

Independent Schools Inspectorate

Inspection Complaints Policy

September 2024

DATE OF POLICY:	September 2024
POLICY OWNER	Senior Director (Safeguarding, Legal and Complaints)
APPROVED BY:	ISI Board and Department for Education
DATE OF NEXT REVIEW:	September 2025

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Introduction

1. The Independent Schools Inspectorate ('ISI') is an independent inspectorate, appointed by the Department for Education¹ ('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. The aim of this policy is to ensure that senior leaders in the schools and colleges we inspect know how to make a complaint about our inspection work and understand how we will handle complaints that we receive.
3. Complaints under this policy will only be considered if they relate to ISI's inspection work. A complaint about an inspection will be within scope of this policy if it relates to:
 - the conduct of inspectors; and/or
 - the inspection process; and/or
 - the evaluation/s reached
4. 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.
5. 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.
6. We collect feedback on the experience of school leaders who have submitted a formal complaint, including through a complainant satisfaction survey. This is used to support ongoing improvement in how ISI handles complaints.
7. 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. This may be the headteacher, principal, chair of governors or proprietor.
8. Complaints about ISI's non-inspection-related activities are be considered under a separate complaints process. To make a complaint about ISI's non-inspection work please refer to ISI's non-inspection complaints policy.
9. Throughout this policy 'us', 'we' and 'our' refer to ISI; 'you' and 'your' refer to the most senior leader in a school or education provider that has been recently inspected by ISI.
10. If you make a complaint about our inspection work, we will deal with this fairly and thoroughly.

¹ References to the DfE in this policy relate only to the inspection of association independent schools in England

11. We shall endeavour to remain within the deadlines set out in this policy wherever possible, but if circumstances indicate that this may not be possible, we shall contact you with an explanation and a revised deadline.
12. If your complaint is upheld, we will acknowledge this. Our response will depend on the particular circumstances of the complaint. It may include an explanation, acknowledgement of responsibility, apology and/or remedial action².
13. Throughout this policy, 'working days' refers to the school's term-time Monday to Friday working days.
14. Where more than one complaint is received by us from a school or education provider about the same inspection, we will treat them as one complaint.

Turn page: Resolution of issues while inspectors are at the school

² 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.

Resolution of issues while inspectors are at the school

15. It is very important that you speak to the reporting inspector about any issue you have about an inspection as soon as possible while the inspection is still happening. We expect you to do this if you have concerns during the onsite inspection. This enables the reporting inspector to deal with any issues as they arise. The reporting inspector will also make a note of these and any explanations provided or actions taken in response. The reporting inspector will meet you regularly and will try to resolve any issues as quickly as possible.
16. On inspection, the reporting inspector will provide the headteacher with the phone number for ISI's head office³. The headteacher or senior leader may phone this number to request a call back from a senior member of ISI staff during the onsite inspection. This number is provided so that the headteacher or senior leader can let us know if they have serious concerns that they feel unable to raise directly with the reporting inspector.
17. We value and prioritise open communication between school leaders and inspection teams on inspection. Our inspectors will have clear and regular communication with school leaders throughout the inspection process.

Turn page: Stage one complaint (informal)

³ 0207 600 0100

Stage one complaint (informal)

18. If you feel the reporting inspector was unable to resolve your concerns during the onsite inspection, you can raise your concerns informally with ISI by requesting a phone call. This must be done by completing and submitting the following [online form](#) within **four term-time working days** of the end of the onsite inspection.
19. Following receipt of your request, we will call you to listen to your concerns. We will ensure the issues you raise are considered by the quality assurance team within our post-inspection quality assurance process.
20. We will try to resolve your concerns at this early stage of our inspection quality assurance processes.
21. We will send you a summary outlining our response to the issues you have raised at this informal stage. We will do this before or at the same time as we send you the draft inspection report.
22. We will not accept written complaints at the informal stage.

[Turn page:](#) Stage two complaint (formal)

Stage two complaint (formal)

23. The draft inspection report will be sent to you for a factual accuracy check (FAC)⁴. If you have concerns at this stage, you can submit a stage two formal written complaint within **five term-time working days** of receiving the draft inspection report.
24. You can submit a formal written complaint even if you have not previously requested informal resolution at stage one.
25. To submit a stage two formal written complaint, you must complete and submit the following [online form](#).
26. We will review your complaint. You may indicate on the form if you would like a phone call with the person undertaking the review to discuss your complaint.
27. We will normally respond in writing to your stage two complaint within **ten term-time working days**. Occasionally, our response to your stage two complaint may take longer, in which case we will write to you with a revised timescale.
28. Our complaint response will be sent at the same time as our response to your factual accuracy check and the issue to you of the final report for publication.
29. 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.

[Turn page:](#) Stage three complaint (referral to independent adjudicator)

⁴ The FAC process is when we send you the draft inspection report for a factual accuracy check. We will ask you to complete the factual accuracy check within five term-time working days of receiving the draft inspection report.

Stage three complaint (referral to independent adjudicator)

30. If you feel that we have not followed this policy in handling your complaint and/or we did not reach a reasonable decision in response to your complaint, you may request referral of your stage two complaint and our response to the independent adjudicator for review.
31. If you choose to do this, you must complete and submit the following [online form](#) within **three term-time working days** of receiving our response to your stage two complaint.
32. We will copy you into the referral to the independent adjudicator, who will review your complaint and our handling of it. Confidential or restricted information (such as inspection evidence) will be sent directly by ISI to the independent adjudicator without being copied to the school.
33. Following referral, 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.
34. Referral to the independent adjudicator will not automatically delay the publication of inspection reports unless the DfE agrees to postponement.
35. If you wish to seek postponement of publication of your report pending the decision of the independent adjudicator you must within **three term-time working days** of issue to you of the final inspection report:
- **email the DfE at registration.enquiries@education.gov.uk copying in complaints@isi.net**
 - providing the DfE with **the reasons for your request**
 - stating **the date when ISI issued the final report to you**
36. Subject to ISI being copied in via complaints@isi.net we will not publish the inspection report until a decision on postponement has been made by the DfE.
37. Requests for deferral of publication of a BSO or PFE report should be made directly to complaints@isi.net within **three term-time working days** of receipt of ISI's response to your stage two complaint, providing reasons for your request.

Independent adjudicator response

38. The independent adjudicator will send their draft response to us. If we consider that any part of the independent adjudicator's response goes beyond the scope of this policy, we will

inform the independent adjudicator within **two working days**. We will not comment on the conclusions and/or any recommendations drawn by the independent adjudicator that are within the scope of ISI's complaints policy.

39. The independent adjudicator will aim to send the final response within **20 term-time working days** of your referral, 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.
40. You will receive a final response directly from the independent adjudicator. We will receive the final response at the same time.
41. If the independent adjudicator finds that we did not follow this complaints policy and/or reach a reasonable decision in response to your complaint, the independent adjudicator will tell you why, and refer the complaint back to ISI for reconsideration. We will write to you to outline the steps ISI will take as a result within **five term-time working days** of receiving the response from the independent adjudicator.
42. If the report has not already been published and the independent adjudicator does not refer it for consideration by ISI, we will publish the report on the ISI website **five-term working days** after you and we have received the decision of the independent adjudicator.
43. The decision of the independent adjudicator is final. ISI will not engage in further correspondence after the complaints process has been concluded.

Independent adjudicator pool

44. 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.
45. You will receive anonymised details of the career background of the independent adjudicator allocated to review your complaint.
46. Independent adjudicators do not undertake any other work for ISI.

[Turn page:](#) **Our commitment to our complaints policy**

Our commitment to our complaints policy

47. We recognise that senior leaders in the schools and education providers that we inspect have the right to raise concerns or complaints about our inspection work and should have access to clear information on how to raise complaints and concerns.

48. We will:

- make sure our inspection complaints policy is on our website
- investigate and respond to complaints about inspections of schools and education providers promptly within the scope and timescales of this policy
- deal with such complaints in line with our Data Protection Policy
- keep a register of all complaints about inspection, which the ISI Board will review regularly
- ensure all staff and Board members read, understand and comply with this policy and its procedures
- report annually to the DfE:
 - the number of formal complaints about inspections that we receive
 - the outcomes; and
 - any actions we take.

Turn page: Vexatious complaints

Vexatious complaints

49. The complaints procedure should be non-adversarial. It is expected that both you and we will conduct ourselves respectfully and professionally.

50. 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.

51. ISI will determine whether a complaint is vexatious on a case-by-case basis.

52. In assessing whether a complaint is vexatious, ISI will consider whether the complaint:

- is overly repetitious
- 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.

53. We will inform you in writing if we consider that your complaint is vexatious with our reasons. If this is the case, we will not enter into any further communication with you concerning the complaint.

[Turn page: Data protection](#)

Data protection

54. We will only use the personal data you provide in order to process your complaint.
55. 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, an independent adjudicator, and/or external agencies as appropriate.
56. 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.
57. We will retain data for six years following the date of closure of your complaint and then permanently delete data relating to your complaint.

Turn page: Consultation and review

Consultation and review

58. We undertook a consultation relating to proposed changes to ISI's complaints procedure and post-inspection arrangements.
59. The consultation window opened on 21 February 2024 and closed on 26 April 2024.
60. Further information about the scope of the consultation and pre-consultation process can be found in the [consultation document](#).
61. The [consultation outcome report](#) includes a statistical summary of closed question responses and a thematic summary of open question responses for each proposal. It also provides an organisational response to the findings of each proposal and how ISI intends to proceed.
62. The outcome of this consultation was used to inform this policy.
63. In line with the terms of ISI's approval to inspect, changes to our complaints procedure were agreed with the Department for Education – the regulator for independent schools in England.
64. Due to the pre-election period of sensitivity, this resulted in a delay to the consultation outcome and draft complaints policy being approved and published.

[Turn page:](#) Table of key changes

Table of key changes

The following key changes were made to ISI's complaints policy in September 2024:

<p>Resolution of issues while inspectors are at the school</p>	<ul style="list-style-type: none"> On inspection, the reporting inspector will provide the headteacher with the phone number for ISI's head office. The headteacher or senior leader may phone this number to request a call back from a senior member of staff during the onsite inspection to raise any serious concerns about the inspection that they feel unable to raise directly with the reporting inspector.
<p>Stage one complaint (informal)</p>	<ul style="list-style-type: none"> The length of time that you will have to contact us about any unresolved issues from the onsite inspection has been increased from two to four term-time working days from the end of the onsite inspection. You can request a phone call by completing the following online form. Informal complaints are now handled within our post-inspection quality assurance stage. We will call you and ensure any issues are considered within the report quality assurance process. We will not accept written complaints at the informal stage. You will receive a short written response to your informal complaint at the same time as you receive the draft inspection report.
<p>Stage two complaint (formal)</p>	<ul style="list-style-type: none"> To submit a stage two formal written complaint, you must complete the following online form. You may indicate on the form if you would like a phone call with the internal reviewer to discuss your complaint.
<p>Stage three complaint (referral to independent adjudicator)</p>	<ul style="list-style-type: none"> To request a referral, you must complete the following online form. The career background of the independent adjudicator allocated to review your complaint will be supplied to the school. You will be copied in on the referral to the independent adjudicator. You will receive the response to your referral directly from the independent adjudicator.

	<ul style="list-style-type: none"> • The length of time for the independent adjudicator to reach a decision will be reduced from 30 term-time working days to 20 term-time working days (subject to the availability of the independent adjudicators).
<p>Removal of provisions relating to:</p>	<ul style="list-style-type: none"> • non-inspection complaints; these are now included in a separate policy. • concerns about schools and whistleblowing; all concerns about schools should now be sent directly to DfE. • concerns about individual children; please see the ISI website.