Complaints in Education
About the Scottish Consumer Council

The Scottish Consumer Council (SCC) was set up by government in 1975. Our purpose is to promote the interests of consumers in Scotland, with particular regard to those people who experience disadvantage in society. While producers of goods and services are usually well-organised and articulate when protecting their own interests, individual consumers very often are not. The people whose interests we represent are consumers of all kinds: they may be patients, tenants, parents, solicitors’ clients, public transport users, or simply shoppers in a supermarket.

Consumers benefit from efficient and effective services in the public and private sectors. Service-providers benefit from discriminating consumers. A balanced partnership between the two is essential and the SCC seeks to develop this partnership by:

- carrying out research into consumer issues and concerns;
- informing key policy and decision-makers about consumer concerns and issues;
- influencing key policy and decision-making processes;
- informing and raising awareness among consumers.

The SCC is part of the National Consumer Council (NCC) and is sponsored by the Department of Trade and Industry. The SCC’s Chairman and Council members are appointed by the Secretary of State for Trade and Industry, in consultation with the First Minister. Martyn Evans, the SCC’s Director, leads the staff team.

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The SCC assesses the consumer perspective in any situation by analysing the position of consumers against a set of consumer principles.

These are:

ACCESS
Can consumers actually get the goods or services they need or want?

CHOICE
Can consumers affect the way the goods and services are provided through their own choice?

INFORMATION
Do consumers have the information they need, presented in the way they want, to make informed choices?

REDRESS
If something goes wrong, can it be put right?

SAFETY
Are standards as high as they can reasonably be?

FAIRNESS
Are consumers subject to arbitrary discrimination for reasons unconnected with their characteristics as consumers?

REPRESENTATION
If consumers cannot affect what is provided through their own choices, are there other effective means for their views to be represented?

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Our first report on the subject of complaints in education was titled ‘Could do Better’ and over the past decade Councils have made significant improvements in how they handle complaints. Since that first report in 1994, the number of Councils with a policy on handling complaints about education has risen from 50% to 87% and the number of Councils monitoring complaints has gone up from around a third to almost 100%.

This report goes further than the first report by examining in-depth the content of information provided to parents by both Councils and schools. It is encouraging that most Councils and schools have information for parents on how to make a complaint about education. However, in many cases the information provided was inaccurate or incomplete. Most notably, less than one in six schools complied with their legal duty by including information on the right of parents to complain to the Scottish Public Services Ombudsman.

But, the recommendations in this report are not limited to the role of schools and Councils alone - the overarching, statutory, structure of the educational complaint route also bears examining. Successive pieces of legislation such as the Education (Additional Support for Learning) (Scotland) Act 2004 and the Scottish Schools (Parental Involvement) Act 2006 have created a system which is neither coherent nor consistent. It is difficult to see how any parent could navigate it without considerable information, advice and support. The report argues strongly that the Scottish Executive should review the legal situation in relation to complaints about education with a view to creating a single, coherent system for external review.

Throughout this report we have included examples of good practice in complaints information and policies. We hope that this will encourage schools and Councils across Scotland to review their complaints information and procedures.

Douglas Sinclair
Chair
Acknowledgements

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The Scottish Consumer Council’s Housing, Education and Local Government Committee oversaw the work for this report. The members of the group at that time were: Ann Clark (Chair), Eddie Follan, Jon Harris, Peter Hunter, Ashok Khindria, Drew Ratter, Lewis Shand Smith and Martyn Evans (ex officio).
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Executive Summary

Key findings

• We found a number of areas of good practice in complaints in education:
  - Most schools and Councils have complaints information for parents.
  - We judged all the examples of school-level and Council-level information to parents to be easy to access and understand.
  - East Lothian Council provided the most comprehensive information for parents on making a complaint, including all aspects of good practice in information on complaints. East Ayrshire, Aberdeen City, Edinburgh, Scottish Borders and West Lothian also scored highly.
  - Most Councils held policies for staff on handling complaints.

• We also found a number of areas for improvement:
  - Information for parents on making a complaint should be updated regularly. Few schools included reference to the Scottish Public Services Ombudsman (although all Councils did). Only a very small number of schools and Councils had updated their information to include the new mechanisms under the Education (Additional Support for Learning) (Scotland) Act 2004.
  - Generally the information for parents provided by schools and Councils could be more comprehensive, in particular in relation to guaranteeing confidentiality and providing information on possible remedies and monitoring of complaints. We have included examples of good practice to show how these can be included within short leaflets or school handbooks.
  - We are concerned that few schools (16%) reported having any member of staff trained in complaints handling. Training within Council education services varied considerably.
  - While the majority of Councils monitored complaints, just over half of schools did so.

• The complaints procedure for education is complex, involving a number of different internal stages and four separate, statutory sources of external review, developed to suit specific issues such as additional support for learning, placing requests and exclusions.

• Parents reported experiencing barriers to complaining about their child’s education: a lack of information about how to complain; scepticism about the likelihood of change; and concerns about the negative impact of making a complaint. These barriers could be overcome in part by providing comprehensive information to parents on the complaints process in education. We have included a checklist on the topics that should be included in information on complaint procedures in education.

• On the basis of these findings, we have made a number of recommendations to head teachers, Councils, the Scottish Executive and HM Inspectorate of Education.
Section 1: Introduction

Any discussion on complaints in education needs to be placed within the context of general satisfaction with the Scottish education system. Our survey on user satisfaction with public services found high levels of satisfaction with primary schools, with 91% reporting that they were either very satisfied or satisfied with the service provided. Secondary schools had slightly less satisfaction amongst parents, at 79% (SCC, 2006).

But in any service things can go wrong sometimes, and when this happens clear procedures must be in place for the benefit of staff, parents and children and young people. An effective complaints system is an essential component of consumer-oriented services. Where there is limited choice or opportunity to ‘exit’ a service, as in education, it is one of the few ways that consumers can use their voice to affect change in the services provided.

SCC has argued for better complaints information for parents since 1982 (SCC, 1982). That initial report recommended that national guidelines be developed for the handling of disputes between schools and parents, which would include a duty on schools to inform parents of complaints procedures. This recommendation was reiterated in 1994 when SCC carried out research into Council education services complaints systems (SCC, 1994). It is a recommendation that we have made numerous times and one that we reiterate here.

In the 12 years since our last substantial research project exploring complaints in education, the structure of local government, the available sources of redress and, arguably, the culture of complaining to public sector organisations, have changed considerably. This research was carried out to explore what, if anything, has changed about complaints in education over the past decade.

The research on which this report is based aimed to fill this gap by identifying basic information on how complaints are handled in the Scottish education system. The project aimed to identify:

• the barriers to complaining experienced by parents;
• the available information on complaints produced by schools and Councils; and
• the existence of internal policies and procedures (including levels of training and monitoring of complaints).

The research did not include the views of children and young people on complaints in education, though we recognise that there is a need for further work to identify their concerns.
### 1.1 What do we mean by complaints?

Complaints procedures in education are particularly important because of the distinctive nature of the service:
- Parents often have no practical choice of school or service provider;
- When things go wrong, a child’s future is affected; and
- Financial compensation is rarely sought.

A further complication is that often the complainant is a parent, acting on behalf of their child, and in some cases with limited information about the incident that caused the grievance. Usually this was referred to in terms of parents making ‘queries’ or ‘raising concerns’ rather than making complaints. This dimension means that in many cases, complaints will be found to be unjustified once the investigation has uncovered all of the facts about a situation.

Many of these ‘queries’ or ‘concerns’ are likely to be minor complaints that are resolved quickly by head teachers and class teachers; they might be misunderstandings that require an explanation or more information, but they are still complaints under the definition that we use.

This wide definition catches a broad spectrum of comments and complaints and brings them under one umbrella. It also reflects the fact that most complainers don’t know how to categorise their problem. There is a distinction to be made between grievances, complaints and disputes. Grievances are unvoiced complaints, while disputes arise when complaints are not settled satisfactorily and blame or fault is in question.

### 1.2 Why do complaints matter?

The purpose of a complaints procedure is to put right something which has gone wrong: to restore the service to the agreed standard, to ensure that faults are acknowledged, and to provide apologies and compensation, where appropriate. It can also help to reassure parents that nothing has gone wrong. There are three main reasons why complaints and the way they are handled are important.

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<tr>
<th>Complaints:</th>
<th>‘any expression of dissatisfaction that needs a response’</th>
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<td>Grievances</td>
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1. **As part of parental involvement strategies:** Complaints and home-school links go hand in hand. An effective complaints procedure should ensure that when a parent has a concern it is handled appropriately and doesn’t threaten the wider home-school relationship either with the family that complained or the wider school community. Unvoiced complaints can quickly turn into gossip which is damaging to home-school links, parent and teacher morale and, most importantly, for the child’s relationships with staff and fellow pupils. While the Scottish Schools (Parental Involvement) Act 2006 does not require Councils and their schools to have complaints procedures in place, it is within this context that we see complaints procedures.

2. **As part of risk management.** Effective complaints handling can play a part in identifying mistakes and errors, or poor practice which might affect the educational outputs of the school or Council education service, and can contribute to improving services. There are also clear benefits to tackling problems as early as possible, stopping the situation from escalating and reducing the cost of dealing with a more serious complaint further down the line.

3. **As a way of making services more consumer-oriented.** They provide essential feedback from parents and pupils, and all schools and Council education services should analyse their complaints data to help design service improvements. This feedback can help identify ways of improving parent satisfaction by creating a closer match between their expectations of education and their experience of it.

We do not believe that complaints procedures are 'optional extras' in the delivery of public services, they are an essential component for ensuring services meet the needs of consumers.

### 1.3 What does the law say about complaints in education?

In addition to the policy arguments, a number of legislative requirements have meant that Councils would be in breach of their duties if they failed to have a procedure:

- *Education (Scotland) Act 1980* requires Councils to set up an Appeal Committee to deal with disputes regarding placing requests and exclusions.

- *Standards in Scotland’s Schools etc. Act 2000* requires Councils to plan, monitor and report on improvements in schools and enshrines the right of children and young people to have their views heard – which would include listening to their complaints.

- *Education (Additional Support for Learning) (Scotland) Act 2004* requires Councils to have procedures in place for independent mediation and dispute resolution for parents who have complaints regarding additional support for learning.

- *The Scottish Schools (Parental Involvement) Act 2006* (not yet commenced) includes specific duties on Councils to:
  - prepare a strategy for parental involvement (to include a complaints procedure for complaints that relate to how a Council carries out its duties under the Act, but not in general); and
have regard to representations from Parent Councils (which are likely to include collective complaints from the parent forum).

Despite these requirements, the principle of redress in education is not well advanced. There is no duty on schools or Councils to produce a complaints procedure or to provide parents, children and young people with information on it.

It is timely to be considering how complaints are handled in education services. The Scottish Schools (Parental Involvement) Act 2006 includes a duty on Councils to have in place a procedure for investigating complaints about parental involvement. Guidance on the implementation timescale suggests that this should be in place by August 2007. While this legislation relates only to a Council’s duties under the Scottish Schools (Parental Involvement) Act 2006, the latest HM Inspectorate of Education publication on self-assessment refers to the importance of complaints procedures and information:

Children and parents should be able to raise concerns with the school and the school should respond to these quickly and effectively. On rare occasions, a complaint may not be resolved and parents and children need to be aware of the school and local authority complaints procedures. Information about the complaints procedures should be available in all establishments.

(HMIE, 2006)

We hope that Councils take this broader view of the relationship between parental involvement and complaints procedures and look in general at their education complaints procedures, and information for parents, rather than adding on an additional section specifically on complaining about parental involvement.

1.4 The complaints process in education

Generally complaints procedures have three stages: informal resolution: internal review and external review.

1. Informal resolution

Often in education, parents and members of the education profession refer to ‘queries’ or ‘concerns’ rather than complaints. Many of these are likely to be minor complaints that are resolved quickly and informally by head teachers and class teachers or they might be misunderstandings that require an explanation or more information. In many cases a complaint can be defused at this stage, limiting the impact on home-school links and preventing it from becoming a formal complaint. Sometimes an apology at an early stage will have the same effect.

Complaints about education provision may be in the remit of the school or in the remit of the Council education service and therefore informal resolution may happen at either level.
2. **Internal review**

If a complaint cannot be dealt with informally it would progress to internal review, which is when it would be identified and monitored as a formal complaint. At this stage, it is clear that what is being dealt with is a complaint. This is either because:

- the complainer has asked that it should be treated as a complaint;
- the complainer uses an agreed format for complaining, such as using a written complaint form; or
- it is the second time the complainer has made the complaint, and so it has been recognised by staff involved or by customer management systems as a complaint.

Given the different roles and responsibilities held by schools and Council education services, this internal review may be carried out by a headteacher or by a Director of Education. In addition, a Director of Education (or equivalent) may carry out a second internal review of a headteachers decision or it may be passed to the Chief Executive of the Council to review the decision of the Director of Education.

3. **External review**

The structure of external review of complaints is also complex within education. While other public services, such as health, have streamlined their complaints procedures, external review of complaints in education remains fragmented (see chart 1). Each of the four ‘routes’ described in chart 1 are statutory.
Chart 1: Support of external review for education complaints

While the system of Education Appeal Committees has been in place since the 1980s, the Scottish Public Services Ombudsman, Dispute Resolution by Independent Adjudication, and the Additional Support Needs Tribunal, are all relatively recent additions to the educational complaints landscape. As these mechanisms have been created over time, to achieve different policy aims, the current system for external review for education complaints is neither coherent nor consistent. For example:

- A parent whose child has additional support needs but does not require a co-ordinated support plan would take a complaint about placing requests to the local Education Appeal Committee, while the parent of a child with a co-ordinated support plan would be heard by the Additional Support Needs Tribunal.

- While two of the four methods have an appeal route through the Scottish Public Services Ombudsman, this is not available to those who could be heard by the Education Appeal Committee or the Additional Support Needs Tribunal.

- Parents can lodge complaints with the Education Appeal Committee, Scottish Public Services Ombudsman or Additional Support for Learning Tribunal themselves. However those that go through Independent Adjudication have to be forwarded on by the Council who is under no duty to do so. This is an additional barrier to external review for these parents and may go some way to explaining the low numbers of cases heard by the adjudicators.
The situation is further complicated where parents have a complaint that relates to more than one service within a Council, for example education and social work. While the mediation and dispute resolution processes required by legislation on Additional Support for Learning suggest that this should be handled holistically, this may not be happening in every case.

The aim of having a number of stages and specialist routes is usually to ensure fairness and careful review of earlier decisions, but the result is generally to increase timescales and complexity.

It is in the best interests of schools, parents and ultimately children, for issues to be resolved as quickly as possible. To achieve this complaints should be handled effectively at the lowest possible level within the system. It is for this reason that we focus the rest of this report on the complaints information and procedures held by schools and Councils.

1.5 What research underpins this report?

The research that this report is based on consisted of three strands:
• Focus groups with parents: four groups were carried out with a total of 30 parents taking part.
• 400 randomly selected schools across Scotland were asked for the following information: a copy of any school level policies that exist; a copy of any information given to parents about making a complaint; the training on complaints undertaken by staff (where training records exist); and the number of complaints made to the head teacher (where complaints records exist).
• All 32 Councils were asked for the following information: a copy of their procedures; the training on complaints undertaken by staff (where training records exist); and the number of complaints made to the Council education service (where complaints records exist).

In total, 218 schools and all 32 Councils provided us with information, a response rate of 55% and 100% respectively. Further information on the research can be found in Appendix A.
Section 2: What do parents think of current mechanisms to make complaints about their children’s education?

In early 2006 we carried out four focus groups with parents to find out what their experience was of making a complaint and what they would like complaints information to include.

2.1 What complaints avenues are parents aware of?

We asked parents a number of questions about how they would make a complaint or raise a concern with their child’s school.

Parents often referred to Parents’ Night as the main opportunity for them to raise grievances but in every case where this was mentioned, parents noted that it was not particularly effective given the limited time available to speak to teachers:

You don’t get enough time to talk to the teachers about things like that until you go to parents’ night as you say and you only get a limited time.

(Parent, Group 1)

In relation to more serious complaints, in the first instance most parents said that they would contact the head teacher:

Because they (the head teacher) are obviously in charge of the education at that school, that your child goes to and if she doesn’t do anything about it you go above her head.

(Parent, Group 4)

Some parents expressed concern that they did not know how to raise a complaint about their child’s school:

You don’t know what to do about that…there is nothing in place that gives you any indication about what to do if you are not happy.

(Parent, Group 2)
There was also scepticism amongst some parents that education staff were not providing information about complaints to minimise the number they had to deal with:

**They don’t want to give the information out because there will be people who pester them daily.**

(Parent, Group 2)

While parents appeared to find the process of making complaints to the school relatively simple, they were less clear about how a complaint could be progressed if the head teacher was unable or unwilling to rectify the problem:

**I think a lot of parents, well personally I do, you feel helpless with the school, because you don’t know who else to turn to apart from the school.**

(Parent, Group 1)

Some parents felt that they would just need to keep going back to the school until something was done about it, others suggested approaching their local MP, and one parent felt the best solution might be to approach the media:

**Go to the Evening News, I was in the Evening News…‘Outraged parent’!**

(Parent, Group 1)

A small number of parents did suggest contacting the local Council, but knowledge of this route did not appear widespread:

Parent 1: Go to the headquarters and speak to the education board there.
Parent 2: See I wouldn’t have known that.
Parent 3: No I wouldn’t have either.

(Parent, Group 4)

While some parents felt strongly that Councils should publicise their role in complaints resolution, others felt that as it applied to a small number of parents, information would be made available if necessary:

**I assume that as part of their procedures that they would have … said if ‘you are not happy you can go through this’. I would hope that would happen.**

(Parent, Group 3)
2.2 How complaints are dealt with?

Many of the parents in our focus groups were able to offer their personal experiences of making complaints to their children’s schools, others provided us with their perception of how such complaints would be handled.

There was a perception, apparent in all the focus groups, that complaints would not be dealt with effectively, with most parents feeling that nothing would change if they made a complaint:

*Parent 1:* I mean what if you complained by letter to a teacher for instance and that teacher didn’t want to continue.
*Parent 2:* They could rip the letter up.
*Parent 1:* Exactly.
*Parent 2:* And it would never be recorded anywhere.
*Parent 1:* File it in their bin.
*Parent 2:* Yeah exactly.

(Parents, Group 2)

*I approached the careers woman and she was so unhelpful, she was diabolical and she said ‘we can’t just change it for one pupil’. I was saying well who can I go and speak to about this, there must be somebody else, ‘Oh there is nobody else, I’m the careers woman’ and it’s that sort of thing which I thought was a deplorable situation.*

(Parent, Group 2)

*You feel comfortable going in but it’s what gets done about it. Like how will they deal with it, will they just sweep that under the carpet and say ‘well as far we’re concerned you’re a good teacher, you’ve got the qualifications to be here it’s just one parent moaning’. I think it would take a good lot of parents to go further before anything was done.*

(Parent, Group 1)

In cases where parents had complained, they often did not feel satisfied with how it was handled, with some noting that they had not received any feedback when they had raised an issue:

*I was very concerned and I was concerned about the teacher, spoke to her head of year and he said he would speak to the teacher, speak to the guidance teacher and phone me back and that was over a year ago, he never came back to me, nothing, absolutely nothing.*

(Parent, Group 2)
If you write in you never get a written reply back, it’s almost as if they don’t want to put pen to paper.  
(Parent, Group 1)

I mean you have got a guidance teacher and he’s there in place to get in touch with if you have got a problem and he doesn’t get back to you, three or four phone calls and he doesn’t get back to you.  
(Parent, Group 3)

2.3 What puts parents off complaining?

We found that many of the parents in our focus groups were concerned about making complaints to schools.

For those with children in secondary school, causing embarrassment to their children appeared to be a key concern:

And as your kids get older, if you are seen to be up there complaining you get embarrassed. You get the ‘don’t come up to the school’ kind of thing.  
(Parent, Group 1)

I mean when I said to [my daughter] ‘you know I am going to raise this issue and that issue at the parent’s night’ it was ‘oh you better not do that’ … that’s kids.  
(Parent, Group 3)

Parents were also concerned about being labelled as difficult by teachers and school staff:

You’ll be labelled a troublesome parent.  
(Parent, Group 1)

Others worried that their children would be affected if they complained to the school:

Victimisation of the child as well  
(Parent, Group 2)
You are going to get victimised, you’ll get singled out.  
(Parent, Group 2)

A child was victimised after a complaint went in about the teacher, the wean was picked on.  
(Parent, Group 4)

Many of parents’ concerns, such as embarrassing their children in front of peers or their children being labelled, centred on their complaint being treated confidentially:

Interviewer: Are you quite confident then that complaints would be treated confidentially?
Parent 1: No.
Parent 2: No I don’t think so.
Parent 3: Absolutely not.
Parent 4: No.  
(Parents, Group 2)

2.4 What would make complaints systems more accessible?

Having discussed their experiences of making complaints and their concerns about the current system, we asked parents for their suggestions about what would make complaints systems more accessible and effective.

Parents asked for a timely response to their query or complaint, which was one of their key criticisms of the current practice:

We need response times within that procedure. Coming back to you with an acknowledgement that they have your complaint and then give a period of say two weeks to come back with a formal answer and if you are not happy with that then an option for you to obviously...escalate it.  
(Parent, Group 2)

Even if the problem could not be immediately rectified, parents would appreciate more contact and feedback as it was being investigated:

It would be good to get some feedback about them dealing with it and getting back to you as a parent, you know, someone speaking to you personally and letting you know that it is getting dealt with rather than just not hearing back from them or waiting for another incident to happen.  
(Parent, Group 1)
Some parents also referred to the attitude of staff within schools:

It needs to be looked at as a positive thing because the only way you can improve the services is if people are honest and tell you what’s wrong with it, you know, with the teachers themselves and the schools, they shouldn’t see complaining as being something to be scared of, they should welcome it.

(Parent, Group 2)

Others felt that a complaints form would help, giving them an easy way to raise more minor concerns:

I suppose if you had a template … that says nature of complaint blah blah blah and you’ve got something to follow there and then it’s handed in to the head teacher and then you phone and discuss it.

(Parent, Group 1)

Some parents felt they should receive more information about their rights and complaints mechanisms:

I think probably for complaints and things if you were told when they start school a bit more I think it would be better because I think it is very much a learning curve that you learn from your first child.

(Parent, Group 2)

Parents also wanted to be reassured that their complaint would be treated confidentially and that their children’s education would not be affected:

If we had a complaint that should be completely confidential between parent and teacher and the kids should never be brought into that at all.

(Parent, Group 2)

Parents also suggested that schools should monitor complaints information to improve the education service:

There is no point in doing these things [comments and complaints forms] unless they are going to use them.

(Parent, Group 2)
2.5 Discussion

Our discussions with parents identified a number of barriers to complaining about their child’s education. Of course, a small number of focus groups can never provide a representative picture and our findings are best viewed as an indication of the types of problems experienced by parents:

• Lack of information about how to complain: While parents appeared to find the process of raising informal complaints with their child’s school relatively simple, they were less clear about how a complaint could be progressed if the head teacher was unable or unwilling to rectify the problem.

• Scepticism about likelihood of change: People won’t complain if they have low expectations of the outcome and our research found that parents were sceptical about the chance of changes being made following a complaint. They also felt that there was a lack of feedback from schools once a complaint had been raised.

• Negative impacts of making a complaint: Parents raised concerns about the negative impact of making a complaint, such as embarrassing their children or being labelled or victimised. They did not feel that their complaint would be treated confidentially.

Better information for parents is one way of overcoming these barriers. SCC has developed a checklist for information on complaints in education. This checklist was developed from the key themes of the focus groups we carried out with parents and from best practice in complaints handling. It forms the basis of how we analysed the complaints information received from schools and Councils.
Section 3: Analysis of information for parents on making complaints about education

This section reports on the key findings of our analysis of the complaints information sent to us by schools and Councils and highlights examples of good practice sent to us. This analysis is based on what parents told us they wanted to be included within complaints information and other external sources of good practice in producing complaints information. We used these sources to create a checklist for information for parents on making complaints.

Checklist for Information for Parents on Complaints about Education

1. Is the information positive about receiving complaints from parents?
   Information should outline the schools positive approach to handling complaints.

2. Does the information include a definition of what a complaint is?
   Often parents are unsure whether their grievance is a complaint or if it is appropriate to use the complaints procedure.

3. Does the information include reference to ‘putting things right’?
   Information should include reference to the education authority or school being willing to rectify the problem, to overcome parents’ scepticism about being able to affect change in education.

4. Is the information easy to access?
   The information should be available in a variety of places, such as on websites, in the school, and in other public places. It should be referred to in school handbooks, newsletters and publicised to ensure parents are aware of the policy.

5. Is the information easy to understand?
   The information should be free of jargon.

6. Does the information reassure parents that their complaint will be treated confidentially?
   Parents making complaints, and their children, should be assured that their case will be handled in the strictest confidence and that they will not suffer discrimination as a result of making a complaint.

7. Does the information include timescales for receiving a response?
   Parents have a right to receive a prompt response to their complaint. The information should include timescales for acknowledging and responding to complaints. Parents should be reassured that these are maximum time limits and that staff will endeavour to respond as soon as possible.

8. Is information included on the ‘next steps’?
   Parents should be informed of where to take their complaint if they remain unsatisfied. At school level this should include reference to the education authority. All school and education authority information should include reference to the role of the Scottish Public Services Ombudsman and the provisions under the Education (Additional Support for Learning) (Scotland) Act 2004.

9. Is information included on how complaints are monitored?
   Information to parents should include reference to the system for monitoring complaints, so they know how the information will be stored and used and to reassure parents that staff are listening to their views.
The analysis presented relates only to our assessment of the information on complaints, not to the overall quality of the complaints procedure. Complaints information is only one aspect of an effective complaints procedure.

3.1 How ‘consumer-friendly’ is school-level information on complaints?

Overall, 218 schools provided us with information on their complaints procedures.

Almost three-quarters of the 218 schools reported that they provided information for parents on how to make a complaint (n = 159, 73%). However, not all schools sent us copies of this information. In total 67 schools sent us copies of the written information for parents, which we analysed according to the checklist on page 16 (see table 3.1).

Table 3.1: How ‘consumer-friendly’ is school-level information?

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Easy to access</td>
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<tr>
<td>Easy to understand</td>
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</tr>
<tr>
<td>Next steps – Council</td>
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<td>85</td>
</tr>
<tr>
<td>Timescales</td>
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<td>49</td>
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<tr>
<td>Positive about complaints</td>
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<td>33</td>
</tr>
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<td>Next steps (SPSO)</td>
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<td>16</td>
</tr>
<tr>
<td>Confidentiality</td>
<td>11</td>
<td>16</td>
</tr>
<tr>
<td>Monitoring</td>
<td>7</td>
<td>10</td>
</tr>
<tr>
<td>Definition of complaint</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Remedies</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Rights under Additional Support for Learning</td>
<td>1</td>
<td>1.5</td>
</tr>
</tbody>
</table>

In relation to the information that was available, we judged that all schools that had sent us information produced it in a way that was easy to access. All schools that had information placed this within their school handbooks. Other sources of information identified were leaflets (14%); websites (12%); in the school office (14%); newsletters (9%) and posters displayed in schools (2%).

Our analysis of this information also found that in every case it was easy to understand. Parents were encouraged to contact either the class teacher or the head teacher in the first instance if they wished to make a complaint.

The remaining elements of the checklist (from Next Steps to Rights under Additional Support for Learning) asked for specific pieces of information. Schools were scored on whether they did or did not include this information, not on the quality of the information itself.
The provision of information on next steps was mixed. Most schools provided the contact details of the Council education service for parents to make complaints to if they remained dissatisfied (57 schools, 85%). A further 10 schools (16% of those who provided information) requested that parents contact the head teacher for further information on how to take their complaint forward.

Eleven schools (16%) included information on the Scottish Public Services Ombudsman within their written information on complaints. Of those, six schools used out-of-date information (four referred to the Local Government Ombudsman and two referred to the Ombudsman for Local Administration).

Our analysis also found a lack of awareness of the role of the Scottish Public Services Ombudsman.

**Good Practice Example – Scottish Public Services Ombudsman**

If you are still dissatisfied with our services you can contact the Scottish Public Services Ombudsman. The Ombudsman is fully independent and has powers to investigate complaints about public bodies. He will not normally consider your complaint before the school and authority complaints procedures have been used or complaints made more than 12 months after the matter giving rise to the complaint arose.

(Auchinleck Academy, East Ayrshire Council)

The written information for seven schools in the same Council (which was identical and we therefore assume was taken from an Council-wide policy), stated:

**In all cases, final appeal can be sought through the Chief Executive’s Office.**

This information is clearly incorrect and suggests to parents that there is no method of external review for their complaint.

Given that we wrote to schools only two months after the commencement of the Education (Additional Support for Learning) (Scotland) Act 2004 we did not anticipate that many schools would have updated their information to include reference to parents’ rights to mediation or alternative dispute resolution. At the time of the request, Councils were not yet under a duty to provide this information. Only one school made reference to the provisions of the Education (Additional Support for Learning) (Scotland) Act 2004. This school included information on their parent advocacy services and mediation within their complaints leaflet.
**Good Practice Example – Additional Support for Learning**

**What is mediation?**

If you cannot solve the matter with your child’s school, a representative from the Department of Education & Community Services will get involved to try to find a solution.

The council representative will encourage you and the school to:
- listen to each other;
- explain your feelings without blaming or name-calling; and
- find a solution which everyone is comfortable with.

(Ross High School, East Lothian Council)

Despite the positive findings in relation to availability of information, our analysis of school level information on making complaints suggested that there are a number of areas for improvement:

- Fifty-one per cent gave no information on **timescales**, those that did varied from one day to 20 days. The most common timescale given was five days.
- A third of schools provided a statement **welcoming** complaints from parents. This is an important mechanism for overcoming parents’ fears about raising grievances with schools.

**Good Practice Example – Positive about complaints**

St Kentigern’s Academy aims to provide high-quality services for all pupils, parents/carers and the wider community. We realise, however, that things can sometimes go wrong, so we need to know when you are not happy with our service. We see any valid complaint as an opportunity to improve our service.

(St Kentigern’s Academy, West Lothian)

- We found only 11 schools (16%) made any reference to the **confidentiality** of parents or their children.

**Good Practice Example – Confidentiality**

School staff will ensure that complaints are handled confidentially. Information will only be passed to people who need to be involved to ensure that proper enquiries are carried out... Importantly, staff will ensure that anyone making a complaint is not disadvantaged in any way.

(The James Young High School, West Lothian Council)

- Seven schools (10%) included information on how they **monitor complaints**. This can help to reassure parents that their complaint will be listened to.
Good Practice Example – Monitoring
The school will monitor complaints in order to adjust the service provided if this is considered necessary.

(Broughton High School, Edinburgh City Council)

- Only two schools provided parents with a definition of a complaint. Parents are often unsure of whether or not their grievance is a complaint and whether or not they should use the formal complaints mechanism.

Good Practice Example – Definition of a complaint
Any expression of dissatisfaction about the standard of service, action or lack of action by Children and Families staff affecting an individual child or group.

A concern may arise if an individual thinks the education service has:
- Done something wrong:
- Failed to do something they should have done;
- Acted unfairly or impolitely.

(Broughton High School, Edinburgh City Council)

- Only two schools gave information on effective remedies. Some schools did include reference to investigating the matter, holding meetings, ‘dealing with’ or ‘resolving’ the complaint, however we did not consider this to be detailed enough to answer parents’ questions about how problems might be resolved.

Good Practice Example – Remedies
These are some of the possible actions that may need to be taken:
- Support and counselling may be offered to pupils;
- Support and counselling may be offered to parents;
- Support and counselling may be offered to staff;
- Staff disciplinary procedures may be implemented;
- The Violence to Employee procedure may be implemented;
- Legal procedures may be considered;
- In extreme cases, non-compliance of parents can lead to pupil expulsion;
- Further action may need to be considered for pupils;
- The concern is unfounded and no further action is taken.

(Ross High School, East Lothian Council)
3.2 How ‘consumer-friendly’ is Council information on complaints?

Out of the 32 Councils that responded, 31 had information for parents on making a complaint to the Council. Only Shetland Islands Council reported that they did not have any Council level information for parents on how to make a complaint however each school did include information within their school handbook. Given the different approach to providing information to parents, we have not included Shetland Islands Council in this analysis.

The 31 pieces of information provided by Councils were analysed according to the checklist on page 19.

As Table 3.2 shows, we judged all the information to be easy to access and easy to understand. In relation to access, Council websites were checked to ensure that the documents sent were also publicly available. In all cases, some information on making a complaint was found.

We analysed each piece of information, usually complaints leaflets but occasionally print-outs from Council web pages, to ensure that they were easy to understand. We did not find any instances of ‘jargon’ within the documents.

In assessing the remaining elements of the checklist (from Next Steps to Rights under Additional Support for Learning) we were looking for specific pieces of information. Councils were scored according to whether or not they provided this information, not on the quality of the information itself.

In relation to lodging complaints, some Councils were more ‘consumer-friendly’ than others. Many of the complaints leaflets included complaint forms with freepost addresses. South Ayrshire went further than most in providing parents with mechanisms for lodging complaints, including the usual methods of visiting the service, using the complaints form, sending a letter or telephoning, and supplementing these with a designated customer service telephone number and a text messaging service. In contrast, some Councils only accepted complaints in one format.
Table 3.2: How ‘consumer-friendly’ is Council information?

<table>
<thead>
<tr>
<th>East Lothian*</th>
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</table>
| **Total Percentage** | 100 | 100 | 100 | 94 | 87 | 52 | 29 | 26 | 26 | 10%

* Indicates that the complaints information related specifically to education rather than generic council policies.
The information at Council level was generally more comprehensive than that at school level, particularly in relation to next steps and timescales.

In relation to next steps, the information was explored for references to the Scottish Public Services Ombudsman. All Councils had included reference to the Scottish Public Services Ombudsman. However, 20% (n = 6) provided either incorrect or out-of-date information.

The majority of Councils (29 out of 31) included information on timescales. Highland Council made no reference to timescales, while West Lothian Council’s information stated that ‘the setting of time limits is a matter which can only be decided in relation to each complaint’. While we appreciate that in some cases timescales may not be met due to the serious or complex nature of the complaint, it is good practice to publish a timescale to give parents an indication of when to expect a response and to reassure them that problems will be dealt with as quickly as possible. In most cases, Councils included a caveat beside the timescales explaining that if it was not possible to meet the timescale, the complainant would be informed of this, the reasons why, and the length of time it will take to provide a full response.

Twenty-seven Councils (87%) included statements designed to project a positive approach to receiving complaints. This is important as it reassures parents that their complaint will be taken seriously and may help to overcome scepticism about being able to affect change.

**Good Practice Example – Positive about complaints**

We want to provide the best possible service to all our customers. You are the best people to tell us:

• how we are doing;
• what we can do to improve a service;
• what problems you have experienced – let us apologise, put it right and stop it happening again.

Glasgow City Council

Over half of Councils included a definition of complaints within their information to parents on making a complaint. Parents are often unsure as to whether or not their grievance is a formal complaint. The most common explanation was that a complaint arises if the Council has:

• done something wrong;
• failed to do something it should have done; or
• acted unfairly or discourteously.

Many of those Councils that included a definition of what a complaint is also helpfully included information on what is not a complaint, for example requests for service are not (in the first instance) complaints. Other issues not commonly covered in complaints procedures were requests for information on explanation of a Council policy. In addition to these positive findings, we also found a number of areas where the information for parents could, in general, be more comprehensive:
• Only nine Councils (29%) included information on how they would put right the problem if the complaint was found to be justified.

• Only eight Councils (26%) included a guarantee of confidentiality within their information to parents.

**Good Practice Example – Confidentiality**

Your complaint will be dealt with in a confidential manner and knowledge of it will be limited to those directly involved in dealing with it and dealing with any necessary action which follows.

Complaints received by each educational establishment will be recorded locally but NOT in the personal file of a pupil, student or member of staff.

Details of each complaint made to Customer Care will be logged in a confidential database.

West Lothian Council

• Few Councils included information on monitoring complaints in their information to parents; however, as the data stored is personal information, parents have a right to know what happens to the information.

**Good Practice Example – Monitoring**

All complaints will be investigated and dealt with in strict confidence. However, to enable the Council’s procedure to be adequately monitored and revised, as a result of your complaint, if necessary, some statistical information about complaints received by the Council may be published, on an annual basis. No details of individual complaints will be revealed as part of this monitoring process.

Comhairle nan Eilean Siar

• Few Councils (n = 3, 10%) placed their information within a context of additional support for learning, with only three councils including specific information on mediation and dispute resolution (East Ayrshire Council, East Lothian Council and Scottish Borders Council), although it should be noted that at the time of the request, Councils were not yet under a duty to provide this information.

**Good Practice Example – Additional Support for Learning**

If your child has additional support needs, under the Additional Support for Learning Act 2004, and you are still dissatisfied, you have the right to request independent mediation and, if necessary, dispute resolution.

East Lothian Council
One aspect of information for parents on making a complaint that we were particularly interested in exploring was the use of generic council information leaflets for complaints about education. It was assumed that education specific leaflets would provide more of the information required by parents. However, of the Councils that scored 7/10 or higher when analysed according to our checklist, there was an even split between Councils that provided education specific leaflets and generic Council leaflets.

3.3 Discussion

Our analysis of school and Council information for parents gathered a large amount of information. We welcome the fact that just under three-quarters of schools and all but one Council provides information to parents on how to make a complaint and that all of this information can be judged as easy to understand.

Within the information provided, we found a number of examples of good practice, where schools or Councils have included information on aspects of complaints that were not common. In particular a number of Councils had produced comprehensive information. East Lothian Council’s information included every aspect of good practice identified within our checklist. East Ayrshire, Aberdeen City, Edinburgh, Scottish Borders and West Lothian also scored highly.

We also identified a number of areas for improvement. All information about complaints in the public services must, by law, include information on the role of the Scottish Public Services Ombudsman; however very few schools included this information and a small number of Councils had not updated it to provide the correct information.

Only a very small number of schools and Councils had updated their information to include the new mechanisms under the Education (Additional Support for Learning) (Scotland) Act 2004. Though the duty to provide information on additional support for learning had not commenced when we asked for complaints information, we are concerned that schools and Councils may fail to update their information to include reference to the new provisions on mediation and alternative dispute resolution.

We are aware that it is likely that the information on mediation and alternative dispute resolution is held within information to parents on the additional support for learning system. However, we would urge Councils to include it within general complaints information. Navigating a complaints system, particularly in education, can be complicated and we are aware that many parents who have a grievance may not be aware that it falls under the heading of additional support for learning.

Generally the information for parents provided by schools and Councils could be more comprehensive, in particular in relation to guaranteeing confidentiality and providing information on possible remedies and monitoring of complaints.
Section 4: Policies and procedures for complaints in education

In addition to the information for parents on making a complaint, we also asked for school and Council internal policies and procedures.

While we accept that the existence of a policy does not necessarily guarantee an effective complaints procedure, it is a necessary precondition for effective practice. Without policies staff may be unsure of what is expected of them when a parent makes a complaint and unaware of the legal situation (particularly with the introduction of mediation and alternative dispute resolution) and good practice in handling complaints.

4.1 Guidance for staff on complaints in education

Over a third of schools that responded (39%) stated that they did not have a staff policy for dealing with complaints (table 4.1). 38% reported that they held copies of the Council policy on complaints while a further 23% reported that they had developed their own school level policies on complaints handling.

Table 4.1: School policies on dealing with complaints

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<th></th>
<th>Number</th>
<th>Per Cent</th>
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</thead>
<tbody>
<tr>
<td>No policy</td>
<td>85</td>
<td>39</td>
</tr>
<tr>
<td>Yes - school level policy developed</td>
<td>50</td>
<td>23</td>
</tr>
<tr>
<td>Yes – Council policy followed</td>
<td>82</td>
<td>38</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>217</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

Primary schools were more likely to report that they did not have a policy for staff than secondary schools (45% of primary schools compared to 36% of secondary schools). Secondary schools, on the other hand, were more likely to have developed their own policies for staff on complaints handling (29% compared to 21% of primary schools).

Nine schools sent us copies of their school-specific policies on complaints handling. Within these policies, we found examples of good practice in providing staff with guidance on how to handle complaints. For example, one secondary school outlined the principles that underpin their complaints procedures:
Good Practice Example – Principles for complaints procedure
• All complainants must be treated courteously at all times;
• All complaints and concerns must be taken seriously and investigated thoroughly;
• All complaints and concerns should be dealt with as quickly as possible;
• All complainants who are not satisfied with the handling of a complaint should be referred to the depute head teachers or head teacher;
• All complainants should be contacted again, where appropriate, within a month of the resolution of the original problem.
(Carrick Academy, South Ayrshire Council)

One school placed their policy on resolving complaints within the context of additional support for learning.

Good Practice Example – Additional Support for Learning
1. Upon receipt of a concern, the head of establishment will acknowledge the matter by issuing a letter within three working days;
2. The head of establishment will decide whether this is a matter to be handled as a matter within the framework for additional support for learning.
3. Depending on the issue, the head of establishment will investigate the matter or ask this to be done by the appropriate Depute Head.
4. As necessary the advice or involvement of authority staff will be sought (Head of Service: Quality Improvement; educational psychologist; link quality improvement officer; social worker; area network learning support teacher).
5. As necessary the advice or involvement of external staff will be sought (such as: the school nurse, health visitor, staff grade paediatrician, speech and language therapist, occupational therapist)
6. Once the facts and details have been assembled, the parents [and young person] will be invited to a meeting to discuss the outcome and resolve the matter.
7. A letter will be sent to the parent [and young person] summarising the agreement reached.
8. If the parent or young person is still unhappy they will be advised to contact the Head of Service: Quality Improvement.
(Auchinleck Academy, East Ayrshire Council)

Councils were asked whether they held two different types of guidance or policies on complaints in education: policies for staff and policies for councillors:
• 27 Councils held policies for staff on handling complaints about education (87%);
• No Council held policies specifically for councillors on handling complaints about education, though several mentioned councillors had a role in supporting complainants.
The four Councils that did not hold policies for staff were Clackmannanshire Council, Glasgow Council, North Ayrshire Council and Orkney Islands Council.

As these are essentially internal documents, we did not analyse them in accordance with all the characteristics of effective complaints procedures (ease of access and simplicity of the information are indicators used for information to parents and therefore do not apply to internal documents).

Our analysis of these documents raised the following issues:

- In total, 11 of the Councils that provided information on policies for staff, included guidance on the need for confidentiality (46%). This compares to only five (17%) Councils that included this within information leaflets.

- Twenty out of the 27 staff documents identified included time scales to provide an initial response to parents while 25 out of 27 included information on a time scale for a full response to be given to parents. In most cases, councils that included timescales noted that these might not be achievable but that complainants would either receive a response within the timescale provided or an explanation as to why the Council requires additional time to explore the situation.

- Of the policies sent to us, only one (East Lothian Council) included information on the provisions of the Education (Additional Support for Learning) (Scotland) Act 2004, specifically on procedures for mediation and alternative dispute resolution. We are aware that this information may be contained in specific guidance on implementing additional support for learning but it is of concern that this has not yet been incorporated into the policies on complaints handling.

- The majority of the policies for staff on complaints handling that were sent to us were Council-wide policies, rather than policies specifically developed for complaints in education (60%).

4.2 Training for staff on complaints handling

In total 154 schools (71% of the total who responded) were able to give us figures on the number of staff that had been trained in complaints handling. Of that 84% of schools (129) said that none of their staff had received training in complaints handling.

A further 10% of schools said that one person had received training; in most cases this was the head teacher. Of those that had received staff training, 11 schools were able to give us this as a percentage of the total staff in the school:

- 4 schools had between 1 and 10% trained in complaints handling;
- 6 schools had between 11 and 30% trained in complaints handling;
- 5 schools had over a third of staff trained in complaints handling, including 3 schools that had 100% of staff trained.
Council education services were also asked how many of their staff had been trained in complaints handling. Though we asked for this as a percentage of staff in order to make a comparison, those that did respond tended to provide only a number of staff trained.

Of the eight Councils that provided information on training of staff, three reported that no staff had received training on handling complaints (Comhairle nan Eilean Siar, Glasgow City Council and Orkney Islands Council). The remaining responses varied considerably (see table 4.2).

Table 4.2: Number of staff trained in complaints handling

<table>
<thead>
<tr>
<th>Council</th>
<th>Number of staff trained in complaints handling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highland</td>
<td>450</td>
</tr>
<tr>
<td>Renfrewshire</td>
<td>293</td>
</tr>
<tr>
<td>Perth &amp; Kinross</td>
<td>25</td>
</tr>
<tr>
<td>Argyll &amp; Bute</td>
<td>13</td>
</tr>
<tr>
<td>West Dunbartonshire</td>
<td>2</td>
</tr>
<tr>
<td>Eilean Siar</td>
<td>0</td>
</tr>
<tr>
<td>Glasgow City</td>
<td>0</td>
</tr>
<tr>
<td>Orkney Islands</td>
<td>0</td>
</tr>
</tbody>
</table>

While the lack of information on the total number of staff means that analysis of these findings is limited, it is clear that two councils (Highland Council and Renfrewshire Council) have invested heavily in ensuring that staff within the Council education service are trained in handling complaints.

4.3 Complaints monitoring in education

Regularly monitoring and auditing complaints is essential if they are to be used as a mechanism for improving services. Our request included asking for information on the number of complaints made within a specific period (August 2004 – June 2005). By doing this we are able to comment not only on the number of complaints made but also on the extent to which schools and Council education services monitor complaints.

4.3.1 How many complaints are made to schools?

Fifty-two per cent of schools reported that they monitored complaints (101 schools in total). Of the schools that did monitor complaints, most recorded between one and ten complaints within the school year 2004/05. Thirty-one schools (32% of those that monitor complaints) reported that no complaints were made during the school year 2004/05. Seven schools with over 500 pupils reported that they received over 30 complaints (the maximum number received was 60). Overall, schools receive an average of 7.3 complaints a year, ranging from small schools with only one complaint on average to large schools (with over 500 pupils) reporting an average of 14 complaints per year (see table 4.3).
Table 4.3: Number of complaints made by size of school

<table>
<thead>
<tr>
<th></th>
<th>Under 100 pupils</th>
<th>100 – 249 pupils</th>
<th>250 – 499 pupils</th>
<th>500 – 749 pupils</th>
<th>Over 750 pupils</th>
<th>Total (% of all schools that monitor)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>No complaints</td>
<td>12</td>
<td>9</td>
<td>3</td>
<td>2</td>
<td>5</td>
<td>31 (32%)</td>
</tr>
<tr>
<td>1 – 10</td>
<td>6</td>
<td>14</td>
<td>10</td>
<td>3</td>
<td>10</td>
<td>43 (44%)</td>
</tr>
<tr>
<td>10 – 29</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>10</td>
<td>14 (15%)</td>
</tr>
<tr>
<td>Over 30</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>6</td>
<td>8 (8%)</td>
</tr>
<tr>
<td>Average number of complaints per school</td>
<td>1.1</td>
<td>3.5</td>
<td>4.1</td>
<td>14</td>
<td>14</td>
<td>7.3</td>
</tr>
</tbody>
</table>

* Out of the 101 schools that monitor complaints, 96 schools were able to provide figures for school year 2004/05

Overall, 696 complaints were made to the 96 schools that were able to supply the information requested. The schools in question have a combined pupil roll of 48,601, meaning that on average one complaint is made for every 70 pupils.

Primaries had significantly fewer complaints recorded than secondary schools; however further analysis proved that this was due to the difference in school roll rather than any quantifiable relationship between stage of schooling and the number of complaints received.

**4.3.2 How many complaints are made to Council education services?**

Thirty out of the 32 Councils responded that they did monitor complaints. Despite almost all Councils reporting that they monitored complaints about education, only 23 were able to provide information on the number of complaints for the period (August 2004 – June 2005).

The numbers of complaints monitored by Council education services range from four logged by West Dunbartonshire Council to 391 logged by Highland Council. However, given differences in the numbers of pupils educated by Council education services, we used data from the Scottish Schools Census to calculate the number of complaints made per 1,000 pupils (table 4.4).

From this analysis we can see that the number of complaints made to Council education services varies from 0.28 per 1000 pupils in West Dunbartonshire Council to 13.5 per 1000 pupils in Dundee City Council. The average number of complaints made to Council education services is 4.5 per 1000 pupils.
Table 4.4: Number of complaints made to Council education services, by pupil roll 2004/05

<table>
<thead>
<tr>
<th>Council</th>
<th>Complaints recorded</th>
<th>Total pupil roll (from Pupils Census 2004)</th>
<th>Complaints per 1000 pupils</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dundee</td>
<td>256</td>
<td>18,964</td>
<td>13.50</td>
</tr>
<tr>
<td>Highland</td>
<td>391</td>
<td>32,858</td>
<td>11.90</td>
</tr>
<tr>
<td>Inverclyde</td>
<td>128</td>
<td>12,203</td>
<td>10.5</td>
</tr>
<tr>
<td>Scottish Borders</td>
<td>130</td>
<td>15,663</td>
<td>8.30</td>
</tr>
<tr>
<td>South Ayrshire</td>
<td>118</td>
<td>15,876</td>
<td>7.43</td>
</tr>
<tr>
<td>Clackmannanshire</td>
<td>54</td>
<td>7,360</td>
<td>7.34</td>
</tr>
<tr>
<td>East Renfrewshire</td>
<td>118</td>
<td>16,352</td>
<td>7.22</td>
</tr>
<tr>
<td>West Lothian</td>
<td>149</td>
<td>25,910</td>
<td>5.75</td>
</tr>
<tr>
<td>Falkirk</td>
<td>109</td>
<td>21,376</td>
<td>5.10</td>
</tr>
<tr>
<td>Glasgow City</td>
<td>363</td>
<td>71,362</td>
<td>5.09</td>
</tr>
<tr>
<td>Renfrewshire</td>
<td>85</td>
<td>25,887</td>
<td>3.28</td>
</tr>
<tr>
<td>Orkney Islands</td>
<td>10</td>
<td>3,111</td>
<td>3.21</td>
</tr>
<tr>
<td>Eilean Siar</td>
<td>13</td>
<td>4,108</td>
<td>3.16</td>
</tr>
<tr>
<td>Dumfries &amp; Galloway</td>
<td>57</td>
<td>21,337</td>
<td>2.67</td>
</tr>
<tr>
<td>North Ayrshire</td>
<td>53</td>
<td>20,789</td>
<td>2.55</td>
</tr>
<tr>
<td>Stirling</td>
<td>24</td>
<td>13,052</td>
<td>1.84</td>
</tr>
<tr>
<td>Edinburgh</td>
<td>83</td>
<td>47,058</td>
<td>1.76</td>
</tr>
<tr>
<td>Aberdeenshire</td>
<td>59</td>
<td>36,152</td>
<td>1.63</td>
</tr>
<tr>
<td>Perth &amp; Kinross</td>
<td>25</td>
<td>18,230</td>
<td>1.37</td>
</tr>
<tr>
<td>Shetland Islands</td>
<td>5</td>
<td>3,655</td>
<td>1.37</td>
</tr>
<tr>
<td>North Lanarkshire</td>
<td>67</td>
<td>51,096</td>
<td>1.31</td>
</tr>
<tr>
<td>Argyll &amp; Bute</td>
<td>13</td>
<td>12,847</td>
<td>1.01</td>
</tr>
<tr>
<td>West Dunbartonshire</td>
<td>4</td>
<td>14,071</td>
<td>0.28</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,314</strong></td>
<td><strong>509,317</strong></td>
<td><strong>4.5</strong></td>
</tr>
</tbody>
</table>

4.4 Discussion

We welcome the fact that most schools and Councils held policies for staff on handling complaints. In 1994, only half of Councils had policies on complaints handling. It is encouraging that this has increased to 87% over the past 12 years; however we are concerned that a small number of Councils are still operating without guidelines on complaints handling.
The information provided within staff handbooks was generally more comprehensive than that provided within information for parents. However, there are still areas where staff guidelines could be more comprehensive, such as including information on the provisions under the Education (Additional Support for Learning) (Scotland) Act 2004.

We found low levels of training for school staff on complaints handling. We are concerned that few schools (16%) reported having any member of staff trained in complaints handling. This is despite the fact that class teachers or office staff are likely to be the first port of call for parents with a grievance. Training within the Council education service varied considerably. Few Councils were able to provide numbers of staff trained in complaints handling. Of those that did, two Councils (Highland Council and Renfrewshire Council) had trained significant numbers of staff in complaints handling; however others reported that no member of staff had received such training.

The majority of Council education services do monitor complaints (n = 30, 94%). This compares well to the findings in 1994 where only a third of Council education services did so. We are concerned though that while the majority of Council education services monitored complaints, just over half of schools did so. Monitoring complaints is critical to ensuring that recurrent problems are identified and to reassure parents that their views are taken into account. All schools and Council education services should monitor complaints as an essential component of good customer service and as part of their strategies for parental involvement.

We know that people are likely to complain when their experiences do not match up to their expectations. However, the focus groups with parents suggested a number of barriers were in place that stopped them from complaining about their child’s education. The impact of these barriers means that the number of complaints made may have more to do with the accessibility of a complaints procedure, and potential complainants’ belief that something would change following making a complaint, rather than as a proxy for satisfaction with services. It is interesting to note that Highland Council had the highest reported number of staff trained in complaints handling and also the highest number of complaints logged. A relatively high number of complaints may therefore be an indication of a more effective complaints system rather than as an indication of poor service provision.
Section 5: Recommendations

This report brings together a significant amount of data on complaints in education. Listening to parents’ views of current complaints mechanisms reinforced the messages of previous research into what an effective complaints procedure would consist of and formed the basis of our analysis of school and Council information and procedures.

Based on our findings, there are a number of changes that could be made to the system of complaints in education, both nationally and locally, which would benefit parents.

We welcome the fact that just under three-quarters of schools and all but one Council provides information to parents on how to make a complaint and that all of this information can be judged as easy to understand. We are particularly concerned that information on complaints does not appear to be updated regularly in line with new legislative requirements. All information about complaints in the public services must, by law, include information on the role of the Scottish Public Services Ombudsman; however very few schools included this information.

Similarly, we are concerned at the lack of information on the procedures put in place by the Education (Additional Support for Learning) (Scotland) Act 2004. It should be stressed that this research was carried out before Councils were under a legal duty to provide this information and we aware that it is likely that the information on mediation and alternative dispute resolution is held within information to parents on the additional support for learning system. However, we would urge Councils to include it within general complaints information. Navigating a complaints system, particularly in education, can be complicated and many parents who have a grievance may not be aware that it falls under the heading of additional support for learning.

Recommendations to schools
1. Head teachers should ensure that they have written information for parents on making a complaint about the school.
2. Head teachers should ensure that their complaints information is reviewed regularly to take account of changes in legislation and procedures.
3. Head teachers should ensure that all staff (including non-teaching staff) receive training on complaints handling and on the Council policy on complaints.
4. Head teachers should ensure that complaints are monitored.
Recommendations to Council education services

1. Council education services should have a written policy for staff on complaints handling that brings together all the available avenues for complaints and provides good practice on complaint handling.

2. Council education services should ensure that they have written information for parents on making a complaint about education services.

3. Council education services should review their guidance on complaints and information for parents regularly to ensure that they take account of changes in legislation and procedures.

4. Council education services should ensure that all staff receive training on complaints handling and on the Council's policy on complaints.

5. Council education services should monitor complaints as an essential component of parental involvement and to ensure that recurring problems are rectified.

6. Council education services should publish annual reports on the number and type of complaints made at Council level.

We also believe that there is more the Scottish Executive can do to support schools and Councils in developing best practice in complaints handling. The system for complaints in education is complicated and becoming increasingly so with the implementation of the Education (Additional Support for Learning) (Scotland) Act 2004. We would prefer to see a single, coherent system for external review of complaints about education.

As noted in the introduction, Councils are likely to be reviewing their complaints procedures during 2006/07 to incorporate new duties for accepting complaints on parental involvement. While the Guidance on the Scottish Schools (Parental Involvement) Act 2006 and the accompanying toolkit (Scottish Executive, 2006) introduce some elements of good practice in complaints handling and information on complaints, we suggest that additional, detailed guidance would be helpful.

The Scottish Executive could also assist Councils and schools in developing templates for information for parents. Our research found that there are nine key aspects that should be included in complaints information for parents. Producing a template of this information would provide a level of standardisation and consistency and contribute to efficiencies by reducing the amount of duplicated effort undertaken by Councils and schools across Scotland. Councils and schools would be free to edit the template to include information relevant to their own local procedures and contact information.
Recommendations to the Scottish Executive
1. The Scottish Executive should review its approach to legislating on complaints in education and introduce a holistic approach to complaints rather than developing ‘single issue’ mechanisms.
2. The Scottish Executive should publish detailed guidance on complaints handling for Council education services.
3. The Scottish Executive should produce templates for schools and Councils to use when developing information for parents.

HM Inspectorate of Education (HMIE) also has a role to play in the development of school and Council complaints procedures. We welcome the inclusion of complaints procedures within *How Good is our School: Partnership with parents* (2006). We would hope that HMIE will build on this by providing information on good practice in complaints procedures and information for parents in future editions of the self-evaluation series.

Recommendations to HM Inspectorate of Education
1. HMIE should further develop quality indicators on complaints in education for schools and Council education services to include good practice on complaints procedures and information for parents.
Appendix A: Further information on the research methodology

A.1 Focus Groups

Four focus groups were carried out with a total of 30 parents during February 2006 to explore what parents thought about complaining to schools and Councils.

The focus groups were organised for us by Progressive Partnership who recruited parents ‘off the street’ offering them a £25 incentive to take part in the focus group.

Table A.1: Characteristics of focus groups

<table>
<thead>
<tr>
<th>Group</th>
<th>Primary/Secondary</th>
<th>Location</th>
<th>No. of parents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group 1</td>
<td>Primary</td>
<td>Edinburgh</td>
<td>8 (6 women, 2 men)</td>
</tr>
<tr>
<td>Group 2</td>
<td>Secondary</td>
<td>Glasgow</td>
<td>6 (4 women, 2 men)</td>
</tr>
<tr>
<td>Group 3</td>
<td>Secondary</td>
<td>Dundee</td>
<td>8 (5 women, 3 men)</td>
</tr>
<tr>
<td>Group 4</td>
<td>Primary</td>
<td>Ayr</td>
<td>8 (6 women, 2 men)</td>
</tr>
</tbody>
</table>

The focus groups were taped and transcribed. Analysis focused on four key areas:

- What avenues are there for making a complaint?
- How complaints are dealt with?
- What puts parents off complaining?
- What would make complaints systems more accessible?

A.2 Information request to schools

In January 2006 we sent a request for information to a random sample of 400 schools across Scotland (200 primary schools and 200 secondary schools).

We requested:

- a copy of any school level complaints policies that exist;
- a copy of any information given to parents about making a complaint;
- the training on complaints undertaken by staff (where training records exist); and
- the number of complaints made to the head teacher (where complaints records exist).
In total just over half of schools responded to our information request (218). Of those, 97 responses came directly from schools while 121 were sent ‘corporately’ as part of a Council-wide response. Each Council was also told which schools had been contacted to facilitate ‘corporate’ responses where Councils felt that was more appropriate.

Some Councils (Angus, East Dunbartonshire, Falkirk) reported in their Council response that all schools followed their policy and therefore that their corporate response covered all schools in their area. We have not recorded this as a full response to the schools request as it does not provide information on whether the schools have developed their own policies or information for parents’ nor does it provide school level data on the number of staff trained and complaints recorded which were essential elements of the request.

A.3 Information request to Council education services

In January 2006 we also sent an information request to all 32 Council education services in Scotland.

We requested:
• a copy of any Council complaints policies on education that exist;
• a copy of any information given to parents about making a complaint;
• a copy of any written information that provides Council staff or councillors with guidance on complaints handling;
• the training on complaints undertaken by staff (where training records exist); and
• the number of complaints made to the Council education service (where complaints records exist).

All Council education services responded to the request.
Appendix B: References


HM Inspectorate of Education (2006a) How Good is our School? The journey to excellence Livingston: HMIE

HM Inspectorate of Education (2006b) How Good is our School? Partnership with Parents Livingston: HMIE


Scottish Consumer Council (2002a) Parents’ as Consumers of Education Glasgow: SCC

Scottish Consumer Council (2002b) Parents’ views about and experiences of the Scottish Education System Glasgow: SCC

Scottish Consumer Council (2006) Building on Success: Consumer Satisfaction with Public Services Glasgow: SCC

Scottish Executive (2005) Results of the latest annual pupil census in publicly funded schools in Scotland Edinburgh: Scottish Executive
