REPORTING YOUR CONCERNS

COMPLAINTS AND REVIEW POLICY AND PROCEDURE

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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. 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 own 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 Scope of procedure - Complaints should focus on inspection matters such as the conduct of an inspection or on inspection findings. Our aim is that the procedure set out in this policy should be:

- clear;
- thorough and objective;
- comprehensive;
- consistently implemented.

Internal school matters (for example, school fees or employment issues) or events that happen after an inspection cannot normally be considered under the complaints procedure. If you have concerns about a school, please contact safeguarding@isi.net.

1.4 Complaints and reviews – A complaint about the conduct or findings of an inspection may entail, for example, seeking more information from the Reporting Inspector, consideration of the underlying evidence and the applicable regulations (further information is given in Section B below). The term for this process is a “review”. The process for complaints and reviews are the same. References to complaints and complainants herein include requests for a review and those requesting them, unless otherwise indicated.

1.5 Who can complain? - Complainants must have a direct connection with the school at the time of the inspection, whether as parent, governor, member of staff or pupil.

1.6 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 data protection implications.

1.7 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.

1.8 Time limits - A complaint which is not from a school or is not about the contents of a report should be brought to the attention of ISI at the complainant’s earliest convenience. A complaint from a school about conduct of an inspection should be raised first with the Reporting Inspector who will seek to resolve any concerns. If the school remains concerned then it should contact ISI as soon as possible. A complaint about the contents of an inspection report including a request for a review should not be made until after the school has submitted its response to the factual accuracy check and draft report. Complaints, including any requests for reviews, must be raised with ISI within six weeks of the publication of the inspection report.

1.9 Code of 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 DfE, and, accordingly, we ask that complainants maintain standards of professional courtesy in their correspondence or other dealings with ISI or its staff.
2. **THE COMPLAINTS AND REVIEW PROCESS**

2.1 **Definition of complaint** - ISI’s working definition of a complaint is a written expression of serious dissatisfaction or concern in relation to our activities that requires a response. It may include concern in relation to matters such as poor administration, inspector or staff conduct, the security of inspection findings or, where relevant, notification to UKVI in connection with Tier 4. Many concerns can be resolved informally, and the procedure for this is described in section A below.

2.2 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.

3. **THE ROLE OF THE FACTUAL ACCURACY CHECK**

3.1 By the end of the third week after an inspection, the draft report is sent to the school for checking within a time limit stated in the covering email. The factual accuracy check stage of report production is an integral part of ISI’s quality assurance process. This is an opportunity for the school to correct points of facts, such as the school details, and also to seek further clarification or raise any other matters of concern in relation to the report. The Reporting Inspector is able to consider and respond through the ISI head office to any concerns 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.

3.2 The acceptance of late documentation at the factual accuracy check stage is a matter for the discretion of the Reporting Inspector and/or the ISI head office. This would usually be limited to permitting the late inclusion in the evidence base of, for example, a straightforward pre-existing document, such as a certificate which was missing during the inspection visit or an item which resolves a conflict of evidence.

3.3 If a school is still dissatisfied with the contents of a report following completion of the process of checking factual accuracy, it may bring a complaint and/or request a review. Prior to completion of the factual accuracy check, the school may alert ISI informally to concerns but a formal complaint cannot be considered until after the factual accuracy check stage is completed with the final report being sent to the school.

4. **SECTION A: RESOLVING CONCERNS INFORMALLY**

4.1 **During an inspection** - Anyone involved in or affected by an inspection is encouraged to 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 are strongly encouraged to speak directly with the Reporting Inspector, or to ask someone to speak to the Reporting Inspector 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.

4.2 **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.

4.3 **Following the oral feedback** – After the occasion of the 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 as at this stage the inspection is still open and the contents of the report are available in draft. Schools which do not wish to await the factual accuracy check can alert ISI to
their concerns informally via their Account Officer but formal complaints will not be considered until completion of the factual accuracy check.

4.4 Concerns may also be made to the ISI office (by telephoning 020 7600 0100 or by email to: complaints@isi.net). If possible, these will be resolved over the telephone by a member of the team at ISI. If an inspection is on-going, advice would usually be fed back to the complainant school via the Reporting Inspector, if appropriate. If an inspection that is the source of the concern has concluded, the informal stage can be used to alert ISI as soon as practically possible following oral feedback.

4.5 If a satisfactory resolution is not reached informally, or the person expressing the concern does not feel that due weight is being given to the concerns, then the complainant has the option of pursuing a formal complaint.

5. SECTION B: FORMAL COMPLAINTS

5.1 STAGE ONE

5.1.1 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, the security of evidence for inspection findings and regulatory interpretation, or, where appropriate, proposed notification to UKVI in connection with Tier 4.

5.1.2 In the first instance, those wishing to raise a formal complaint about an inspection should write to ISI at:

Complaints
Independent Schools Inspectorate
9-12 Cap House
Long Lane
London EC1A 9HA
Email: complaints@isi.net

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

5.1.3 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.

5.1.4 A complaint may be made up to six weeks from the date of publication of the report or three calendar months from the inspection, whichever is the later.

5.1.5 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;
5.1.6 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 examination with individual schools about inspection or reporting related to another school.

5.1.7 We will investigate the matters complained of 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.

5.1.8 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;
- amendment to proposed Tier 4 notification to UKVI;
- use of the performance procedure for inspectors
- re-inspection, in part or whole as necessary.

Please note that a complainant will not be informed of personal information concerning an inspector.

5.2 STAGE TWO

5.2.1 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.

5.2.2 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.

5.2.3 Complaints at this stage may be based on issues such as questions of fact, conduct, poor administration, the security of the evidence for inspection findings, where appropriate, proposed notification to UKVI in connection with Tier 4, and/or failure of ISI to follow the Stage One procedure. Complaints will be considered at this stage only if Stage One has been completed.

5.2.4 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.

5.2.5 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;
- amendments to proposed Tier 4 notification to UKVI;
- use of the performance procedure for inspectors;
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5.2.6 Please note that a complainant will not be informed of personal information concerning an inspector.

5.2.7 The complainant will receive a decision in writing as soon as possible and no more than thirty working days after progression to this stage.

5.3 STAGE THREE

5.3.1 If, having received a response to their Stage Two complaint, a complainant remains dissatisfied, they should write to the Chairman 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.

5.3.2 A Stage Three complaint cannot consider new complaints or re-investigate the original complaint.

5.3.3 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.

5.3.4 The Chairman of the Board will refer the complaint to the independent adjudicator and will provide all relevant documentation concerning the case.

5.3.5 The decision of the independent adjudicator will be final.

5.3.6 The independent adjudicator will respond in full within thirty working days.

5.3.7 If it is found that the procedures for Stages One and Two were not followed, then action may be taken.

5.3.8 Where a complaint is upheld or a review determines that findings were not secure, action taken may include:

- amendments to a report;
- amendment to proposed Tier 4 notification to UKVI
- use of the performance procedure for inspectors and/or staff;
- partial re-inspection as necessary at ISI’s expense;
- a further full inspection of the school at ISI’s expense.

Please note that a complainant will not be informed of personal information concerning an inspector.

6. CONTACT DETAILS

Peter Williamson
Chairman
Via: complaints@isi.net

Christine Ryan
Chief Inspector
Via: complaints@isi.net

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