

SIAMS Complaints Policy for Schools – inspector version

September 2023

Introduction

1. Any complaint about the conduct of a Statutory Inspection of Anglican and Methodist Schools (SIAMS) inspection is a serious matter. The SIAMS Complaints Policy addresses concerns raised by schools.
2. Schools may raise a complaint about the conduct of the inspection if they believe that the process was flawed. A complaint may also include the potential that the process of a flawed inspection may have resulted in an insecure judgement.
3. Raising a complaint about the conduct of the inspection has no negative impact on the judgement that the school has been awarded.

Informal Resolution

4. 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 identify, and then attempt to resolve, any concerns that school leaders may have on the day of the inspection.
5. Prior to the final feedback meeting, the inspector will meet with the headteacher on a one-to-one basis to share the provisional findings. As part of this meeting, in addition to any previous occasions during the inspection, the inspector will ask the headteacher for their views on the conduct of the inspection.
6. If the headteacher raises concerns, the inspector will note them on an evidence form and seek to resolve them if possible.
7. Not answering at this point does not preclude the headteacher from raising a complaint after the inspection. Timescales for this are set out under 'Stage One'.
8. All evidence should have been gathered before the headteacher and inspector meet. 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. If the headteacher offers additional evidence which the inspector does not believe to be relevant and/or appropriate, they will note the headteacher's and their own response.

9. Having considered any new evidence that is presented, the inspector will either adhere to their original judgement or change it, and proceed to the final feedback meeting.
10. No further evidence will be accepted at this final feedback stage or thereafter, and the inspection will then conclude.

Stage One

11. To instigate a Stage One complaint if informal resolution has not been possible, the headteacher, on behalf of the governing body, must send an initial email to the National SIAMS Team (SIAMS@churchofengland.org). They will arrange for the SIAMS Complaints Form to be sent to the school.
12. The deadline for requesting a complaint form is *no later than five working days after the school's receipt of the draft report*. If a headteacher wishes to raise a complaint sooner than this, they are able to do so.
13. The complaint should include first hand evidence that relates to the conduct of the inspection and it should be returned to the National SIAMS Team within two working days of the school's receipt of the form.
14. The Deputy Director of SIAMS will confirm receipt of the complaint within two working days. If on leave, they will do so on their return.
15. Within a further two working days, the Deputy Director of SIAMS will appoint an adjudicator. If on leave, they will do so on their return.
16. Once appointed, the adjudicator will contact the school giving estimated timescales for completion of their investigation. Estimated timescales for completion are 10 working days.
17. If this timeframe is unlikely to be met due to reasons related to evidence gathering and report writing, the adjudicator should contact the school to explain and to provide a new timescale for completion.
18. The adjudicator will speak with the headteacher to explain the process that is underway, and to clarify, if they wish, some initial aspects/details of the complaint.
19. As part of this conversation, the adjudicator will set out the evidence-gathering process. This will include speaking with the headteacher and with any other school leaders/representatives/pupils who have *relevant first-hand evidence of the conduct of the inspection*.
20. If evidence from pupils is relevant to the complaint, the headteacher will usually present this on their behalf.
21. If a representative from the diocese has first-hand evidence related to the conduct of the inspection, the adjudicator will speak to them as part of their evidence-gathering.

22. If the school is an academy and trust representatives have first-hand evidence related to the conduct of the inspection, the adjudicator will speak to them as part of their evidence-gathering.
23. The adjudicator will speak with the inspector. If a trainee inspector shadowed the inspector on the day in question, the adjudicator will also speak to them.
24. The adjudicator will make a written record of all elements of their investigation.
25. Once the adjudicator has completed their investigation, and reached their conclusions, they will write to the school setting out the scope of their evidence-gathering, the conclusions they have reached, the reasons for this, and the next steps that will be taken. The adjudicator will also send this information to the Deputy Director of SIAMS, the diocesan director of education, and the CEO of the trust (if applicable).
26. If the adjudicator upholds the school's complaint, or elements of it, they will offer the school an apology on behalf of the inspector and the National SIAMS Team.
27. If the adjudicator does not uphold the complaint or part thereof, they will explain the reasons for their decision.
28. There are three possible outcomes of a complaint.
 - i. The complaint (or part thereof) is upheld, and the adjudicator decides that the inspector's conduct compromised the outcome/s of the inspection.
 - The adjudicator will inform the Deputy Director recommending that the outcome is insecure, and that the inspection should be declared void.
 - The Deputy Director of SIAMS will authorise a reinspection, in consultation with the Director.
 - The adjudicator will communicate these findings and the next steps to the school, the inspector, and the diocesan director of education. They will apologise to the school on behalf of the national SIAMS team.
 - The conduct of the inspector will be referred to the Deputy Director of SIAMS. In some cases the Deputy Director may recommend to the Director that the inspector should be deregistered.
 - ii. The complaint (or part thereof) is upheld and the adjudicator finds that the inspector's conduct has not affected the outcome/s of the inspection.
 - The inspection judgement will stand and the report will be published. This will involve the adjudicator liaising with the school so that they may carry out the 'normal' factual accuracy checks.
 - The adjudicator will communicate the findings and the next steps to the school, the inspector, and the diocesan director of education. They will apologise to the school on behalf of the national SIAMS team.
 - The conduct of the inspector will be referred to the Deputy Director of SIAMS. The inspector may require further training or quality assurance. In some cases, the Deputy Director may recommend to the Director that the inspector should be deregistered.

iii. The complaint is not upheld, either in full or in part.

- The adjudicator will communicate their findings to the school, explaining the reasons for their decision.
- The adjudicator will also communicate their findings to the inspector, the diocesan director of education, and the Deputy Director SIAMS.
- The report will be published (this will involve the school carrying out the ‘normal’ factual accuracy checks), and the matter considered closed.

29. *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.*

Stage Two

30. Once all aspects of Stage One are complete, it is possible that the school may remain dissatisfied if they believe that the adjudicator failed to accurately consider all relevant evidence. In such cases, the headteacher on behalf of the governing body, should contact the National Director of SIAMS – SIAMS@churchofengland.org. This must be done within five working days of the school’s receipt of the original adjudication decision.

31. The headteacher should set out the evidence that they included in their original complaint, but that the adjudicator failed to accurately consider.

32. The National Director of SIAMS or, in their absence, the Deputy Director of SIAMS, will confirm receipt of the Stage Two complaint within a further two working days.

33. Within 10 working days of their confirmation of receipt, the National Director or, in their absence, the Deputy Director of SIAMS, will review the complaint and the adjudicator’s Stage One findings, and they will take a view. If the National Director considers there to be a need for further evidence, they will contact those concerned within the 10 working days.

34. There are two possible outcomes of a Stage Two complaint.

i. The findings of the original adjudication are upheld and no further action is taken.

- The National Director of SIAMS or, in their absence, the Deputy Director of SIAMS, will write to the school to explain the reasons for the decision. They will also send this information to the original adjudicator, the inspector, the diocesan director of education, and the CEO of the trust (if applicable).

ii. The findings of the original adjudication are over-ruled.

- The National Director of SIAMS or, in their absence, the Deputy Director of SIAMS, will write to the school to explain the reasons for the decision. They will also send this information to the original adjudicator, the inspector, the diocesan director of education, and the CEO of the trust (if applicable).

- The conduct of the inspector and the adjudication process will be reviewed, and the school will receive an apology.
 - The inspector may require further training or quality assurance. This decision will be made by the Director of SIAMS.
 - In some cases, the National Director may decide that the inspector should be deregistered.
 - If the Stage Two investigation indicates that the conduct of the inspection compromised the inspection outcomes, the National Director of SIAMS will authorise a reinspection.
 - In such cases, if already published, the inspection report will be rescinded pending the reinspection.
35. The decision of the National Director of SIAMS or, in their absence, the Deputy Director of SIAMS, will be final and the matter considered closed.

Restricted - inspectors only

Appendix One

Report writing pending the outcome of adjudication of a complaint

1. If a Stage One complaint has been instigated, and whilst the adjudication process is underway, the inspector will continue writing the report, pending the outcome of the adjudication.
2. If a headteacher raised concerns on the day of the inspection, the inspector should inform the QA inspector at the start of QAR. They should do so regardless of whether or not the matter was resolved on the day of the inspection.
3. The QA inspector will carry out QAR according to normal protocols. As a routine part of QAR, the QA inspector will confirm whether the judgement is supported by the text of the report. If the QA inspector believes that it is, QAR will be completed in the normal way.
4. If the draft report needs to be sent to the school for factual accuracy checks whilst an adjudication is already underway, the inspector will send the draft report to the adjudicator who will update the school. The school will not carry out factual accuracy checks until the adjudication process is complete.
5. If the adjudication of a complaint is already underway, and if the QA inspector does not believe that the inspection judgement is supported by the text of the draft report, they will ask the inspector to revisit their evidence base and to present additional evidence.
6. If the inspector does not have additional evidence, the QA inspector will ask the inspector to change the judgement to ensure coherence. The QA inspector and/or the inspector should inform the adjudicator of this development immediately.
7. As soon as a decision has been made to change the judgement/s, and prior to the draft report being sent to the school by the adjudicator, the adjudicator will contact the school to inform them of the change/s. At this point, the headteacher on behalf of the governing body, may wish to add to the content of the existing complaint. If they do, the adjudicator will consider any new evidence that is presented. The adjudicator must explain this to the school, including details of timescales.
8. The adjudicator should inform the school that they are required to indicate their intention to add to their original complaint as soon as possible. They should also let the school know that they need to provide the adjudicator with additional evidence within five working days of being informed of any changes to the inspection judgement/s.
9. As soon as the QAR process has been finalised, the inspector will send the draft report to the adjudicator who will forward it to the school for factual accuracy checks once adjudication has been completed.

Change of judgement/s during the process of QAR *in the absence of a formal complaint*

1. If a headteacher raised concerns on the day of the inspection, the inspector should inform the QA inspector at the start of QAR. They should do so regardless of whether or not the matter was resolved on the day of the inspection.
2. The QA inspector will carry out QAR according to normal protocols. As a routine part of QAR, the QA inspector will confirm whether the judgement is supported by the text of the report.
3. If the QA inspector believes that it is, the QAR process will be completed in the normal way. The inspector will then send the draft report to the school for factual accuracy checks.
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.
5. If the inspector does not have additional evidence, the QA inspector will ask the inspector to change the judgement to ensure coherence. The inspector should inform the school of this development immediately, and before they send the draft report to the school.
6. At this point, the headteacher, on behalf of the governing body, may wish to raise a complaint. If they do, the complaints policy, including the steps set out within Appendix One, will take effect.