



Department
for Education

Handling Complaints about Schools: Departmental Report

1 August 2012 – 31 July 2013

Research report

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1. Introduction

1.1 This report covers complaints that relate to state-funded schools, including academies and free schools, received by the department in the period 1 August 2012 to 31 July 2013.

1.2 The department is committed to continuous improvement in its handling of complaints about schools, and this report is part of its programme of work to review and gather feedback on progress.

2. Context

2.1 Prior to July 2012 some complaints about schools were handled by the Secretary of State for Education and some were handled, as a pilot, by the Local Government Ombudsman (LGO). The Education Act 2011 rationalised the LGO arrangements. In July 2012, the powers of the LGO to consider school complaints were repealed, so that all complainants in England could complain to the Secretary of State about a school. The LGO continued to work on outstanding complaints until January 2013.

2.2 During the passage of the Education Act 2011 the department commissioned independent research¹ about its handling of complaints about schools. This led to a number of changes to the way the department deals with such complaints, including centralised handling of some complaints and the introduction of new standards and mechanisms for data capture.

2.3 In the first instance, complainants follow the school's local complaints' process. If they remain dissatisfied after exhausting local avenues they can contact the Secretary of State and ask him to consider the issue. Where the department receives a complaint that has not been taken through the school's own process, complainants are referred back to the school. Exceptions are made when child protection concerns are raised or where a child is missing education.

2.4 In general, the department cannot change the outcome of the decision made by the school. The department's role is to consider whether the school handled the complaint in line with the school's own policies, including its complaints handling policy. The Secretary of State does have powers under sections 496 and 497 of the Education Act 1996 to intervene where a school has failed to discharge a legal duty or has acted unreasonably in the exercise of its duties. These powers are rarely engaged in the type of cases that are raised as complaints about schools and were not used for any of the complaints received during the period this report covers.

¹ "Parents' and Young Peoples' Complaints about Schools"
<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-RR193>

2.5 If an academy is found to be in clear breach of its funding agreement, the Secretary of State can take action to enforce the funding agreement. It is more usual however, given the nature of the complaints received and the need for speedy resolution, for the Secretary of State to ask schools to take certain steps such as reviewing a policy with a view to making sure it is clear or compliant.

2.6 Complaints about Government schools' policy or other service complaints are outside the scope of this report.

3. Complaints handled

3.1 The department committed to report on the volume, theme, outcome and timeliness of school complaints activity. This section provides this detail.

3.2 Volume

3.2.1 As at July 2013 there were 21,408 state-funded schools in England (including special schools, pupil referral units and alternative provision schools), 3,049 of which were academies.

3.2.2 During the period 1 August 2012 to 31 July 2013, the department received about 1500 school complaints. Over 1200 complaints were referred back as they had not completed the school's own complaints process. 284 complaints had completed the local school's complaint process and were eligible to be considered by the department. The number of complaints was slightly lower than it would otherwise have been because the LGO was still considering some cases during this period. The low number of complaints restricts the scope to draw significant conclusions relating to their nature or our handling of them.

3.3 Theme

3.3.1 The majority of complaints received were about an incident or incidents that involved a child. The actions of other pupils, staff or governors in relation to the incident sometimes also formed part of the complaint.

3.3.2 Table 1 shows that when the complaints are broken down by theme, no one theme stands out over the others. Complaint themes relate to the original complaint that the school looked at e.g. a complaint about an incident of bullying by a pupil.

3.3.3 The lowest number of complaints received relate to children with special educational needs. Complaints that relate to this client group have been captured separately as part of the department's commitment to draw this information out from its data. These complaints cover a wide range of issues such as the standard of educational provision and support, and verbal and physical altercations.

Table 1 - Number of complaints reviewed by the department.

Complaint Theme	Number
Bullying	46
School's handling of complaint ²	45
Other ³	42
Governors/staff ⁴	40
Governance ⁵	37
Exclusions	32
Safeguarding	22
SEN	20
Total	284

3.4 Outcomes

3.4.1. The outcomes of cases concluded by 31 July 2013, is set out in Table 2 below.

Table 2 - Outcome of complaints.

Outcome	Number
Not upheld	81
Fully upheld	30
Partially upheld	2
Withdrawn	33
Out of scope	27
Resolved	20
Local process not exhausted ⁶	16
Referred elsewhere	7
Still under consideration	68
Total	284

3.4.2. 30 complaints were fully upheld. Upholding a complaint does not mean the department can direct a school to change the outcome of the original complaint.⁷

² The way the original complaint was handled by the school

³ Complaints not falling into the other categories

⁴ The actions of staff or governors at a school

⁵ The misapplication of school policies, or maladministration, for example

⁶ Examination of paperwork was necessary to fully determine whether the local process had been exhausted.

⁷ Remedy may include the school apologising; providing an admission that the situation could have been handled differently; assurance that steps have been taken to ensure that there will not be a reoccurrence of the issue complained about; a review and amendment of school policies.

3.4.3. Approximately one third of cases were closed before one of these conclusions was reached. A complainant may satisfactorily resolve their complaint before the department concludes its action, or may choose to withdraw their complaint. Cases may also not reach a conclusion when a complaint was initially accepted for consideration, but is found to be out of scope once detailed case paperwork had been reviewed by the department or requires referral to other bodies, such as the local authority or Information Rights Commissioner.

3.4.4. At year end (31 July 2013) 68 cases were taken into the next business year for continuing consideration.

3.4.5. The outcomes of the 20 complaints relating to children with special education needs are set in Table 3 below.

Table 3 - Outcome of complaints relating to children with special educational needs.

Outcome	Number
Not upheld	3
Fully upheld	1
Local process not exhausted	4
Withdrawn	2
Resolved	8
Still under consideration	2
Total	20

3.5 Timescales

3.5.1. The target time for advising complainants whether their complaint is eligible to be considered by the department is 85% within 15 days. The department achieved 83% against this target.

4. Quality and Customer Satisfaction

4.1 During the year of this report the department introduced mechanisms for collecting and reporting on school complaints data. New quality standards were introduced and published. The public now has guidance on the process of raising a complaint and a standard mechanism by which to contact the department about a complaint.

4.2 The department commissioned an independent survey of customer satisfaction of its handling of school complaints. This provides for the first time useful formal benchmark data and key drivers on which to focus improvement activity.

4.3 The survey was sent to customers who had contacted the department with a school complaint about a state-funded school between August 2012 and July 2013 unless they had indicated they did not want to be contacted for this purpose.

4.4 The overall sample size was small (about 1500) and 429 responses were received, a response rate of 29%. This low volume affects the conclusions that can be drawn from the data. The survey report highlights that the profile of respondents is not typical of standard customer satisfaction research, because of the strength of feeling involved and the nature of the issues covered.

4.5 The majority of respondents (79%) were customers who were referred back to the school's local process, as that process had not been exhausted.

4.6 Findings

4.6.1 The strongest indicator of satisfaction amongst respondents was ease of being able to make contact with the department, confidence in the complaint being taken seriously and satisfaction with the time taken to reach an outcome. Overall, 29% considered it easy to make contact with the department, 43% difficult and 27% neither easy nor difficult. The majority (66% of all contacts) of complainants used letters to make contact with the department, the others completed the 'Contact Us' page of the department's website.

4.6.2 72% of respondents (whether their case was considered by the department or referred to the local school process) were dissatisfied with the overall service provided by the department. Base group sizes are too small to allow robust analysis, but the findings do not suggest that satisfaction increases amongst respondents whose complaints have been upheld (as might have been expected).

4.6.3 The number of respondents who considered that it took too long to resolve their complaint was 16 out of 33⁸.

4.7 Next Steps

4.7.1 The department recognises that it needs to improve its service to address the customer satisfaction survey report's main findings.

4.7.2 Action will focus on improving the department's communication with customers and its speed of response.

4.7.3 Planned improvements will include making it easier to contact the department, more frequent updates on the progress with complaints, clearer explanations of what is happening and why, and faster turn-around times. This will help address the perception that the department does not take complaints seriously.

⁸ The number who completed that question on the questionnaire.



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