

## PERTH AND KINROSS COUNCIL

## Scrutiny Committee

2 December 2015

## School Complaints – Academic Year 2014-2015

## Report by Director (Education and Children's Services)

**PURPOSE OF REPORT**

The report presents to the Committee the school complaints information for the Academic Year 2014-2015.

**1. BACKGROUND/MAIN ISSUES**

- 1.1 The Council's revised Complaints Handling Procedure (CHP) was launched in 2013. This procedure was developed in conjunction with the Scottish Public Services Ombudsman (SPSO) and operates in all 32 Scottish Local Authorities.
- 1.2 The CHP deals with complaints in two stages: **Stage 1 – Frontline Resolution (FLR)** to be resolved in 5 working days with an extension available to a maximum of 10 working days, and **Stage 2 – Investigation** to be resolved within 20 working days.
- 1.3 An annual school complaints report was requested following discussion of a report detailing complaints handling in schools at Scrutiny Committee on 3 December 2014 (Report No [14/513](#) refers).
- 1.4 This report provides the Committee with school complaints information for Academic Year 2014-2015 (Appendix 1), along with any high level learning points (Appendix 2).

**2 STAGE 1 (FLR) SCHOOL COMPLAINTS**

- 2.1 Headteachers will usually deal with issues raised at Stage 1 (FLR) of the CHP, with Stage 2 Investigations being undertaken by an Officer based in Pullar House (eg an Education Project Officer or a Quality Improvement Officer).
- 2.2 FLR Briefing Sessions are available to all schools with the aim of raising awareness/improving understanding of the Stage 1 process, how to record an FLR, as well as general complaints handling advice, guidance and good practice. These sessions are jointly conducted by the ECS Service Complaints Co-ordinator and the Corporate Complaints Team.

- 2.3 Schools recorded 228 FLRs for the Academic Year 2014-2015. This is a 132% increase in recording of FLRs on the Council's Customer Relationship Management (CRM) system from the previous Academic year (2013-2014) when the CHP was launched.
- 2.4 Further information on Stage 1 FLR school complaints is detailed in Appendix 1.

### **3 STAGE 2 (INVESTIGATION) SCHOOL COMPLAINTS**

- 3.1 Stage 2 Investigations are undertaken when a complainant is not satisfied with an FLR response, or where a matter is deemed too serious or complex to be dealt with at Stage 1.
- 3.2 A total of 29 Stage 2 complaints were received during Academic Year 2014-2015. There were 22 Stage 2 complaints in the previous Academic year.
- 3.3 Only 9% of Stage 1 FLR complaints were escalated to Stage 2, which would indicate the effective early resolution of complaints by staff at Stage 1, thereby preventing costly and resource intensive investigations at Stage 2.
- 3.4 Further information on Stage 2 Investigation school complaints is detailed in Appendix 1.

### **4 MONITORING AND LEARNING FROM SCHOOL COMPLAINTS**

- 4.1 School complaints activity is scrutinised and monitored by the Head of Early Years and Primary, and the Head of Secondary and Inclusion. This is through the provision of weekly and monthly reports for Stage 1 and Stage 2 complaints respectively. School complaints also form part of the quarterly reporting of ECS complaints to the ECS Senior Management Team.
- 4.2 Following completion of an investigation, the Investigating Officer may have recommendations/improvements for the Head of Service to allocate for action. Learning from complaints can prevent repeat complaints/issues occurring, and help identify emerging themes (learning points). The high level learning points from Academic Year 2014-2015 are presented in Appendix 2.

### **5 PROPOSALS**

- 5.1 School complaints will continue to be scrutinised at Head of Service and Senior Management Team level to ensure complaints performance and learning from complaints is monitored and appropriate action is being taken.
- 5.2 Recent updates to the Council's CRM system will allow more detailed recording of Stage 1 FLRs, therefore enabling more detailed management information to be obtained to monitor complaints performance within the CHP.

- 5.3 Training for staff dealing with school complaints at both Stages 1 and 2 is ongoing: this includes more in-depth training for Officers who have already received basic complaints training. A focus of training is the responsibility of staff to try to resolve complaints at Stage 1 (see paragraph 2.2).
- 5.4 Internal Audit Report [15/379](#) (August 2015) detailed two low level action points relating to schools complaints which are currently being completed within the timescales allocated:
- Revising the CHP document to include a paragraph describing the operational arrangements within Education and Children’s Services (the FLR Guidance Note for Headteachers); and
  - Reminding schools to ensure that their school handbooks contain consistent and up to date information regarding the CHP.

## 6 CONCLUSIONS AND RECOMMENDATIONS

- 6.1 Recording of Stage 1 school complaints has increased significantly since the previous Academic Year and launch of the CHP. This is as a result of the further embedding of the CHP within schools.
- 6.2 It is recommended that the Scrutiny Committee:
- Considers and comments on this report and Appendices; and
  - Notes that work is continuing to promote and further embed the CHP across all schools through ongoing advice, support and briefing/training sessions.

### Author

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### Approved

Name	Designation	Date
Sheena Devlin	Director (Education & Children’s Services)	27 October 2015

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>No</b>
Workforce	<b>No</b>
Asset Management (land, property, IST)	<b>No</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>Yes</b>
Sustainability (community, economic, environmental)	<b>No</b>
Legal and Governance	<b>No</b>
Risk	<b>No</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>No</b>
<b>Communication</b>	
Communications Plan	<b>No</b>

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

1.1 This section should set out how the proposals relate to the delivery of the Perth and Kinross Community Plan / Single Outcome Agreement in terms of the following priorities:

- (i) Giving every child the best start in life
- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

This report relates to Objective No (ii).

#### Corporate Plan

1.2 This section should set out how the proposals relate to the achievement of the Council's Corporate Plan Objectives.

The Perth and Kinross Community Plan 2013-2023 and Perth and Kinross Council Corporate Plan 2013/2018 set out five strategic objectives:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and

(v) Creating a safe and sustainable place for future generations.

This report relates to Objective No (ii).

1.3 The report also links to the Education & Children's Services Policy Framework in respect of the following key policy area:

- Communication and Consultation

## 2. Resource Implications

### Financial

2.1 n/a

### Workforce

2.2 n/a

### Asset Management (land, property, IT)

2.3 n/a.

## 3. Assessments

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

The matters presented in this report were considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

(i) Assessed as **not relevant** for the purposes of EqIA

3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

However, no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt or agree to an action or to set the framework for future decisions.

### Sustainability

3.3 n/a.

### Legal and Governance

3.4 n/a.

## Risk

3.6 n/a.

## **4. Consultation**

### Internal

4.1 Consultation on this report has taken place with the Director (Education & Children's Services), and the Head of Secondary and Inclusion.

### External

4.2 n/a.

## **5. Communication**

5.1 n/a.

## **2. BACKGROUND PAPERS**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

## **3. APPENDICES**

Appendix 1: School Complaints Summary for Academic Year 2014-2015

Appendix 2: Learning from School Complaints – Academic Year 2014-2015

**Perth and Kinross Council  
Education and Children's Services  
School Complaints Summary for 2014-2015 Academic Year**

**Stage 1 – School Frontline Resolutions (FLRs) Complaints**

A total of **228 Stage 1 FLR school complaints** were recorded during the **2014-2015 Academic Year**.

The following information shows the breakdown of FLRs by **Service area**.

Frontline Resolutions	No received during reporting period	Upheld	Partially upheld	Not upheld	Outcome Unknown
Primary & Early Years	109	13	26	64	6
Secondary & Inclusion	119	38	24	44	13
<b>Total</b>	<b>228</b>	<b>51</b>	<b>50</b>	<b>108</b>	<b>19</b>

**44%** of FLRs were either **Upheld** or **Partially Upheld**. **48%** of FLRs were **Not Upheld**. The outcomes of **8%** of FLRs are **Unknown** as this information has not been recorded on the system. Awareness raising and briefing sessions are ongoing to improve this.

The target for complaint responses at **Stage 1** is **5 working days** with an extension available to **10 working days**. The table below shows the number and percentage of complaints which were responded to within five, six to ten and over ten working days by Service area.

Service Area	0-5 Working days		6-10 Working days		Over 10 Working days	
	No	%	No	%	No	%
Primary & Early Years	63	27	22	10	24	11
Secondary & Inclusion	64	28	20	9	35	15
<b>TOTAL</b>	<b>127</b>	<b>56</b>	<b>42</b>	<b>18</b>	<b>59</b>	<b>26</b>

**56%** of the **228 Stage 1 FLR complaints** were responded to within the target of **5 working days** and a further **18%** were responded to within the overall **10 working days** allowed. The 5 day response time, as set by the SPSO, is challenging, however, a **74%** FLR response rate was achieved within the target timescales.

The main reasons for a delay in FLR responses are complexity of the complaint, and the availability of the employee best suited to resolve/respond to a complaint, eg school staff during school holidays. Incorrect recording has also introduced some inaccuracy to the information, particularly where the FLR is not properly closed on the recording system and the days taken to resolve the complaint automatically continues.

To try and improve the number of complaints being responded to within a target of up to 10 working days, **FLR briefing sessions** are being provided jointly by the ECS Service Complaints Co-ordinator

and the Corporate Complaints Team. These sessions are aimed at raising awareness/improving understanding of the Stage 1 process, how to record an FLR on the system, as well as general complaints handling advice, guidance and good practice. These sessions are currently being targeted at schools, but are available across all ECS Service areas.

## Stage 2 – School Complaint Investigations

A total of **29 Stage 2 school complaints** were received during the 2014-2015 Academic Year.

It should be noted that **only 9% of Stage 1 FLR complaints were escalated to a Stage 2 investigation**. This indicates the effective early resolution of complaints by education staff at Stage 1, thereby preventing costly and resource intensive investigations at Stage 2.

In conjunction with the SPSO, a set of **standard complaint categories** was devised for all 32 Local Authorities. The table below shows the number and percentage of Stage 2 complaints within these categories.

Stage 2 – School Complaint Investigations by SPSO Category		
Complaint Category	No.	%
Communication	2	7
Employees	6	21
Other	0	0
Policy/Procedure	4	14
Service Provision	17	58
<b>TOTAL</b>	<b>29</b>	<b>100</b>

The Council's complaints procedure specifies that Stage 2 complaints should be acknowledged within 3 working days and should receive a response within 20 working days of receipt. The table below shows Education & Children's Services responsiveness to Stage 2 complaints.

Stage 2 – Complaint Target Times		
Target Times	No.	%
Acknowledged within 3 working days	21	72
Response to complainant within 20 working days	5	17
Response to complainant within 21 – 25 working days	2	7
Response to complainant within 26-30 working days	4	14
Response to complaints over 30 working days	18	62
<b>Total</b>	<b>29</b>	<b>100</b>

The rate of response within the **target date of 20 days** is not always achieved for reasons such as:

- complexity of the complaint;
- agreeing the scope with the complainant within a reasonable timeframe;
- difficulty in obtaining information from those involved in an investigation, ie during school holidays;
- access to staff/records; and
- pressures of work and capacity issues.

If an investigation is going to take longer than 20 working days, the Investigating Officer will contact the complainant to explain the delay and agree a revised response date, if possible. If the investigation is complex, the Investigating Officer will keep the complainant updated on progress.

The following table shows the number of complaint points investigated and their outcomes for the **29 Stage 2 school complaints**. It should be noted that a single complaint can have **multiple points for investigation**.

Stage 2 – Complaints Investigation Outcomes by Service Area						
Service Area	Investigations completed during reporting period	No. of complaint points Investigated	Upheld	Partially upheld	Not upheld	No Conclusion
Primary & Early Years	13	96	17	14	61	4
Secondary & Inclusion	16	78	14	16	45	3
<b>Total</b>	<b>29</b>	<b>174</b>	<b>31</b>	<b>30</b>	<b>106</b>	<b>7</b>

**61%** of complaint points were **Not Upheld** and **35%** were either **Upheld** or **Partially Upheld**.

It was **not possible to reach a conclusion** for the remaining **4%** of complaint points. The most common reasons for this is contradictory subjective evidence and/or a lack of any other supporting evidence or witnesses.

If a complainant is **not satisfied** with the Council's response, they can refer their complaint to the Scottish Public Services Ombudsman (SPSO) for a review. Of the **29 Stage 2 school complaints** investigated, **4** were referred to the SPSO with the following outcomes:

Stage 2 – Complaints Referred to the SPSO		
Complaint Referred	Year of Referral to SPSO	SPSO Outcome
Complaint A	2015	Ongoing
Complaint B	2015	Point 1 – Not Upheld Point 2 – Not Upheld
Complaint C	2015	Not taken forward by SPSO
Complaint D	2015	Not taken forward by SPSO



## Learning from School Complaints – Academic Year 2014-2015

Learning from complaints is important as it can help improve the services we deliver and the customer's experience. The following are high level learning points from Stage 2 school complaints investigated during Academic Year 2014-2015. Any corresponding actions taken are also reported below:

Learning Point	Action
<p><b>ASN:</b></p> <ul style="list-style-type: none"> <li>• Ensure school staff have access to appropriate training opportunities for helping children with additional support needs.</li> <li>• Resources require to be readily available and easy to access for parents/carers with children with additional support needs.</li> <li>• Ensure all Headteachers fully understand the Transition Panel Process</li> </ul>	<ul style="list-style-type: none"> <li>• The ECS Learning Hub has recently been launched and is an online resource for all ECS training and professional development needs.</li> <li>• Continue to promote the Learning Hub to school staff. Quality Improvement Officer to continue to discuss/review ASN content in conjunction with relevant colleagues.</li> <li>• Amendments made to ASN information on Council's website (<a href="http://www.pkc.gov.uk">www.pkc.gov.uk</a>) in line with recommendations received from Govan Law Centre</li> <li>• Transition Panel Briefing delivered to all schools.</li> <li>• Continue to monitor ASN complaints for further learning points/emerging trends relating to these subjects</li> </ul>
<p><b>Complaints Support/Guidance/Training for Schools:</b></p> <ul style="list-style-type: none"> <li>• Ensure all school staff are aware of the CHP and are clear about the process and timescales.</li> </ul>	<ul style="list-style-type: none"> <li>• FLR Briefing sessions are available to all schools (see 2.5 of report).</li> <li>• Ongoing articles in ECS News (Service newsletter)</li> <li>• Promotion of information/resources available on <b>eric</b></li> </ul>

