

**Perth and Kinross Council  
Education and Children's Services  
School Complaints Summary for 2015-2016 Academic Year**

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

A total of **327 Stage 1 FLR school complaints** were recorded during the **2015-2016 Academic Year**.

The following information shows the breakdown of FLRs by **Education Service area** in comparison to Academic Year 2014/2015.

Frontline Resolutions	No received during reporting period		Upheld		Partially upheld		Not upheld		Outcome Unknown	
	2015/2016	2014/2015	2015/2016	2014/2015	2015/2016	2014/2015	2015/2016	2014/2015	2015/2016	2014/2015
Primary & Early Years	127	109	18	13	16	26	72	64	21	6
Secondary & Inclusion	200	119	44	38	32	24	82	44	42	13
<b>TOTAL</b>	<b>327</b>	<b>228</b>	<b>62</b>	<b>51</b>	<b>48</b>	<b>50</b>	<b>154</b>	<b>108</b>	<b>63</b>	<b>19</b>

**27% of Primary and Early Years** and **38% of Secondary and Inclusion Stage 1 FLRs** were either **Upheld** or **Partially Upheld**. **57% of Primary and Early Years** and **41% of Secondary and Inclusion FLRs** were **Not Upheld**. The outcomes of **16% of Primary and Early Years** and **21% of Secondary and Inclusion 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 in comparison to 2014/2015.

Service Area	0-5 Working days		6-10 Working days		Over 10 Working days	
	2015/2016	2014/2015	2015/2016	2014/2015	2015/2016	2014/2015
Primary & Early Years	98	63	16	22	13	24
Secondary & Inclusion	127	64	37	20	36	35
<b>TOTAL</b>	<b>225</b>	<b>127</b>	<b>53</b>	<b>42</b>	<b>49</b>	<b>59</b>

**77% of Primary and Early Years** and **64% of Secondary and Inclusion FLRs** were responded to within the target of **5 working days** and a further **13%** and **19%** respectively were responded to within the overall **10 working days** allowed. The 5 day response time, as set by the SPSO, is challenging, however, an overall **85%** response rate was achieved for all FLR school complaints within the target timescales allowed.

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.

To continue to improve the number of complaints being responded to by schools within a target of up to 10 working days, **FLR briefing sessions** are 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 investigated during the 2015-2016 Academic Year. **It should be noted that 1 complaint investigation is still ongoing due to its complexity.**

#### Stage 2 – No of Complaints Received by Service Area

Primary	12	Secondary	7
Early Years	1	Inclusion	9
<b>Total</b>	<b>13</b>	<b>Total</b>	<b>16</b>

**Only 5.5% 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 for the 28 complaints which have been **concluded**.

#### Stage 2 – School Complaint Investigations by SPSO Category

<b>Complaint Category</b>	<b>No.</b>	<b>%</b>
Communication	0	0%
Employees	4	14%
Service Provision	18	64%
Policy/Procedure	5	18%
Other	1	4%
<b>Total</b>	<b>28</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 following table shows Education & Children's Services responsiveness to Stage 2 complaints.

Stage 2 – Complaint Target Times		
Target Times	No.	%
Acknowledged within 3 working days (for 29 complaints received)	*28	*97%
Response to complainant within 20 working days	13	47%
Response to complainant within 21 – 25 working days	2	7%
Response to complainant within 26-30 working days	2	7%
Response to complaints over 30 working days	11	39%
<b>Total</b>	<b>28</b>	<b>100%</b>

\*Complainant sent their complaint directly to an email account of an Officer who was out of the office therefore there was a delay in acknowledging the complaint within 3 working days.

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 **28 Stage 2 school complaints** which have been concluded. 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	Not investigated
Primary & Early Years	13	53	4	7	40	2	0
Secondary & Inclusion	15	67	4	12	34	13	4
<b>Total</b>	<b>28</b>	<b>120</b>	<b>8</b>	<b>19</b>	<b>74</b>	<b>15</b>	<b>4</b>

**62%** of complaint points were **Not Upheld** and **23%** were either **Upheld** or **Partially Upheld**.

It was **not possible to reach a conclusion** for **13%** of complaint points. The most common reasons for this is contradictory subjective evidence and/or a lack of any other supporting evidence or witnesses. Where complaints points are **not investigated** this is usually as there is nothing further to be added to the response provided at Stage 1 of the complaints process, or that the complaint point has already been upheld.

## Stage 2 – Complaints Referred to the SPSO

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 **28 Stage 2 school complaints** concluded, **2** were referred to the SPSO by complainants with the following outcomes:

Complaint Referred	Year of Referral to SPSO	SPSO Outcome
Complaint A	2016	Complaint not taken forward by SPSO
Complaint B	2016	Complaint not taken forward by SPSO