

PERTH AND KINROSS COUNCIL**Scrutiny Committee****3 December 2014****Complaints Handling in Schools****Report by Executive Director (Education and Children's Services)****PURPOSE OF REPORT**

The report informs the Committee of the complaints handling processes in schools, particularly within Stage 1 (Frontline Resolution – FLR) of the Council's Complaints Handling Procedure. The report also outlines how school complaints activity is scrutinised and monitored.

1. BACKGROUND/MAIN ISSUES

- 1.1 The Council's revised Complaints Handling Procedure (CHP) was launched on 1 April 2013. This procedure was developed in conjunction with the Scottish Public Services Ombudsman (SPSO) and is now in operation within all 32 Scottish Local Authorities.
- 1.2 Following discussion of the Council's Complaints Report for April 2013-March 2014 at Scrutiny Committee on 11 June 2014 (Report No 14/260 refers), clarification was requested by Scrutiny Committee regarding the handling of complaints in schools.
- 1.3 This report informs the Committee how schools handle complaints, and how Education and Children's Services Senior Management scrutinise and monitor that this is being done effectively.

2 COMPLAINTS HANDLING IN SCHOOLS

- 2.1 There are approximately 17,500 pupils receiving an education service from 84 schools for a total of 190 days a year. As part of this pupil population, Headteachers will also have family groups progressing through their school over a number of years. This means ongoing, sometimes daily contact, between school personnel and a substantial amount of parents and carers, often over a prolonged period of time.
- 2.2 Schools will handle issues in a number of ways, depending on the seriousness and complexity of the matter, the size of the school population and any previous issues/parental contact. Most matters will be raised directly with the class teacher (Primary) or the Guidance Teacher (Secondary) and can be resolved quickly, with an example being an issue with homework.

2.3 Headteachers will record issues raised with them using methods such as spreadsheets, Pupil Progress Reports (PPRs), and logging in Pastoral Notes on the SEEMIS Management Information System.

2.4 Headteachers will monitor recorded issues to identify any trends which relate to staff, policies or procedures which could then result in further action. This could relate, for example, to problems between pupils or employee conduct.

2.5 FLR Recording in Schools

2.5.1 The Council's CHP provides two opportunities to resolve complaints: Frontline Resolution (Stage 1) and Investigation (Stage 2). Headteachers will usually deal with issues up to Stage 1 of the process, with an Officer based in Pullar House (eg an Education Project Officer or a Quality Improvement Officer) undertaking Stage 2 Investigations.

2.5.2 The **FLR Guidance Note for Schools** (Appendix 1), was developed in conjunction with the Education Services Management Teams to ensure a proportionate approach to recording FLR complaints in schools.

2.5.3 The Guidance suggests recording at FLR (Stage 1) for complaints "which require a **response or action** at Headteacher or school Senior Management Team level". As school complaints can vary widely in subject, seriousness and complexity, the Guidance requires Headteachers to apply their **professional judgement** as to whether an issue or concern is recorded as an FLR.

2.5.4 The Guidance has also been shared as good practice with the Local Authority Complaints Handlers Network. This Network consists of all 32 Scottish Local Authorities, who meet three times per year with the Scottish Public Services Ombudsman (SPSO) to discuss issues/good practice arising from the CHP.

2.5.5 Complaints at both Stage 1 (FLR) and Stage 2 (Investigation) are recorded on the Council's Customer Relationship Management (CRM) system. The Stage 1 recording process uses an online form on the CRM which is available on **eric** and is completed at the end of the FLR process.

2.5.6 Once an FLR is logged on the CRM system, the information is not directly accessible to a school for monitoring purposes, unless a report is produced by centrally based staff.

3 MONITORING AND LEARNING FROM SCHOOL COMPLAINTS

3.1 School complaints activity is scrutinised and monitored by the Head of Early Years and Primary and the Head of Secondary and Inclusion. This is important as it helps to identify learning from complaints at both stages of the CHP:

- Stage 1 FLRS:
 - Monitored on a monthly basis through CRM reports sent to the Heads of Service.
 - Monthly FLR reports then discussed at each Head of Service's Divisional Management Team meeting, as well as at meetings with individual ECS Quality Improvement Officers (QIOs) regarding for more school specific issues.
 - Stage 2 Investigations:
 - Ongoing Investigations are reported on a weekly basis to Heads of Service.
 - Heads of Service scrutinise any Recommendations and Improvements from Stage 2 Investigations.
- 3.2 Investigating Officers discuss their Recommendations and Improvements from each investigation with the Head of Service. This can highlight any issues which were not resolved by the school at the FLR stage, which can then be discussed in more detail between the QIO and the Headteacher.
- 3.3 Discussion of issues and concerns is also part of regular ongoing dialogue between QIOs and Headteachers as part of normal line management arrangements.
- 3.4 As the revised CHP has only been in operation for one full Academic Year (August 2013-June 2014), both Heads of Service are currently analysing statistical FLR information as part of the school improvement planning process for Academic Year 2014/2015.
- 3.5 In the 2013/14 Academic Year, the following Stage 1 FLRs were recorded:
- 57 (Primary)
 - 38 (Secondary)
- Six of these FLRs were escalated by complainants for Stage 2 Investigation.
- 3.6 For the same period, 18 Stage 2 Investigations were undertaken, involving a total of 118 complaint points. 91 of these complaint points were not upheld, with 27 complaint points either upheld or partially upheld.
- 3.7 Through the Scottish Public Services Ombudsman Act 2002 and the Public Services Reform Act 2010, the Scottish Public Services Ombudsman (SPSO) has the authority, in defined circumstances, to investigate complaints about local authorities. Following completion of a Stage 2 Investigation, the complainant can therefore refer their complaint to the SPSO if they remain dissatisfied with the Council's response.
- 3.8 One education complaint was referred to the SPSO by a complainant during Academic Year 2013/2014, however, this case was closed by the SPSO with no action to be taken by the Council.

4 GUIDANCE, ADVICE AND SUPPORT

4.1 Work has been ongoing to promote the CHP to Headteachers and Senior Leaders through:

- FLR Guidance Note for Schools (launched in September 2013) (attached as Appendix 1);
- A Joint Briefing session with the Corporate Complaints Team at an all Headteacher Meeting (January 2014);
- Information at the Depute Headteachers/Principal Teachers meetings (January and February 2014)
- Briefing at Headteacher Induction sessions (August 2013 and 2014);
- Article in Headteacher Bulletin (September 2014);
- Article in ECS News (March 2013); and
- ECS Complaints Guidance on **eric**

4.2 FLR training sessions are also being offered to schools by the Corporate Complaints Team, supported by the ECS Service Complaints Co-ordinators. These sessions can be delivered in-school and concentrate on issues specific to that particular school. Three sessions are due to be delivered by the end of the year. Complaints training for schools can also be identified as part of the recommendations in an Investigation.

4.3 Complaints support and guidance for Headteachers is also available from a variety of sources:

- Quality Improvement Officers (QIOs)
- Education Support Officers
- ECS Service Complaints Co-ordinator
- Corporate Complaints Team
- Corporate and Service information on **eric**
- E-learning complaints module on **eric**

5. PROPOSALS

5.1 It is proposed to continue promoting the recording of Stage 1 FLRs using the proportionate approach in the FLR Guidance Note to Schools (Appendix 1), and to continue monitoring the uptake of this by schools through the reporting arrangements outlined in Section 3.1.

6. CONCLUSION AND RECOMMENDATIONS

6.1 Recording every issue raised during a child's time at school would be disproportionate, time-consuming and not the best use of valuable teaching and Headteacher time.

6.2 Headteachers are required to record FLRs through the proportionate approach outlined in the FLR Guidance Note to Schools (Appendix 1).

6.3 It is recommended that the Committee:

- (i) Notes the proportionate approach taken to the recording of FLR complaints in schools;
- (ii) Notes the arrangements undertaken by ECS Senior Management to scrutinise and monitor school complaints at Stages 1 and 2 of the CHP; and
- (iii) Notes the arrangements to continue working with schools to support and promote the appropriate recording of complaints.

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Approved

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John Fyffe	Executive Director	16 October 2014

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

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

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 Head of Secondary and Inclusion, the Head of Early Years and Primary, Shona Sinclair (Corporate Complaints Officer), Lorna Hamilton (ECS Project Support Officer), and Christeen Williamson (Quality Improvement Officer).

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 – Recording of Stage 1 Front Line Resolution (FLR) Complaints – Guidance Note for Schools

RECORDING OF STAGE 1 FRONT LINE RESOLUTION (FLR) COMPLAINTS

GUIDANCE NOTE FOR SCHOOLS

As advised in recent Inside News Bulletins, the Council introduced its new Complaints Handling Procedure (CHP) on **1 April 2013**. A complaint is defined as:

“..an expression of dissatisfaction about the Council’s action or lack of action or about the standard of service provided by or on behalf of the Council.”

This revised process has two stages: **Stage 1 - Frontline Resolution (FLR)** and **Stage 2 – Investigation**. In terms of Education complaints, it is envisaged that **FLRs will usually be dealt with at school level**, with investigations handled centrally in Pullar House, as is the current arrangement.

The following guidance is provided for Headteachers on when and how FLRs should be recorded in a school, using examples to highlight when this might be appropriate. However, as complaints can vary widely in subject, seriousness and complexity, it is ultimately down to each Headteacher’s **professional judgement** as to when an FLR complaint is recorded in school.

What is FLR?

FLR aims to quickly resolve straightforward customer complaints that require little or no in-depth investigation. In practice, FLR means resolving the concern at the first point of contact with the customer. It may be settled by providing an on-the-spot apology where appropriate, explaining why the issue occurred and, where possible, what will be done to stop this happening again, or explaining that due process or policy has in fact been followed. FLRs must be completed within **five working days from the date the complaint was received**. If you believe that you can resolve the complaint but need more time, you can extend this timescale to **10 working days**. However, it is important you keep the complainant informed of any delays to your response.

There are six categories of FLR complaints:

- Communication
- Policy & Procedure
- Employees
- Service Provision
- Equalities
- Other

Why do we need to record complaints?

Complaints can provide valuable stakeholder information in relation to their experiences of our services. The aims of the Council’s Complaints Handling Procedure (CHP) is to identify opportunities to improve services across the Council e.g. learning from the feedback we receive, or improving levels of satisfaction.

We must therefore record complaints in a systematic way so that we can use the complaints data for analysis and improvement and also for management reporting. We can then identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements. Complaints performance will be scrutinised by Senior Managers, including the ECS Senior Management Team (SMT), the Council’s Executive Officer Team (EOT) and Elected Members through the Scrutiny Committee. We will also publicly report our complaints performance on the Council’s website – www.pkc.gov.uk

What should be recorded in a school?

FLR complaints which require a **response or action** at Headteacher, or School Senior Management Team level, should be recorded. Responses can be verbal or written. Further explanation and an example of each FLR category are as follows:

FLR Category	Further explanation and example of complaint issues/concerns
Communication	Failure to communicate with parents/pupils effectively and timeously, for example not informing parents of a playground injury.
Policy & Procedure	Incorrect or inappropriate application of a school or Council policy/procedure, for example not following school closure protocol.
Employees	Inappropriate language/behaviour of staff towards parents/pupils/members of the public, for example shouting at parents.
Service Provision	Poor quality learning and teaching, for example failure to adequately prepare young people for exams.
Equalities	Breaches of the Council's Equalities Policy, for example displaying gender bias.
Other	FLRs which fall outwith the scope of the categories above.

This list is not exhaustive and Headteachers should apply their professional judgement to each FLR complaint and decide if it requires recording.

However, if the Headteacher views the complaint as **serious, complex, requiring full investigation**, or if it could **detrimentially affect the reputation of their school or the Council**, this should be discussed immediately with the School's Quality Improvement Officer (QIO) to obtain advice on how to proceed.

How will FLRs be recorded?

FLRs are currently recorded in all schools in some way. Such internal systems are important and should be continued in your 'house style', as the incidents recorded in this way are not defined as complaints.

However, where you see a **pattern** developing in the matters you record, it may be necessary to take a closer look at the **triggers and causes** of any such patterns, and record the outcome of that in the form of an FLR.

FLRs should also be completed where your professional judgement tells you it would be **necessary/beneficial** to do so.

FLRs should be recorded using the [online form](#) which is available on **eric**. The [Guide to Printing FLRs](#) will help you print the FLR form before submitting it, so you can use the information for other school purposes.

Further advice and support

Our [Employee Guidance](#) (available on **eric**) explains more about how to deal with complaints. Advice and support is also available from:

Sharon Watson
ECS Service Complaints Co-ordinator
Pullar House
Tel: 01738 476873
Email: SAWatson@pkc.gov.uk

or

Donna Lingley
Business & Management Assistant
Pullar House
Tel: 01738 476790
Email: DLingley@pkc.gov.uk