



## **Independent Schools Inspectorate**

### **Non-Inspection Complaints Policy**

October 2024

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## Introduction

1. The Independent Schools Inspectorate ('ISI') is an independent inspectorate, appointed by the Department for Education ('DfE') to inspect association independent schools in England. We are also approved by the DfE to inspect British schools overseas ('BSO'), and by the Home Office to inspect private further education colleges ('PFE').
2. We welcome feedback from individuals and organisations on all aspects of our work. We listen to complaints, treat them seriously, and learn from them so that we can continuously evaluate and improve our work.
3. The aim of this policy is to ensure that you know how to make a complaint about ISI's non-inspection work and understand how we will handle complaints that we receive. 'ISI's non-inspection work' for the purpose of this policy means interactions with or work done by ISI not directly related to an inspection.
4. Any complaint about an ISI inspection will be considered under a separate complaints policy. To make a complaint about an ISI inspection, please refer [ISI's Inspection Complaints policy](#).
5. We take seriously any complaint we receive and will respond to it in accordance with the relevant policy. We deal with complaints fairly and thoroughly.
6. 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.
7. We shall endeavour to remain within the deadlines set out below wherever possible, but if circumstances make this impossible, we shall contact you with an explanation and a revised deadline.
8. 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 action<sup>1</sup>.
9. If you make more than one complaint about the same matter, we will treat them as one complaint.

## Informal resolution

10. Please email us at [complaints@isi.net](mailto:complaints@isi.net), briefly summarising your complaint, and letting us know the best phone number to call you on.

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<sup>1</sup> 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.

11. 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 work.
12. We can only consider complaints that relate directly to the work that we do.
13. 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.
14. If your complaint does relate to work that we do, we shall aim to call you within five working days to listen to your complaint.
15. We will try to resolve your complaint at this informal stage within 15 working days of its receipt and will let you know if it will take longer than this to respond to you. We will usually respond to you by phone, but may do so by email.

## **Stage one complaint (formal)**

16. If the informal resolution process does not resolve your concern, you can make a formal complaint by emailing [complaints@isi.net](mailto:complaints@isi.net) to request a non-inspection complaint form.
17. You must complete and return the non-inspection complaint form to ISI within ten working days of our communication to you of our response to the informal resolution stage of your complaint.
18. This non-inspection complaint form will ask you to record:
  - The nature of the complaint
  - The resolution that you seek
  - If you made an informal complaint, why you feel this was not resolved
  - Any outstanding issues
19. We will acknowledge your formal stage one complaint within five working days.
20. We will investigate your complaint and we will respond within fifteen 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.

21. Occasionally, investigations may take longer. If this is the case, we will write to you within five working days from the date we receive your complaint. We will give you a final date we expect to reach a conclusion.

## **Stage two complaint (referral to independent adjudicator)**

22. If you are not satisfied with our response to your stage two formal complaint, you can refer it to an independent adjudicator via [complaints@isi.net](mailto:complaints@isi.net) within ten working days of receiving it. No further documentation or arguments may be submitted at this stage.
23. The independent adjudicator will consider whether:
  - we followed this policy properly in handling your complaint; and/or
  - we reached a reasonable decision in response to your complaint.
24. We will acknowledge your referral to the independent adjudicator within five working days of receiving it.
25. You will receive a response to your referral within 20 working days, subject to the availability of an independent adjudicator to complete the review within this timeframe. If this is not possible, we will let you know the revised timeframe.
26. 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.
27. The decision of the independent adjudicator is final. We are not able to engage in further correspondence after the complaints process has been concluded.
28. 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

### **Independent adjudicator pool**

29. ISI has a pool of independent adjudicators who are appointed by the ISI Board. ISI independent adjudicators are recruited through an external process based on their relevant knowledge, skills and experience. ISI publishes information about the recruitment process and person specification for the independent adjudicator role on the ISI website.
30. Independent adjudicators do not undertake any other work for ISI.

## **Our commitment to our Non-Inspection Complaints Policy**

31. We recognise that all service users, agencies and organisations that we work with directly have the right to raise concerns or complaints about our non-inspection work and should have access to clear information on how to voice complaints and concerns.
32. We will:
  - make sure that our Non-Inspection Complaints Policy is on our website
  - investigate and respond to complaints about our non-inspection work promptly within the scope and timescales in this policy
  - deal with complaints in line with our Data Protection Policy
  - keep a register of all non-inspection complaints, which the ISI Board will review regularly
  - ensure all staff and Board members read, understand and comply with this policy and its procedures

## **Unreasonable or vexatious complaints**

33. The complaints procedure should be non-adversarial. It is expected that both you and we will conduct ourselves respectfully and professionally.
34. Unreasonable or vexatious complaints cause stress to individuals and place undue strain on time and resources. ISI has a duty of care to its employees who manage complaints.
35. ISI will determine whether a complaint is unreasonable or vexatious on a case-by-case basis.
36. In assessing whether a complaint is unreasonable or vexatious, ISI will consider whether the complaint:
  - is overly repetitive
  - pursues points that are without merit
  - expects unrealistic or unreasonable outcomes
  - pursues its points in an unreasonable manner

- is intended to cause disruption and/or unreasonable delay to the inspection process and/or report publication
  - does not accept the scope of the complaints process and/or is persistent in not following the complaints policy.
37. We will inform you in writing with our reasons if we consider that your complaint is unreasonable or vexatious. If this is the case, we will not enter into any further communication with you concerning the complaint.

## **Data protection**

38. We will only use the personal data you provide in order to process your complaint.
39. We may 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.
40. Apart from these exceptions, the complaints process is regarded as private and, as far as possible, we will maintain the privacy of anyone who makes or is referred to in a complaint.
41. We will retain data for six years following the date of closure of your complaint and then permanently delete data relating to your complaint.

## **Changes to this policy**

42. This policy was previously part of ISI's Complaints Policy, which incorporated both our policy on complaints about school inspections and our policy on complaints about ISI's non-inspection work. There are now two separate policies: one for complaints about inspections and one for complaints about ISI's non-inspection work.
43. The third stage of a complaint about ISI's non-inspection work has changed from consideration by the ISI Board to consideration by an independent adjudicator.