



*Rhagoriaeth i bawb – Excellence for all*

Arolygiaeth Ei Mawrhydi dros Addysg  
a Hyfforddiant yng Nghymru

Her Majesty's Inspectorate  
for Education and Training in Wales

## Feedback and complaints

**What to do if you wish to comment on,  
compliment, or raise a concern  
about Estyn's work.**



## Version control

Version	Author	Date of issue	Comments
7	Dai Williams	February 2009	Following review and removal of stage 4.

### Information box

For further advice contact: Feedback and Complaints Manager

Date of publication: February 2009

Planned review date: February 2012

## **GIVING US FEEDBACK AND MAKING COMPLAINTS**

We should like to hear your views of our work and how it affects you. Your suggestions, compliments and complaints will help us to recognise high-quality work as well as improve the services we provide.

Estyn aims to help improve quality and standards in education and training in Wales. People working for Estyn include our own staff, inspection contractors and a range of independent inspectors and peer assessors. They all want to provide a good service. If you feel their work has been excellent, please let us know and we shall pass on the compliment.

Sometimes, things may concern you about Estyn's work. Something may go wrong. You may want to complain or just wish to tell us what is troubling you and suggest improvements. The sooner you talk about your concerns to the people directly involved, the easier it is to put matters right. Please raise any problems straight away rather than waiting for days or weeks.

This leaflet tells you how you can give us feedback and what to do if you have a concern or complaint about any aspect of our work. We shall respond promptly and give priority to the matters you raise. If the problem cannot be put right straight away, it will be investigated speedily, thoroughly and impartially, and you will receive a full response. If you remain dissatisfied, the matter can be reviewed.

We shall handle all complaints discreetly, but if you complain about the conduct or actions of someone working for Estyn, we will need to share your concerns with them as part of the investigation, and invite their view of what happened.

These arrangements replace all previous arrangements.

**Dr Bill Maxwell**  
**Her Majesty's Chief Inspector of Education and Training in Wales**

## GIVING US FEEDBACK

### How you can help us

Please speak or write to us if you would like to comment on any aspect of our work. We welcome your views about the quality and impact of our work and your suggestions to help us to improve the services we provide. Contact details are at the end of this leaflet.

If you live in or are interested in education and training in Wales, please give us your view of Estyn's work and let us know of ways in which it could help you more.

If you are a parent or a learner, please tell us about what Estyn's work has meant for you and how it has affected your provider of education or training.

If you work in education or training, or are a governor, employer or otherwise connected with education or training, or you are affected by Estyn's work in

some other way, please contact us if you have particular views after having had contact with our work or reading our publications.

If you work in government or public service, a community organisation or are in other ways informed about our work, please let us know the use you make of Estyn's work and how we could help further.

If you represent an education or training provider or a local education authority that has been inspected, please complete and return the post-inspection questionnaire when you receive your report. We use this feedback about the quality of the inspection and report to inform our work, and we need a return from every organisation inspected. Complaints, however, should follow the procedure set out below.

## MAKING A COMPLAINT

### What to do if you have concerns about Estyn's work

If you feel dissatisfied with some aspect of our work or have reason to complain, including a complaint about inspection findings, you should do so, following the guidance set out below. This will help us to do our best to respond to your concern.

**We will not consider a complaint about any aspect of Estyn's work that is raised more than three months after the event (or, in the case of an inspection, three months after the publication of the report) unless there are exceptional circumstances.**

All concerns or complaints about our work will be given priority and will be:

- dealt with immediately and informally if possible, otherwise;
- investigated thoroughly, leading to a full response;
- treated confidentially as far as possible<sup>1</sup>;
- managed speedily;
- dealt with fairly; and
- used to inform our work.

The details of a complaint will be shared with the person who is the subject of a complaint and who will be

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<sup>1</sup> We shall limit details of the complaint and its investigation to those dealing with it but the Freedom of Information Act 2000 may not always allow us to preserve confidentiality.

The details of a complaint will be shared with the person who is the subject of a complaint and who will be given the opportunity to respond and, if appropriate, put matters right.

This will usually mean telling the individual the identity of the person who has raised the concern unless there are exceptional reasons not to do so.

**What is the procedure?**

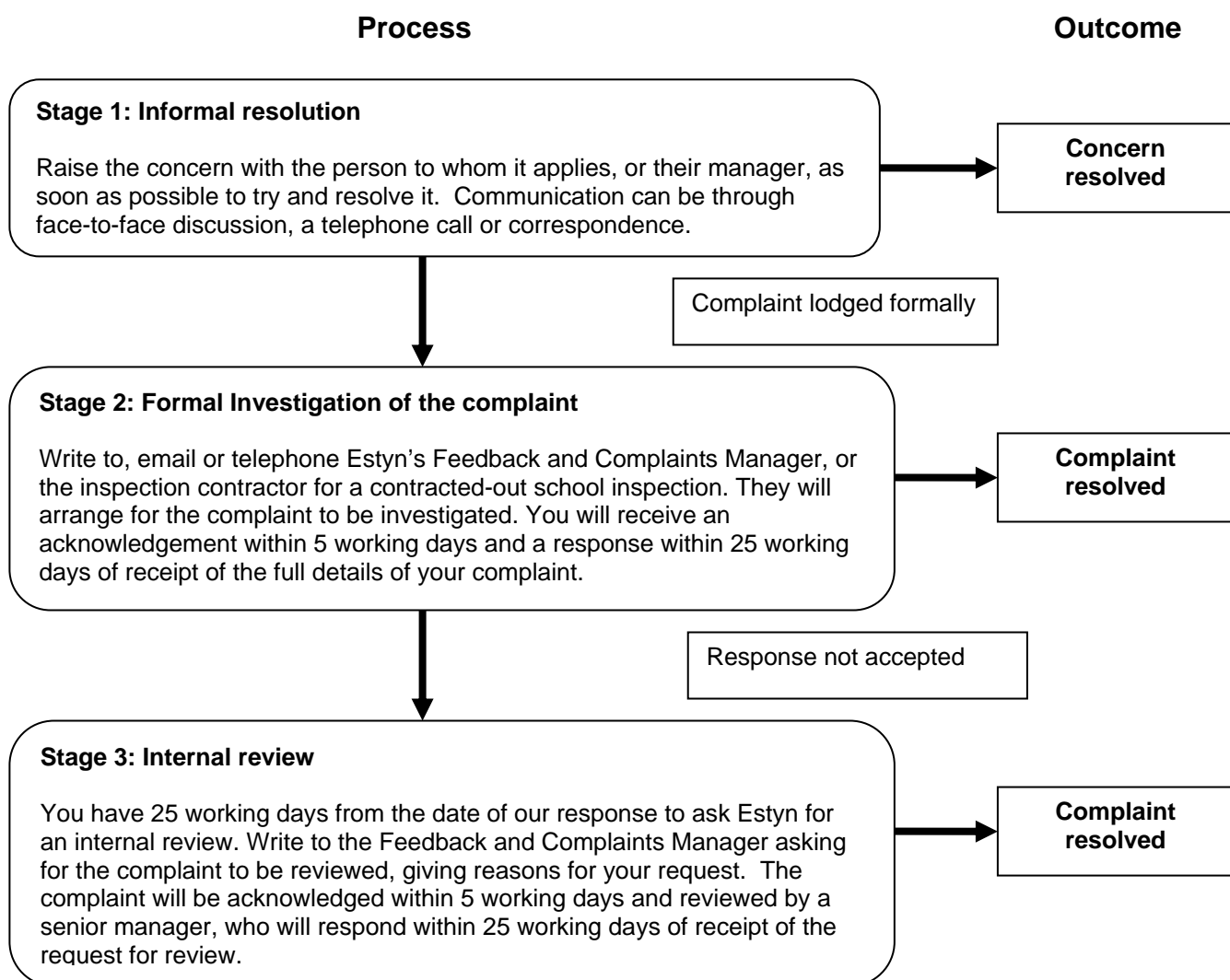
There are three stages to our complaints procedure, starting with trying to put matters right straight away. The sooner we know about a problem, the easier it is

to resolve it. The diagram shows the stages in our complaints procedure. Most concerns are resolved in Stages 1 or 2, either by Estyn or, for school inspections, by registered inspectors or inspection contractors.

**Raising a complaint at the earliest opportunity**

Once you feel that you have the basis for a complaint, you should not delay in raising your complaint. Your complaint will then be handled in accordance with Estyn’s complaints procedure set below.

**Summary of the complaints procedure**



Her Majesty's Chief Inspector has overall responsibility for complaints about Estyn's work. Where complaints are addressed direct to the Chief Inspector, they will be referred to be dealt with under this procedure in order that all complainants receive consistent treatment.

### **Stage 1: Informal resolution**

First, you should raise your concern with the person or people involved as soon as possible. This gives them the opportunity to resolve the matter quickly.

If the matter concerns Estyn's administration, please ring the person you have been dealing with and, if they are not able to help, ask to speak to a manager.

Whoever you speak to will listen carefully to what you tell them and will do their best to respond to your dissatisfaction. A discussion is often the best way of putting things right.

If there is a problem during an inspection, you should raise the issue with the reporting inspector (Her Majesty's Inspector or registered inspector) as soon as possible. If this is difficult, please ask the nominee or another person to raise it with the reporting inspector.

### **Concerns about the inspection, inspection findings or the report**

It is important that your concern is known before the end of the inspection or publication of the report, after which it becomes more difficult to investigate and to take any action that may be appropriate. You should not be anxious that raising your concerns during an inspection will affect inspectors' judgements or result in a less favourable report. Inspectors do not work like that and we would not tolerate it. All the important inspection judgements are agreed by the whole team and must be supported by evidence, which anyone can challenge.

If your work has been inspected and you have concerns about the inspection findings, it is essential to raise these before the report is published. You can do this at any time, from the point when inspectors provide feedback to when the draft report is received for checking. The reporting inspector will be able to tell you about the evidence on which findings are based. You may want to bring additional evidence to the attention of the inspectors. If you still have serious concerns about aspects of the draft report, you should put them in writing to the reporting inspector and ensure that these are either discussed between you or that you get a full written response. **You must support any complaint about inspection findings with evidence.** Every effort will be made at this stage to resolve any difficulty. Inspectors can correct factual inaccuracies and if the evidence is compelling, the reporting inspector will amend the findings accordingly before the report is finalised. However, inspectors cannot change their findings because these findings are unwelcome, because change is promised by the organisation at some time in the future or because changes are made after an inspection.

If you do not see the inspection report until after it has been published, but have concerns about it, or consider the reporting inspector has not taken due account of your evidence, you should write to Estyn as soon as possible giving details of your concerns. If your concern relates to the contracted-out inspection of a school, you should write to the contractor who will respond to your concerns.

Estyn will not normally delay the publication of an inspection report while a complaint is investigated.

### **It is beneficial to exhaust the informal stage whenever possible**

## Stage 2: Investigation of a complaint

If you remain dissatisfied after trying to resolve matters informally you should immediately contact Estyn, or the contractor if your concern relates to the contracted-out inspection of a school. If you are not sure how to contact the contractor, please phone Estyn's Feedback and Complaints Manager on 029 2044 6446.

You can express your complaint, including a complaint about inspection findings, by telephone, but it will assist us if you **put your concern in writing**. It helps if your letter includes:

- what or who you are complaining about and when it happened, or for a complaint about inspection findings; give specific detail of any objections to inspection findings;
- what evidence you have (enclosing all supporting evidence);
- what you did about your concern at the time, and the response you received; and
- what you would like to be done as a result of your complaint or objection to inspection findings.

Estyn will in all circumstances make every effort to resolve difficulties. However, dealing with complaints is time-consuming and we would welcome your help in making sure that your complaint is justified.

If you make a formal complaint you will be sent a letter within **five working days** of receipt of the complaint, which tells you:

- that your complaint has been received;
- who will investigate it;
- when you can expect a response; and
- what will happen if the investigation is delayed.

Next, the person or people whose work is being complained about, or who was responsible for the report, in the case of a complaint about inspection findings, will be asked to provide a response to your complaint. This means that they will be shown the content of the letter of complaint and asked for their views. The complaint will then be thoroughly investigated by:

- the contractor's independent complaints manager, for contracted-out inspections of schools, or
- an Estyn manager, for other inspections and complaints about Estyn staff.

The investigation will normally be completed and a full response sent to you **within 25 working days** of receipt of the full details of your complaint. If it is not possible to respond in this time, you will be informed and given the reason for the delay. The response will come from Estyn or the school inspection contractor, as appropriate. The letter giving the outcome of the investigation will say:

- whether your complaint has been upheld, partly upheld or not upheld;
- what is being done, if the complaint was upheld or partly upheld, to put matters right and/or make sure that they do not happen again; and
- what to do if you do not feel the investigation was fair, thorough and impartial.

The person(s) whose work is being complained about will also receive a copy of the response.

If there were inaccuracies in the inspection report, these will be put right if the report has not been published. If it has been published, the version on Estyn's website will be amended and an addendum will be issued and copies sent to those who received the report.

### Stage 3: Internal review

If you are dissatisfied with the way either the contractor or Estyn investigated your complaint, you have **25 working days** in which to ask Estyn to review the way it was dealt with. To do this, you should write to the Feedback and Complaints Manager at Estyn asking for your complaint to be reviewed. Your letter should enclose relevant documents and state:

- briefly, what your complaint was about and what response you have had;
- why you are dissatisfied with the investigation, giving clear reasons and supporting evidence; and
- what you would like to be done as a result of the review.

On receiving your request for a review of the complaint, Estyn will reply within **five working days** to inform you:

- that your request has been received;
- who will review the complaint;
- when you can expect a response; and
- what will happen if the review is delayed.

A senior manager of Estyn who has had no connection with the area of work or the earlier investigation will review the complaint impartially

The review will normally be completed and a full response sent to you **within 25 working days** of receipt of your request. If it is not possible to respond in this time, you will be informed and given the reason for the delay. The reviewing officer will not be resolving the complaint but will examine whether the complaints procedure was followed and the letter giving the outcome of the review will say:

- whether the earlier investigation was thorough, fair and objective;
- whether the reviewer upholds the findings of the investigation or amends or dismisses the investigation outcomes;

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- what, if anything, will be done as a result of the review; and
- what to do if you are dissatisfied with the conduct of the review.

By this stage, Estyn will have done everything it reasonably can to respond to your complaint. However, it is open for you to take your complaint directly to the Public Services Ombudsman for Wales.

### The Public Services Ombudsman for Wales

The Ombudsman can look into complaints that you have been treated unfairly, or received a bad service through some failure on the part of the body providing it.

If you have a concern about any aspect of Estyn's work, you may complain directly to the Public Services Ombudsman for Wales.

The Ombudsman is likely to expect you to have gone through Stage 2 of Estyn's feedback and complaints procedure, prior to investigating your complaint.

The contact details for the Ombudsman are set out below.

Public Services Ombudsman for Wales  
1 Ffordd yr Hen Gae  
Pencoed  
CF35 5LJ

Tel: 0845 601 0987 (local call rates apply)

Fax: 01656 641199

Email: [ask@ombudsman-wales.org.uk](mailto:ask@ombudsman-wales.org.uk)

Website: [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

## Special complaints

If you have a complaint about the way in which Estyn has responded to a **request for information** under the Freedom of Information or Data Protection Acts, you should ask Estyn to review its decision. Follow the steps in Stage 3 of the complaints procedure.

The review will be carried out by the appropriate team in Estyn who will aim to respond within **20 working days** (in accordance with 'Good Practice Guidance No.5' issued by the ICO). If you remain dissatisfied, you can take the matter up with the Information Commissioner.

Separate procedures, available from Estyn, apply to concerns about **contractual matters** and apply to concerns related to **personnel matters**.

If you have a concern related to a possible **child protection matter or concerning a vulnerable adult**, you should follow Estyn's child protection procedures set out on our website, without delay.

## Complaints that Estyn cannot handle

We sometimes receive complaints about other bodies, such as individual schools, colleges or local education authorities. We can only deal with such complaints if they are connected with the inspection of the organisation. All other complaints about an organisation should be addressed to the head of that organisation. If you are concerned about an aspect of education or training provision and are not sure who to approach, please contact Estyn's Feedback and Complaints Manager who will be happy to advise you on what to do.

## Monitoring

The Feedback and Complaints Manager will monitor the progress of all Estyn's complaint investigations and reviews, liaising as necessary with the designated manager. This will ensure that agreed dates are not overlooked and that the

people concerned are kept informed about the progress of investigations and reviews.

The senior management team of Estyn will consider regular reports on feedback and complaints. Responses to inspections, including complaints, will be analysed to identify matters that may need corrective action so as to improve the inspection system. Where complaints lead to the application of measures such as training, monitoring or supervision of Estyn's staff, these will be handled through line management in accordance with standard Civil Service procedures.

You will find other policies and procedures relating to Estyn's statutory functions on Estyn's website [www.estyn.gov.uk](http://www.estyn.gov.uk). These include matters related to the implementation of Freedom of Information legislation. The communication and processing of all matters to do with complaints by Estyn will comply with Estyn's Equal Opportunities Statement and Estyn's Welsh Language Scheme.

## Contact details

For feedback or complaints about a contracted-out school inspection, please contact the inspection contractor, whose details will be available from the school or from Estyn (see below).

For feedback or complaints about the work of Estyn, please contact Dai Williams, Feedback and Complaints Manager, on 029 2044 6446 or write to:

The Feedback and Complaints Manager  
Estyn  
Anchor Court  
Keen Road  
Cardiff  
CF24 5JW

Fax: 029 2044 6448

E-mail: [dai.williams@estyn.gsi.gov.uk](mailto:dai.williams@estyn.gsi.gov.uk)