs 22-47)
- How to complain about ISI's non-inspection work (paragraphs 48-59).

14. Any complaint that is ongoing at the time of the coming into effect of this policy will be dealt with in accordance with its provisions.

If you think a child in England is at risk

15. If a child is in immediate danger, call 999.
16. If you think a child is at risk, contact the children's social care team at their [local council](#) or call your local police on 101.
17. You should also tell the Designated Safeguarding Lead (DSL) at the child's school. You can find out who this is in the school's safeguarding policy, which must be on their website.
18. If the safeguarding policy is not on the school's website, or the DSL is not named in the policy, you should let us know at safeguarding@isi.net
19. If you want to find out more about schools' responsibilities to safeguard children, you can read the [latest statutory guidance](#) for schools and education providers published by the government.
20. If the child is in another jurisdiction, you should seek to follow local safeguarding procedures

How to raise a concern about an independent school or education provider that ISI inspects

21. If you have a complaint or concern about a school or education provider that ISI inspects, please refer to the [ISI Concerns Policy](#).

How to complain about an ISI inspection of a school or education provider

22. Whilst most inspections do not lead to a complaint, we take seriously any complaint we receive and will respond to it in accordance with this policy.
23. We will only consider complaints about inspections from the most senior leader in the school or education provider inspected, who is or will be named on the inspection report (referred to as 'you' in paragraphs 24 to 47). This may be the head teacher, chair of governors or proprietor. In cases where the chair of governors or proprietor raises a complaint, references to 'you' in paragraphs 24 and 25 below refer to the head teacher.

Resolution of concerns while inspectors are at the school

24. We value and prioritise open relationships between schools and inspection teams on inspection. Our inspectors are trained to ensure clear and regular communication with the school throughout the

inspection process. The Reporting Inspector will meet you regularly and will try to resolve any issues as quickly as possible.

25. It is very important that you speak to the Reporting Inspector about any concern you have about an inspection as soon as possible while it is still happening. We expect you to do this if you have a concern during the inspection process. This enables the Reporting Inspector to deal with any issues as they arise. The Reporting Inspector will also record these and any explanations provided or actions taken in response in the record of evidence. We hope this will resolve most issues.

Stage 1 Complaint (Informal)

26. If you feel the Reporting Inspector was unable to resolve your concerns on inspection, you can tell us by emailing complaints@isi.net within two term-time working days of the end of the onsite inspection.
27. Within two term-time working days of receipt of this email, a member of the quality assurance team will call you in order to ensure that we have fully understood your concerns. Within two term-time working days of this call, you will be sent an email setting out our record of this phone conversation. If you believe that this record is inaccurate, you must let us know and explain why within two term-time working days.
28. We will try to resolve your concerns at this early stage of our inspection quality assurance processes.
29. We will call or email you prior to issue of the draft inspection report to explain the outcome of your Stage 1 Complaint.

Stage 2 Complaint (Formal)

30. If you have any remaining concerns after the draft inspection report has been sent to you, you can submit a Stage 2 Complaint during the factual accuracy check (FAC) process. This is when we send you the draft inspection report for a factual accuracy check. We will ask you to complete a FAC form and return it to delivery@isi.net within five term-time working days.
31. To make a Stage 2 Complaint, you must:
- Clearly list your concerns in **one document** under the following headings:
 - **‘Outstanding Stage 1 Concerns’**. Under this section, you must:
 - specify those aspects of your Stage 1 Complaint that you believe to be unresolved; and
 - explain, in respect of each matter, why you believe your concern was not addressed or considered effectively during the Stage 1 process.
 - **‘New concerns’**. Under this section, you must provide:
 - full details of any concern not previously raised; and
 - an explanation of why you did not raise this earlier in the quality assurance process.
 - **‘Anything else’**
 - This should include anything else you want to tell us.
 - Return the Stage 2 Complaint together with the FAC form to delivery@isi.net and complaints@isi.net within five term-time working days of receipt of the draft inspection report.

32. We will normally respond in writing to any points raised regarding factual accuracy and your Stage 2 complaint within ten term-time working days, at the same time as the report is issued to the school.
33. Our response will explain whether we uphold part, all or none of your complaint and why; and any steps we will take as a result.
34. Occasionally, complex investigations may take longer. If this is the case, we will write to you within five term-time working days from the date we receive your complaint. We will give you a date by which we expect to reach our conclusion.

Report publication

35. Stage 3 complaints about inspections will not delay the publication of inspection reports unless the DfE has agreed to postponement (see below).
36. If you wish to seek postponement of publication of your report pending the decision of the Independent Adjudicator you must, **within five term-time working days of receipt of ISI's response to your Stage 2 complaint, write to the DfE** at registration.enquiries@education.gov.uk, copying in complaints@isi.net. You should:
 - provide the DfE with detailed grounds for your request
 - state the date when ISI communicated the Stage 2 decision to you
 - explain that the report is scheduled to be published ten working days after this
 - ask the DfE to reply to you and to ISI no fewer than **two term-time working days before** the scheduled publication date, i.e. no more than eight term-time working days after your receipt of ISI's response to your Stage 2 complaint.
37. It is important that you copy in ISI so that we are aware of the request pending receipt of the DfE's decision.
38. ISI cannot defer publication unless we have received confirmation from the DfE that they authorise such deferral at least two term-time working days before the scheduled publication date. It is for the school to ensure that the DfE is aware of any relevant date or deadline.
39. Requests for deferral of publication of a BSO or PFE report should be made directly to complaints@isi.net **within five term-time working days of receipt of ISI's response to your Stage 2 complaint**, providing detailed grounds for your request.

Stage 3 Complaint (Referral to Independent Adjudicator)

40. If you are not satisfied with our response to your Stage 2 complaint, you can refer it to an Independent Adjudicator by emailing complaints@isi.net. You must submit this referral within 10 term-time working days of receiving our Stage 2 complaint response.
41. The Independent Adjudicator can consider whether:
 - We followed this policy properly in handling your complaint; and/or
 - We reached a reasonable decision in response to your complaint.
42. We will acknowledge your referral to the Independent Adjudicator within five term-time working days of receiving it.

43. The Independent Adjudicator will decide whether we handled your complaint properly under this policy and/or whether we reached a reasonable decision.
44. You will receive a response to your referral within 30 term-time working days.
45. If the Independent Adjudicator upholds part or all of your complaint, the response will tell you which aspects of your complaint have been upheld and why. The response will include any steps we will take as a result.
46. If, exceptionally, the report has not already been published, it will be published 10 term-time working days after the school has received the decision of the Independent Adjudicator.
47. The decision of the Independent Adjudicator is final. ISI will not engage in further correspondence after the complaints process has been concluded.

How to complain about ISI's non-inspection work

Informal resolution

48. Please send your complaint to complaints@isi.net. You must:
 - make your complaint within two months of the work or matter in respect of which you are complaining. If a matter has come to your attention more than two months after it occurred, please explain the circumstances and state when it came to your attention.
 - explain how your complaint relates to ISI's non-inspection related work.
49. We can only consider complaints that relate directly to the work that we do.
50. If your complaint does not relate to the work that we do, we will, if possible, direct you to another body that may be able to help you.
51. If your complaint does relate to work that we do, we will communicate with you about your complaint, usually in writing, or we may call you. We will normally try to resolve your complaint at this informal stage within 15 working days of its receipt.

Formal Complaint Stage 1

52. If you are not satisfied with an informal resolution, you can make a formal complaint via complaints@isi.net within 10 working days of our communication to you of our response to the informal stage of consideration of your complaint.
53. We will acknowledge your formal Stage 1 complaint within five working days. We will investigate your complaint and we will respond within 30 working days. We will explain whether part, all or none of your complaint has been upheld. We will also tell you any steps we will take as a result.
54. Occasionally, investigations may take longer. If this is the case, we will write to you within ten working days from the date we receive your complaint. We will give you a final date we expect to reach a conclusion.

Formal Complaint Stage 2

53. If you are not satisfied with our response to your Stage 1 complaint, you can refer it to the ISI Board via complaints@isi.net within 10 working days of receiving it.
54. A panel of Board members can consider whether:
 - we followed this policy properly in handling your complaint; and/or
 - we reached a reasonable decision in response to your complaint.
55. We will acknowledge your referral to the ISI Board within five working days of receiving it.
56. You will receive a response to your referral within 30 working days.
57. If the ISI Board upholds part or all of your complaint, the response will tell you which aspects of your complaint have been upheld and why. The response will include any steps we will take as a result.
58. The decision of the ISI Board is final. We are not able to engage in further correspondence after the complaints process has been concluded.
59. There is no further right of appeal under this policy. If you have been through all stages of the process and you are still not satisfied, you could approach:
 - [Citizens' Advice](#)
 - A solicitor

Our commitment to our complaints policy

60. We recognise that all service users, agencies and organisations that we work with directly have the right to raise concerns or complaints about our services and should have access to clear information on how to voice complaints and concerns.
61. We will:
 - Make sure our complaints policy is on our website
 - Investigate and respond to complaints promptly within the timescales in this policy
 - Deal with complaints in line with our Data Protection Policy
 - Keep a register of all complaints, which the ISI Board will review regularly as part of the quality assurance of inspections
 - Ensure all staff and Board members read, understand and comply with this policy and its procedures
 - Report annually to the Department for Education:
 - The number of complaints we receive
 - The outcomes; and
 - Any actions we take.

Anonymous complaints

62. We will record and consider complaints received anonymously, but action may be limited if further information is required to ensure a full and fair investigation.
63. We will always pass anonymous concerns about a school to the DfE.

Vexatious complaints

64. Very occasionally, we receive vexatious complaints that can place undue strain on time, resources and individuals. ISI will determine whether a complaint is vexatious on a case-by-case basis. In assessing this, ISI will have regard to the characteristics of a 'frivolous' or 'vexatious' complaint' as defined by the [Office of the Independent Adjudicator](#):
- Complaints that are obsessive, persistent, harassing, prolific, repetitious
 - insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
 - insistence upon pursuing meritorious complaints in an unreasonable manner
 - complaints which are designed to cause disruption or annoyance
 - demands for redress that lack any serious purpose or value
65. If ISI decides that a complaint is vexatious, the complainant will be informed in writing and reasons will be provided for ISI's decision. The complainant will be informed that ISI will not enter into any further communication with them concerning the complaint(s).

Whistle-blowing

66. If you work in a school, your school will have its own whistle-blowing policy.

Data protection

67. We will use the personal data you give us to handle your complaint. We will share information from your complaint with people whose actions you have complained about, relevant ISI staff who need it to do their job and/or external agencies as appropriate. Apart from these exceptions, the complaints process is regarded as private and we will maintain the privacy of anyone who makes or is referred to in a complaint as far as possible. We will normally destroy complaints files in a secure manner six years after the complaint has been closed.

Consultation and review

68. The DfE was consulted in the formulation of this policy.
69. This policy will be reviewed annually.

Table of changes

Sept 22	Greater clarity on the processes of report issue and publication and the timing of the complaints process in relation to these
	Clear explanation of how and when feedback will be provided to schools at each stage, so that they understand how their complaint is taken into account in the Quality Assurance process
	Section on 'Report Publication' notes that the school is responsible for contacting the Department for Education if they wish to request deferral of publication of a report
	Specific reference to the application of the policy to British Schools Overseas and Private Further Education inspections
	Introduction of a provision relating to vexatious complaints