

SIAMS Appeals & Complaints Policy for Schools

September 2022



Methodist Schools



**THE CHURCH
OF ENGLAND**
EDUCATION OFFICE

SIAMS Appeals and Complaints Policy

Introduction

1. Any complaint about a Statutory Inspection of Anglican and Methodist Schools (SIAMS) inspection is a serious matter.
2. The SIAMS Appeals and Complaints Policy addresses concerns raised by schools.
3. There are two types of concern that a school can raise at the end of an inspection, or within the designated time frames after an inspection.
 - a) If a school has grounds to believe that the inspection judgements are inaccurate, it should raise an appeal and follow the [Appeals Policy](#) (section 1 of this document).
 - b) If a school has concerns about the inspector's conduct, it should raise a complaint and follow the [Complaints Policy](#) (section 2 of this document).
4. A school may wish to raise both an appeal and a complaint about the same inspection. If this is the case, the appeals process related to the inspection judgement takes precedence.
5. A complaint against an inspector will not affect the inspection judgement. If a school feels that the inspection judgement was affected by the inspector's conduct, the appeals process will highlight this.
6. At the end of the SIAMS inspection the inspector will ask the school two questions:
 - a) *Does the school consider the judgement to be fair?*
If the school replies 'no' to this question, they should follow the Appeals Policy. The resulting adjudication may result in a change of judgement.
 - b) *Does the school consider the inspection to have been conducted in a professional and appropriate manner?*
If the school replies 'no' to this question, or feels that they cannot answer, they will need to raise a complaint about the inspector's conduct by following the Complaints Policy. Raising a complaint about an inspector's conduct has no negative impact on the judgement that the school has been awarded.
7. Inspection protocol requires the inspector to maintain dialogue with the headteacher through regular feedback meetings, recorded on evidence forms. The inspector should make use of these meetings to attempt to resolve any concerns that are raised on the day of the inspection.

1. SIAMS Appeals Policy for schools

1.1. Informal Resolution

- 1.1.1. If the headteacher does not agree with the provisional judgement that is shared by the inspector at their feedback meeting prior to the final feedback, they should ask the inspector to note this on an evidence form. This must be an evidence-based request and not simply an assertion on the part of the headteacher.
- 1.1.2. All evidence should have been gathered by this point. However, if in unusual circumstances, the headteacher and the inspector agree that it is appropriate to accept further evidence at this late stage, the inspector should note it and reconsider the provisional judgement.
- 1.1.3. Having considered any new evidence that is presented, the inspector will either adhere to their original judgement or change it.
- 1.1.4. In either scenario, the inspector will note their decision and their reasons for it on an evidence form. They will also note the headteacher's response to the (revised) judgement.
- 1.1.5. The provisional judgement shared at this feedback meeting will be that which will be shared at the final feedback meeting. No further evidence will be requested or accepted.
- 1.1.6. If there remain unresolved issues relating to the inspection judgement at the final feedback meeting, the headteacher should answer 'no' to the first question on the Final Feedback evidence form. (*Does the school consider the judgement to be fair?*)
- 1.1.7. The inspector must note the school's response on an evidence form along with the school's reasons for not accepting the judgement, if relevant.
- 1.1.8. No evidence presented after the inspection day will be considered.

1.2. Stage One

- 1.2.1. If the concern is not resolved on the day of the inspection the inspector should inform the QA Inspector that the school does not consider the judgement to be fair or accurate.
- 1.2.2. As a routine part of the quality assurance of reports (QAR), the QA Inspector will confirm whether the judgement is supported by the text of the report.
- 1.2.3. If the QA Inspector believes that it is, the QAR process will be completed in the normal way. The draft report will then be sent to the school for factual accuracy checks.

- 1.2.4. If the QA Inspector does not believe that the judgement is supported by the text, they will ask the inspector to revisit their evidence base and to present additional evidence.
- 1.2.5. If the inspector does not have additional evidence, the QA Inspector will ask the inspector to change the judgement to ensure coherence.
- 1.2.6. As soon as this decision has been made, and prior to sending the draft report, the inspector will contact the school to inform them of the change/s.
- 1.2.7. As soon as the QAR process has been finalised, the inspector will send the draft report to the school for factual accuracy checks.

1.3. Stage Two

- 1.3.1. The school should normally limit their checks at this stage to factual inaccuracies to enable the inspector to complete the report and send them the final version.
- 1.3.2. However, if the school remains dissatisfied with the findings of the QAR process and believes that they have grounds to appeal the inspection judgement, the headteacher, on behalf of the governing body, should not complete the factual accuracy checks.
- 1.3.3. Instead, they should inform the inspector that they have decided to embark on the appeals process and that they will not be completing the factual accuracy checks.
- 1.3.4. They should also contact the National SIAMS Team via SIAMS@churchofengland.org to request an appeal form.
- 1.3.5. The National SIAMS Team will provide the headteacher with a link to the SIAMS Appeals and Complaints form, which the headteacher will be asked to complete.
- 1.3.6. The appeal must be raised within five working days of the school's receipt of the draft report, following the Stage One review by the QA Inspector.
- 1.3.7. The Deputy Director of SIAMS will confirm receipt of the appeal within five working days. If on leave, they will do so on their return.
- 1.3.8. Within a further five working days, the Deputy Director of SIAMS will appoint an adjudicator who will write to the school, giving estimated timescales for completion of their investigation. If the Deputy Director is on leave, they will appoint an adjudicator within five working days of their return.

- 1.3.9. Estimated timescales are 10 working days. The adjudicator will let the school know if they consider it unlikely that these timescales will be met.
- 1.3.10. The adjudicator should receive a written copy of the school's appeal, and the inspector's evidence base, including the pre-inspection plan and the self-evaluation document. It is solely against this that they will carry out their review.
- 1.3.11. As part of the adjudication process, the adjudicator will gather the views of the school and of the inspector and will make written notes.
- 1.3.12. The adjudicator will make a written recommendation and will inform the National Director of SIAMS, the Deputy Director of SIAMS, the inspector, and the school.
- 1.3.13. As part of the process, the adjudicator may ask the inspector to amend the report to reflect the outcome of the adjudication process.

Please note: If the appeal goes to adjudication and the Adjudicator's findings reflect those of the original QAR process, the school will be liable to meet the cost of adjudication. This will be charged at £40 per hour.

1.4. Stage Three

- 1.4.1. If the adjudication process fails to address each of the issues raised by the school in their original appeal, the headteacher on behalf of the governing body, should contact the National Director of SIAMS via email (margaret.james@churchofengland.org). This must be done within five working days of the school's receipt of the adjudication.
- 1.4.2. Within 15 working days, the National Director of SIAMS will review the inspection evidence and the Adjudicator's findings and will take a view.
- 1.4.3. The decision of the National Director of SIAMS will be final.
- 1.4.4. There are three possible outcomes of an appeal:
- i. The original inspection judgement is upheld.
 - ii. The original inspection judgement is over-ruled and changed.
 - iii. The National Director of SIAMS deems the inspection to be void and authorises a reinspection.

2. SIAMS Complaints Policy for schools

2.1. Stage One

- 2.1.1. If the school wishes to raise a complaint about the conduct of the inspector, the headteacher on behalf of the governing body, can reply 'no' to the relevant question at the end of the final feedback on the day of the inspection. (*Does the school consider the inspection to have been conducted in a professional and appropriate manner?*)
- 2.1.2. If the school does not feel comfortable to do this, they may still raise a complaint with the National SIAMS Team about the inspector's conduct if they do so within five working days of the end of the inspection.
- 2.1.3. The headteacher must send an initial email to the National SIAMS Team (SIAMS@churchofengland.org) who will arrange for the SIAMS Appeals & Complaints Form to be sent to the school for completion. The form must be completed and include evidence for the complaint.
- 2.1.4. The Deputy Director of SIAMS will confirm receipt of the complaint within five working days. If on leave, they will do so on their return.
- 2.1.5. Within a further five working days, the Deputy Director of SIAMS will appoint an adjudicator who will write to the school, giving estimated timescales for completion of their investigation.
- 2.1.6. Estimated timescales are 10 working days. The adjudicator will let the school know if they consider it unlikely that these timescales will be met.
- 2.1.7. The adjudicator will gather the views of the school and the inspector on the specific issues raised in the complaint and will write a report.
- 2.1.8. There are three possible outcomes of a complaint.
 - i. The complaint is upheld but the adjudicator finds that the inspector's conduct has not affected the outcome of the inspection. In this case, the inspection judgement will stand.
 - The conduct of the inspector will be referred to the Deputy Director of SIAMS and the school will receive an apology.
 - The inspector may require further training or quality assurance.
 - In some cases, the matter will be referred to the National Director of SIAMS who may decide that the inspector should be deregistered.
 - ii. The complaint is upheld, and the adjudicator decides that the conduct of the inspector has compromised the outcomes of the inspection.

- The adjudicator will inform the Deputy Director and the National Director of SIAMS recommending that the inspection should be declared void.
- Once a decision has been made, the adjudicator will communicate the outcome to the school and to the inspector.
- In the case of a void inspection, the National Director of SIAMS will authorise a reinspection.

iii. The complaint is not upheld.

Please note: If the complaint goes to adjudication and the adjudicator finds that the complaint should not be upheld, the school will be liable to meet the cost of adjudication. This will be charged at £40 per hour.

2.2. Stage Two

- 2.2.1. If the adjudication process fails to address each aspect of the complaint raised by the school, the headteacher, on behalf of the governing body, should contact the National Director of SIAMS via email (margaret.james@churchofengland.org). This must be done within five working days of the school's receipt of the adjudication.
- 2.2.2. Within 15 working days, the National Director will review the inspection evidence and the adjudicator's findings and will take a view.
- 2.2.3. The decision of the National Director will be final.

Church of England Education Office

Church House
Great Smith Street
London SW1P 3AZ

T: 020 7898 1885

W: churchofengland.org/education

E: siams@churchofengland.org