

INDEPENDENT SCHOOLS INSPECTORATE

COMPLAINTS AND REVIEW PROCEDURE

JUNE 2018

DATE OF POLICY: JUNE 2018

APPROVED BY: KATE RICHARDS (CHIEF INSPECTOR)

1. PRINCIPLES OF THE COMPLAINTS AND REVIEW PROCEDURE

- 1.1. ISI seeks to ensure that all parties involved in an inspection are satisfied that inspections and related activities are carried out in a thorough and professional manner so that all members of the school community can have confidence that inspection processes are robust. Whilst we always strive to meet high standards of quality, on rare occasions, it may be necessary for complaints about some aspects of our work to be raised with us.
- 1.2. ISI takes complaints seriously; we view them as making an important contribution to our quality assurance measures. They can alert us to difficulties or uncertainties in the system and may lead us, for example, to issue additional guidance to inspectors. We will investigate any complaint rigorously and make every effort to resolve the issues as quickly as possible.
- 1.3. **Aim** - Our aim is that the procedure set out in this policy should be:
 - clear;
 - thorough and objective;
 - comprehensive;
 - consistently implemented.
- 1.4. **Scope** - This policy applies to complaints relating to both inspection and non-inspection matters. Many concerns can be resolved informally and the procedures available for this are described in section 2 below.
- 1.5. As inspection judgements are the corporate view of an inspection team, they may not be overturned at any stage of the complaints and review procedure unless overwhelming evidence indicates that the original judgement was significantly flawed.
- 1.6. Internal school matters (such as school fees or employment issues) or events which happen after an inspection cannot be considered under the complaints procedure but parents may contact concerns@isi.net for advice about how to proceed.
- 1.7. **Reviews** – This policy covers not only complaints (expressions of discontent) but also requests for an internal review. A review may entail action such as further consideration of evidence and/or applicable regulations, or ISI reflecting on an aspect of our internal processes. The process for complaints and reviews are the same. References to complaints and complainants in this policy include requests for a review and those requesting them, unless otherwise indicated.
- 1.8. **Who can complain?** – In the case of complaints about a particular inspection, complainants must have a direct connection with the school or college at the time of the inspection, whether as parent, governor, member of staff or pupil. Other complaints are dealt with as non-inspection complaints.
- 1.9. **Confidentiality** - Just as it is one of our operating principles to respect confidentiality of schools and those who work in them, ISI asks that complainants be sensitive to the fact that complaints about inspections are often about the work of identifiable individuals and complainants are asked not to copy their complaint to parties outside ISI without full consideration of any legal implications such as data protection, harassment, defamation.
- 1.10. **Delay in publication** - Under the terms of ISI's agreement with the Secretary of State for Education, complaints cannot delay the publication of reports, except in exceptional

circumstances where publication may be seriously damaging and the DfE has agreed to postponement.

1.11. Time limits -

1.11.1. A complaint from a school about the **conduct of an inspection** should be raised **as soon as possible** with the Reporting Inspector, who will seek to resolve any concerns preferably during the inspection. If the school remains concerned, then it should contact ISI as soon as possible using the procedures in this policy.

1.11.2. Concerns about the **contents of an inspection report**, including a request for a review, cannot be registered under this complaints process until after the school has responded to the factual accuracy check and received ISI's response. (See below for the role of the factual accuracy check.) Complaints can be raised **up to six weeks from the publication** of the final inspection report to the school and Department for Education (note: this is not the same as the date of publication on the ISI website) or **three calendar months from the inspection** whichever is the later.

1.11.3. **Non-inspection complaints** - A complaint which is not about an inspection should be brought to the attention of ISI at the complainant's earliest convenience and no later than **six weeks** of the issues complained of. Complaints brought later will not be entertained unless it can be shown that exceptional circumstances prevented earlier action.

1.12. **Conduct** – We acknowledge that schools and individuals can find inspections stressful. However, complainants are requested to recognise that inspectors inspect in good faith against requirements set by the Department for Education, and, accordingly, we ask that complainants maintain standards of professional courtesy in their correspondence or other dealings with ISI, its inspectors and staff.

2. RESOLVING CONCERNS INFORMALLY

2.1. Inspection matters -

2.1.1. **During an inspection** - Anyone involved in or affected by an inspection should raise any areas of concern as soon as they arise so that they can be resolved as quickly as possible. Those with concerns during an inspection should speak directly with the Reporting Inspector, where possible, or to ask someone to do so on his or her behalf. The Reporting Inspector will do all he or she can to resolve the matters raised, undertaking any necessary discussions and seeking advice from ISI where necessary.

2.1.2. **At the oral feedback** - At the end of an inspection, in most cases the Reporting Inspector provides oral feedback. Schools are encouraged to alert the Reporting Inspector orally to any concerns at that time.

2.1.3. **Email at any time** - In addition to the opportunities to raise concerns orally set out above, schools may raise informal concerns with the ISI office at any time by emailing the Account Officer for the inspection on: delivery@isi.net. Although concerns will not be registered and processed through the formal complaints policy until after the factual accuracy check is complete, a senior member of staff may be able to deal quickly with emerging concerns.

2.1.4. The role of the factual accuracy check - After the formal oral feedback, the most appropriate means for schools informally to raise concerns about the contents of a report is through the factual accuracy checking process. By the end of the third week after an inspection, the draft report(s) is/are sent to the school for checking. The covering email explains that a response is required within **four working days** and a table is attached to the email for this purpose. The factual accuracy check is an integral part of ISI's quality assurance process. This is an opportunity for the school to correct points of fact, such as the school details, and also to seek further clarification or raise any other matters of concern in relation to the report. It is not an opportunity to revise the language and/or style of an Educational Quality Inspection report. Using the table provided, the Reporting Inspector considers and responds through the ISI head office to each substantive concern expressed, with the benefit of specialist technical support if necessary, giving reasons why any changes requested by the school will or will not be made and enclosing the finalised text of the report.

2.1.5. If a school is still dissatisfied with a report at this stage, it may bring a complaint and/or request a review under the formal process below.

2.2. Non-inspection matters

2.2.1. Correspondence about non-inspection matters should be taken up with the head of the relevant area of ISI's operations. The correspondence may be escalated to the formal complaints process at any time where appropriate by either the enquirer or the member of ISI's senior leadership team with responsibility for the relevant area of operation.

3. FORMAL COMPLAINTS

3.1. Stage One

3.1.1 **Inspection complaints** - If efforts to resolve the concern(s) informally have not been successful, individuals or schools may proceed to a formal complaint. It may include concern in relation to matters such as questions of fact, conduct, poor administration, inspector or staff conduct, or the security of evidence for inspection findings and regulatory interpretation.

3.1.2 In the first instance, those wishing to raise a formal complaint about an inspection should write to, or email, the Account Officer for the relevant inspection on:

delivery@isi.net

or

Independent Schools Inspectorate
9-12 Cap House
Long Lane
London EC1A 9HA

Only a formal complaint made in writing will be dealt with under the formal complaints procedure outlined in section B.

3.1.3 ISI will:

- acknowledge, usually by email within **two working days** of receipt of the complaint;
- confirm what ISI will be doing to investigate the complaint;
- inform the complainant who will be responsible for contacting him/her again.

3.1.4 A complaint may be made up to **six weeks** from the date of publication of the final report to the school and Department for Education (note this is not the same as the date of publication on the ISI website) or **three calendar months** from the inspection, whichever is the later.

3.1.5 In order to ensure a full investigation of a complaint, it is important to include all the points and information you wish to be considered, from the outset. This will enable your complaint to be dealt with more quickly. A written complaint should:

- Set out clearly the specific complaint or complaints;
- wherever possible support the complaint or complaints with examples;
- include any record of action taken so far and any response received from the Reporting Inspector;
- state what redress the complainant is seeking.

3.1.6 Please note in the case of a school requesting a review of inspection findings, that examples cited must relate to the school making the complaint. ISI cannot engage in detailed discussion with individual schools about inspection matters related to another school.

3.1.7 We will investigate the complaint and send a full written response within **thirty working days**. In the case of a complaint about or review relating to an inspection, the process may entail gathering input from the Reporting Inspector and others but will otherwise be conducted by members of the inspectorate who were not materially involved in the original inspection. The response will also include details of what you should do if you remain dissatisfied.

3.1.8 Where a complaint is upheld or a review determines that findings, including judgements, were not secure, appropriate action will be taken. This may include one or more of the following:

- amendments to a report;
- use of the performance review procedure for inspectors;
- re-inspection, in part or whole as necessary.

Please note that a complainant will not be provided personal information concerning inspectors or others.

3.1.9 **Non-inspection complaints** – Non-inspection complaints follow the same pattern and time limits as inspection complaints. They would normally be investigated at Stage One by the senior leader responsible for the relevant function or by another senior colleague where the section head has already been materially involved.

3.2. Stage Two

- 3.2.1 **Inspection complaints:** Where it has not been possible to reach an acceptable resolution at Stage One, the complainant may wish to proceed to a Stage Two complaint by writing to the Chief Inspector within **fifteen working days** of the Stage One decision.
- 3.2.2 The complaint will be acknowledged within **five working days** of receipt with a letter confirming the central points of the complaint or request and the next stage in the process.
- 3.2.3 The matters complained of will be considered and reviewed afresh including the original and any further submissions from the complainant and any supporting documentation provided, alongside the full evidence base from the inspection and any other evidence gathered under Stage One. With this in mind, it is important for complainants to ensure that all points are made at the same time so that they can be considered together. The Chief Inspector may appoint others who have not been involved in either the original inspection or at an earlier stage of the complaints and review process to assist in any aspect of Stage Two including any further investigation required. The Chief Inspector will then respond in writing to the complainant.
- 3.2.4 Where a complaint is upheld or a review determines that findings were not secure, action taken may include one or more of the following:
- amendments to the inspection report;
 - use of the performance procedure for inspectors;
 - re-inspection in part or whole as necessary.

Please note that a complainant will not be provided any personal information concerning inspectors or others.

- 3.2.5 The complainant will receive a decision in writing as soon as possible and no more than **thirty working days** after progression to this stage.
- 3.2.6 **Non-inspection complaints** – Non-inspection complaints follow the same pattern and time limits. Investigations at Stage Two are conducted by or on behalf of the Chief Executive Officer who responds on behalf of ISI. It should be noted that the Chief Executive Officer cannot over-rule the Chief Inspector on any matter pertaining to inspection or inspectors.

3.3. Stage Three

- 3.3.1 If, having received a response to their Stage Two complaint, a complainant remains dissatisfied, they should write to the Chair of the ISI Board within **ten working days** of receipt of the Stage Two decision, setting out the reasons for dissatisfaction with the handling of the complaint at Stages One and Two.

- 3.3.2 A Stage Three complaint cannot consider new complaints or reinvestigate the original complaint.
- 3.3.3 An acknowledgement of the complaint will be made within **five working days** of receipt of the request. This will also confirm what ISI will do next and who will be responsible for contacting the complainant again.
- 3.3.4 **Inspection complaints** - The Chair of the Board will refer the complaint to an independent adjudicator and will provide all relevant documentation concerning the case. The decision of the independent adjudicator will be final. The independent adjudicator will respond in full via the Chair within **thirty working days**. If it is found that the procedures for Stages One and Two were not followed, then internal action may be taken.
- 3.3.5 Where a complaint is upheld or a review determines that findings were not secure, action taken may include:
- amendments to a report;
 - use of the performance procedure for inspectors and/or staff;
 - partial re-inspection as necessary at ISI's expense;
 - a further full inspection at ISI's expense.

Please note that a complainant will not be informed of personal information concerning inspectors or others.

- 3.3.6 **Non-inspection complaints** - The Chair will be briefed by company officers and seek further internal or external advice (for example from other board members or from a relevant professional), as appropriate. The Chair will then respond on behalf of the company within the usual Stage Three timeframe (**thirty working days**). An external adjudicator is not involved in the resolution of non-inspection matters. It should also be noted that the Chair cannot over-rule the Chief Inspector on any matter pertaining to inspection or inspectors.



4. CONTACT DETAILS

	Inspection	Non-inspection
Informal	Schools: Account Officer delivery@isi.net Parents: concerns@isi.net	Relevant officer/head of section (if known) Or info@isi.net
Formal Stage One	Account Officer complaints@isi.net	Head of section (if known) Or complaints@isi.net
Formal Stage Two	Kate Richards, Chief Inspector c/o Quality Assurance Officer complaints@isi.net	Chief Executive Officer c/o Quality Assurance Officer complaints@isi.net
Formal Stage Three	Christine Swabey, Chair c/o Quality Assurance Officer complaints@isi.net	Christine Swabey, Chair c/o Quality Assurance Officer complaints@isi.net

Schedule of changes

Date	Amendment
June 2018	Updated to clarify process particularly for non-inspection complaints, and update contact details.
April 2020	Time for each stage extended by up to 20 working days for ISI and on request for schools.