

Complaints Procedure

September 2016

ETI: Promoting Improvement in the Interest of all Learners



Providing inspection services for:

Department of Education
Department for the Economy
and other commissioning Departments



THE EDUCATION AND TRAINING INSPECTORATE'S COMPLAINTS PROCEDURE

1. INTRODUCTION

1.1 The Education and Training Inspectorate (ETI) is committed to providing a high quality service to the organisations it inspects in the interests of all learners, as well as to ensuring transparency and openness in the inspection process. Occasionally you may feel that the quality of service provided to the organisations being inspected falls below ETI's published standards of service and you may wish to let ETI know¹.

You may make a complaint at any stage during the inspection or up to 12 weeks from the visit or final oral report back at the conclusion of the inspection. All complaints to or about ETI are investigated thoroughly and fairly; and handled in confidence.

1.2 The ETI will investigate a complaint if it is one of the following:

- a. an expression of dissatisfaction with an aspect of the work of ETI;
- b. referring to action or lack of action by ETI affecting an individual, group or organisation;
- c. an allegation that ETI has failed to observe its published procedures;
- d. an allegation that there has been unacceptable delay in dealing with a matter or about how an individual has been treated by ETI.

1.3 This procedure is the only mechanism for an individual or organization to make a formal complaint about any aspect of ETI's work. The ETI will admit to being mistaken where this is clearly supported by the facts, or where we agree that there are serious factual errors in our work.

¹ *In drafting this complaints procedure, account has been taken of the guidance contained in the Parliamentary and Health Service Ombudsman's publication, "Ombudsman's Principles."*
www.ombudsman.org.uk/improving-public-service/ombudsmansprinciples

1.4 During an inspection, the organisation has the opportunity to provide all of the evidence necessary for the inspection team to make its evaluations. Consequently, the ETI Complaints Procedure cannot be used to contest the professional judgements/ evaluations of inspectors because their findings are unwelcome, because change is promised by the organisation at some time in the future, or because changes are made after an inspection.

1.5 As an organisation being inspected by ETI, you can expect that the inspectors will provide the highest standards of service. The ETI seeks to work positively, professionally and productively with all the organisations that it inspects. It is important, therefore, that inspectors and the organisations that they inspect establish and maintain appropriate working relationships based on the highest professional standards and mutual respect.

The professional standards required from inspectors and those inspected are set out in A Charter of Inspection².

² [*A Charter of Inspection 2016, established in 2012.*](#)

2. IMPLEMENTING THE COMPLAINTS PROCEDURE

2.1 If a difficulty arises before/during/after an inspection or during a visit by an inspector, how does a teacher/lecturer/member of support staff, leader or chair of governors/management committee raise a concern?

2.1.1 Complaint resolution: Informal complaint stage

In most circumstances, an issue should be resolved at an informal level. If you wish to express a concern about a difficulty which has arisen during an inspection or a visit by an inspector, the concern, in the first instance, should be raised with the reporting inspector (RI), (or the inspector if it is an inspection visit), as soon as possible. In the unlikely event that the complaint is about the RI, then this should be raised with the deputy reporting inspector (DRI) in the first instance.

The RI/DRI, working with the inspector if appropriate, will work to resolve the matter as soon as possible, preferably during, or immediately following the inspection.

2.1.2 Complaint resolution: Stage 1: Formal written complaint

If it has not been possible to resolve your concerns informally, you may decide to make a formal complaint. If a formal complaint is raised by a teacher/lecturer/member of support staff, the leader of the organisation and/or the chair of governors/management committee must be informed. A formal complaint can be made in writing, using the form in Appendix 1 at any stage during an inspection, or up to 12 weeks from the date of the visit or the final formal oral report back at the conclusion of the inspection. The completed complaint form should be sent to:

Complaints
Inspection Services Team
Rathgael House
43 Balloo Road
BANGOR
Co Down
BT19 7PR

or e-mailed to:

eti@education-ni.gov.uk

The ETI will acknowledge your written complaint upon receipt. It is important that you set out clearly the context of and the reasons for your complaint using the complaint form. The complaint needs to be concise and evidence based.

In order to ensure that the learners, parents and guardians, the organisations we inspect and stakeholders are able to receive a copy of the inspection report within ETI's published timescale, the ETI will not normally delay publishing an inspection report while it investigates a complaint. This measure also enables the organisation to begin work on addressing any areas for improvement as quickly as possible.

Your complaint will be investigated thoroughly by the investigating officer who will have had no previous involvement with the complaint. Along with consideration of any evidence you provide, the investigation will involve contact with the individual inspector or inspection team whose work or report is being complained about, to ask for their views. You should receive a written response within 20 working days from the date your complaint is received by Inspection Services Team. The ETI will work to ensure that a substantive response is provided to all issues raised in your complaint. The response to you will include:

- the outcome of the investigation indicating whether your complaint has been upheld, partially upheld or not upheld;
- where your complaint has been upheld or partially upheld, what action is being taken to address the issue and to make sure it does not happen again; and
- what you can do if you disagree with the outcome of the investigation (also note 2.1.3).

Where someone working for ETI has been the subject of your complaint, we will share a copy of our response with them.

If you decide to start legal proceedings against ETI while it is considering your complaint, ETI will reserve the right to suspend the complaints procedure, to avoid any confusion about the process being followed.

2.1.3 Complaint resolution: Stage 2: Internal review

If, after Stage 1 of the procedure has been completed, you are unhappy with the way in which your complaint has been investigated, or you feel the outcome is unfair or

incorrect, the next step is to ask the ETI to review the way in which your complaint was investigated and dealt with. If an internal review is requested by a teacher/lecturer/ member of support staff, the leader of the organisation and/or the chair of governors/ management committee must be informed. You should write again to Complaints at Inspection Services Team to ask for your complaint to be reviewed, within 20 days from the date of the ETI response relating to Stage 1. The ETI will acknowledge your letter upon receipt. Your letter should:

- outline clearly the reasons why you are not satisfied with the investigation and/or outcome;
- provide any supporting evidence you feel appropriate; and
- tell ETI what you would like them to do.

The Chief Inspector will assign an investigating officer, normally a managing inspector, to look at your request and carry out a review of the handling of the Stage 1 process of your complaint. This officer will have had no previous involvement in the complaint.

This internal review will consider whether the original complaint was handled fairly and properly, and whether the matters raised were responded to fully and appropriately, based on the available evidence. The chief inspector will normally respond to you within 20 working days and will tell you:

- whether the previous investigation was thorough, fair and objective;
- whether the internal review upholds the outcomes of the previous investigation, amends or rejects them;
- what actions, if any, will be taken as a result of the internal review; and
- what you can do if you are not satisfied with the outcome of the internal review (also note 3.1).

3. THE NORTHERN IRELAND PUBLIC SERVICES OMBUDSMAN

3.1 If you are still not satisfied after the completion of this complaints procedure, you can refer the complaint to the Northern Ireland Public Services Ombudsman (NIPSO) within six months.

3.2 The NIPSO is entirely independent and can investigate complaints of maladministration against a public service provider. The NIPSO will expect complainants to have exhausted the ETI's complaints procedure. Information on referring a complaint to the NIPSO is available on its website.

Email: nipso@nipso.org.uk

Website: www.nipso.org.uk

Appendix 1

EDUCATION AND TRAINING INSPECTORATE

COMPLAINT RESOLUTION -
(indicate which stage the submission relates to)

STAGE 1 OR STAGE 2

COMPLAINT FORM

Please provide specific details on the nature of your complaint.

SECTION 1 - Contact Details

| | | | |
|---|---------|--------------------|--|
| Surname: | | Mr/Mrs/Miss/Ms/Dr: | |
| Forenames: | | | |
| Your address: | | | |
| | | Postcode: | |
| Name of organisation: | | | |
| Position within organisation: | | | |
| Address of organisation: | | | |
| | | Postcode: | |
| Email: | | | |
| Telephone: | Home: | | |
| | Work: | | |
| | Mobile: | | |
| Dates of inspection or visit by an Inspector: | | | |
| Reporting Inspector's or Inspector's name: | | | |

SECTION 2 - About Your Complaint

2a What do you wish to complain about?

Please outline the background to your complaint.

Please give a brief description of what you think ETI failed to do, or did wrongly. If there is not enough space here, please continue your comments on a separate piece of paper and attach it to the form. **If you are making more than one complaint, (or your complaint is in multiple part(s), please number them clearly; these will be the terms of reference for investigating your complaint.**

2b What evidence can you provide to support your complaint?

2c Let us know what you have done about this up until now, and of any responses you have received.

2d What you would like ETI to do?

SECTION 3 - Declaration

Please sign the statement below.

I wish to register a formal complaint/request an Internal Review with the ETI (*please delete as appropriate*).

Signed: _____

Date: _____

If you are a teacher/lecturer/member of support staff, please confirm below that the leader of the organisation and/or the Chair of Governors/Management Committee has been informed.

I have informed the leader of the organisation and/or the Chair of Governors/Management Committee that I have submitted this formal complaint/request for an Internal Review (*Please delete as appropriate*).

Signed: _____

Where to send this completed form

Please send this completed form to:

Complaints
Inspection Services Team
Rathgael House
43 Balloo Road
BANGOR
Co Down BT19 7PR

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