

Education, Children and Families Committee

10am, Tuesday, 6 October 2015

Advice and Complaints (Education) Annual Report 2015

Item number 8.12

Report number

Executive/routine

Wards

Executive summary

The purpose of this report is to advise the Education, Children and Families Committee of the Advice and Complaints (Education) Annual Report 2015.

The Advice and Complaints (Education) Annual Report 2015 highlights the performance of the complaints management process within the Education service and makes recommendations for improvement.

Links

Coalition pledges [P1 – P6](#)

Council outcomes [CO1 – CO6](#)

Single Outcome Agreement [SO3](#)

Advice and Complaints (Education) Annual Report 2015

Recommendations

- 1.1 It is recommended the Education, Children and Families Committee notes the Advice and Complaints (Education) Annual Report 2015, including recommendations for improvement.

Background

- 2.1 The Council implemented its revised complaints handling procedure in March 2013 in line with the Scottish Public Services Ombudsman's (SPSO) model Complaints Handling Procedure (CHP). There are two stages to the procedure – frontline resolution (stage 1) and investigation (stage 2). Customers who remain dissatisfied after the investigation stage can take their complaint to the SPSO for consideration.
- 2.2 The Council's definition of a complaint is "an expression of dissatisfaction by one or more members of the public about the local authority's action or lack of action, or about the standard of service provided by or on behalf of the local authority."
- 2.3 The annual report gives detail of performance in relation to the handling of complaints in the Education sector for the years 2013/14 and 2014/15.

Main report

- 3.1 The purpose of this report is to advise the Education, Children and Families Committee of the Advice and Complaints (Education) Annual Report 2015.
- 3.2 Complaints are valuable. Handled well, they provide a low cost and important source of feedback and learning for services to help drive improvement and restore a positive relationship with customers. Handled badly, they can have a negative impact on public confidence and trust. Complaints can also provide an early warning of more fundamental problems in service design and delivery. The evidence and learning from complaints can give the decision-makers an opportunity to make improvements before problems escalate.
- 3.3 In November 2013, the Council Complaints Management Group (CCMG), including representation from Education, was established to take forward actions for improving complaints management and to review the Council's engagement with the public on complaints.

- 3.4 Council-wide performance information is scrutinised on a quarterly basis by the Corporate Leadership Group and annually by the Corporate Policy & Strategy Committee. The Advice and Complaints (Education) Annual Report 2015 gives detail of performance in relation to the handling of complaints within the Education sector.
- 3.5 The main points arising from the performance information are as follows:
- 3.5.1 393 complaints were received and recorded in 2013/14 and 249 in 2014/15.
 - 3.5.2 157 (77%) of stage 1 complaints were closed within the 5 day timescale and 31 (73%) of stage 2 complaints were closed within the 20 day timescale in 2014/15, both below the 85% target. A further 10 stage 2 complaints were closed within an agreed extended timescale, bringing performance above the target at 98%.
 - 3.5.3 There was an increase in performance in stage 1 complaints closed within 5 days from 2013/14 to 2014/15.
 - 3.5.4 There was a drop in performance in stage 2 complaints closed within 20 days from 2013/14 to 2014/15. Taking agreed extended timescales into account, there was no decrease with both years exceeding the 85% target by 13 percentage points. It should be noted that the small numbers involved can lead to large fluctuations in the percentages.
 - 3.5.5 61% of stage 1 complaints and 57% of stage 2 complaints in 2013/14 were upheld or partially upheld.
 - 3.5.6 68% of stage 1 complaints and 45% of stage 2 complaints in 2014/15 were upheld or partially upheld.
 - 3.5.7 Only 4 complaints reached the SPSO for both 2013/14 and 2014/15.
 - 3.5.8 In both 2013/14 and 2014/15 the majority of complaints received related to Primary schools.
 - 3.5.9 There was a 7% decrease in the number of complaints received in both Primary and Secondary sectors from 2013/14 to 2014/15.
 - 3.5.10 The top 4 complaints categories during 2014/15 were staff attitude (29%); bullying/racism (19%); policy, procedure & practice (18%) and health & safety (8%).
- 3.6 Recommendations made as a result of investigations at stage 2 are detailed in the outcome letter, are copied to the head of establishment and to the relevant Quality Improvement Officer and recorded in the Advice and Complaints (Education) database. These are often specific to an individual case but can be used to identify service-wide improvements. Monitoring of whether recommendations have been implemented is not carried out consistently and is not currently recorded in the database.

- 3.7 We have a clear commitment to listen to our customers and act on their feedback. Learning from complaints is a continuous process that helps us to resolve common complaints and improve the services we provide. We analyse the complaints recorded to help us understand any gaps in understanding of the complaints process, we analyse the outcomes of complaints and the recommendations made to understand whether any strategic changes are required and we analyse the nature of the complaints received at all stages to look for trends and repeat complaints.
- 3.8 By analysing the information recorded during 2014/15, we have identified the following areas for improvement:
- 3.8.1 the recording of complaints, especially stage 1 (frontline), is not being carried out consistently or in a timely manner. This is evidenced by the decrease in the number of complaints recorded at stage 1 alongside the information on the number of schools who have recorded no stage 1 complaints during the year. Improvements are required in the recording process and the supporting ICT system. Further training (and retraining) on the complaints process and in particular on how to identify and record a complaint should be carried out across the service. This should include ensuring guidance materials are fit for purpose and readily available.
 - 3.8.2 the internal process of complaint handling needs reviewed in order to be able to track a complaint effectively from initial contact through to the final response (closure of the complaint). This will include identifying the necessary ICT support until such a time that the new CRM is implemented Council wide.
 - 3.8.3 the monitoring of implementation of recommendations should be carried out centrally and recorded in the database.
 - 3.8.4 further analysis of complaints should be carried out to determine any common factors.
- 3.9 This improvement activity will result in a significant increase in the number of complaints recorded but will result in an easily accessible and transparent complaints process for customers. Additionally, a change in culture with regard to welcoming complaints is required across the service area and this change in culture will be led and encouraged by senior management.
- 3.10 The Council has initiated an evaluation of the extent to which the new complaints procedure is working effectively, starting with a review of the complaints processes within secondary schools. An improvement plan is under development taking into account the recommendations from this review along with the recommendations from the annual report. Progress will be reported to Committee in March 2016.

Measures of success

- 4.1 Performance relating to Education complaints management is monitored through seven of indicators: Complaints received; Complaints closed within timescale; Complaints upheld, partially upheld, not upheld; Complaints by sector; Complaints by category; Recommendations as a result of investigations; and Learning from complaints.

Financial impact

- 5.1 There is no financial impact arising directly from this report.

Risk, policy, compliance and governance impact

- 6.1 There is no risk, policy, compliance and governance impact arising directly from this report.

Equalities impact

- 7.1 There is no equalities impact arising directly from this report.

Sustainability impact

- 8.1 There is no sustainability impact arising directly from this report.

Consultation and engagement

- 8.2 The Council's engagement with the public on complaints is under review as a key component of the remit of the Council Complaints Management Group (CCMG).
- 8.3 Engagement with service managers on improvement activity is ongoing.

Background reading/external references

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Coalition pledges	<p>P1 – Increase support for vulnerable children, including help for families so that fewer go into care</p> <p>P2 – Hold the maximum P1 class size at 25 and seek to reduce class sizes in line with Scottish Government recommendations</p> <p>P3 – Rebuild Portobello High School and continue progress on all other planned school developments, while providing adequate investment in the fabric of all schools</p> <p>P4 – Draw up a long-term strategic plan to tackle both over-crowding and under use in schools</p> <p>P5 – Seek to ensure the smooth introduction of the Curriculum for Excellence and that management structures within our schools support the new curriculum</p> <p>P6 – Establish city-wide co-operatives for affordable childcare for working parents</p>
Council outcomes	<p>CO1 – Our children have the best start in life, are able to make and sustain relationships and are ready to succeed</p> <p>CO2 – Our children and young people are successful learners, confident individuals and responsible citizens making a positive contribution to their communities</p> <p>CO3 – Our children and young people in need, or with a disability, have improved life chances</p> <p>CO4 – Our children and young people are physically and emotionally healthy</p> <p>CO5 – Our children and young people are safe from harm or fear of harm, and do not harm others within their communities</p> <p>CO6 – Our children’s and young people’s outcomes are not undermined by poverty and inequality</p>
Single Outcome Agreement	<p>SO3 – Edinburgh’s children and young people enjoy their childhood and fulfil their potential</p>
Appendices	<p>Advice and Complaints (Education) Annual Report 2015</p>

Advice and Complaints (Education) Annual Report 2015

Appendix

Advice and Complaints (Education) Annual Report

September 2015

Summary

Introduction

The Council implemented its revised complaints handling procedure in March 2013 in line with the Scottish Public Services Ombudsman's (SPSO) model Complaints Handling Procedure (CHP). There are two stages to the procedure – frontline resolution (stage 1) and investigation (stage 2). Customers who remain dissatisfied after the investigation stage can take their complaint to the SPSO for consideration (referred to as stage 3).

The Council's definition of a complaint is “an expression of dissatisfaction by one or more members of the public about the local authority's action or lack of action, or about the standard of service provided by or on behalf of the local authority.”

Complaints are valuable. Handled well, they provide a low cost and important source of feedback and learning for services to help drive improvement and restore a positive relationship with customers. Handled badly, they can have a negative impact on public confidence and trust. Complaints can also provide an early warning of more fundamental problems in service design and delivery. The evidence and learning from complaints can give the decision-makers an opportunity to make improvements before problems escalate.

In November 2013, the Council Complaints Management Group (CCMG) was established to take forward actions for improving complaints management and to review the Council's engagement with the public on complaints.

The Group includes representatives from Education, Social Work, Services for Communities, Customer Hub, Economic Development, Member Services and is led by Business Intelligence (Corporate Governance). It meets monthly to learn from complaints, improve business processes and ensure these are embedded in service areas.

The data in this report provides details of the complaints managed by the Children and Families Advice & Complaints Service, relating specifically to Education complaints managed in 2013/14 and 2014/15.

This report presents an analysis of complaints management through a number of indicators:

1. Complaints received
2. Complaints closed within timescale
3. Complaints upheld, partially upheld, not upheld
4. Complaints by education sector
5. Complaints category
6. Recommendations as a result of investigations
7. Learning from complaints

Indicator 1: Complaints received

Outline

This indicator records the total number of complaints received.

Indicator 1: Complaints received

	2013/14	2014/15
Total for year	393	249
Stage 1 (frontline)	347	203
Stage 2 (investigation)	42	42
Stage 3 (SPSO)	4	4

Analysis and actions

- 393 complaints were received and recorded in 2013/14 and 249 in 2014/15.
- There was a significant decrease in the number of stage 1 complaints received and recorded between 2013/14 and 2014/15. Additionally, further investigation has shown that there were no stage 1 complaints recorded for a significant number of schools (33 primary schools in 2013/14 and 50 in 2014/15, 8 secondary schools in 2013/14 and 10 in 2014/15). This inconsistency in recording is addressed under Indicator 7: Learning from complaints.
- Advice and Complaints also dealt with a further 259 queries in 2013/14 and 265 in 2014/15 which were dealt with as early resolution. Advice was provided on the complaints process, in most cases advising that the head of establishment should be given the opportunity to respond in the first instance to any complaint. Due to the inadequacy of the recording system, it is not known if these queries were followed up or if the advice provided was sufficient to meet the needs of the customer. Further work is planned regarding this issue and is addressed under Indicator 7: Learning from complaints.
- In addition, Advice and Complaints dealt with a significant number of advice queries (634 in 2013/14 and 454 in 2014/15).

Indicator 2: Complaints closed within timescale

Outline

A complaint is closed when a response has been given to the customer and no further action is required. Stage 1 is a frontline resolution where a quick, informed response is possible within 5 working days. For complaints which require more time to gather the information before resolution, or where a customer remains dissatisfied after stage 1, an investigation (stage 2) is appropriate and should be completed within 20 working days.

Indicator 2: Complaints closed within timescale

	2013/14		2014/15	
	Closed within 5 days	Closed within agreed extended timescale	Closed within 20 days	Closed within agreed extended timescale
Stage 1 (frontline)	260 (75%)		157 (77%)	
Stage 2 (investigation)	38 (90%)	3 (7%)	31 (73%)	10 (24%)

Analysis and actions

- 157 (77%) of stage 1 complaints were closed within the 5 day timescale in 2014/15, below the target of 85%.
- There was an increase in performance in stage 1 complaints closed within timescale from 2013/14 to 2014/15.
- 31 (73%) of stage 2 complaints were closed within the 20 day timescale in 2014/15. Taking agreed extended timescales into account, the figure increases to 98%, above the 85% target.
- There was a drop in performance in stage 2 complaints closed within 20 days from 2013/14 to 2014/15. Taking agreed extended timescales into account, there was no decrease with both years exceeding the 85% target by 13 percentage points. It should be noted that the small numbers involved can lead to large fluctuations in the percentages.

Indicator 3: Complaints upheld, partially upheld and not upheld

Outline

This indicator measures the outcome (upheld, partially upheld or not upheld) recorded for each complaint. A partially upheld complaint can occur when at least one element within the complaint is upheld.

Indicator 3: Complaints upheld, partially upheld and not upheld

OUTCOME	2013/14			2014/15		
	Stage 1	Stage 2	Stage 3	Stage 1	Stage 2	Stage 3
Upheld	104	9	1	62	4	0
Partially upheld	107	15	2	76	15	1
Not upheld	136	18	1	65	23	3

Analysis and actions

- Due to the often complex nature of the complaints received, a large number of complaints result in a partially upheld outcome.
- 61% of stage 1 complaints and 57% of stage 2 complaints in 2013/14 were upheld or partially upheld.
- 68% of stage 1 complaints and 45% of stage 2 complaints in 2014/15 were upheld or partially upheld.
- Only a small number of complaints reached the SPSO for both 2013/14 and 2014/15.

Indicator 4: Complaints by sector

Outline

This indicator measures the total number of complaints received broken down into the different education sectors.

Indicator 4: Complaints by sector

Sector (no of establishments)	2013/14			2014/15		
	Stage 1	Stage 2	Stage 3	Stage 1	Stage 2	Stage 3
Pre-school (98)	7	3	0	4	0	0
Primary (88)	223	27	4	156	27	2
Secondary (23)	98	8	0	36	13	1
Special (13)	4	1	0	5	0	0
Community Centre (39)	2	2	0	0	1	1
Other (14)	13	1	0	2	1	0

Analysis and action

- In both 2013/14 and 2014/15 the majority of complaints received related to Primary schools.
- There was a 7% decrease in the number of complaints received in both Primary and Secondary sectors from 2013/14 to 2014/15. As mentioned earlier, this is likely to reflect inconsistency in recording and is dealt with under Indicator 7: Learning from complaints.
- The overall number of complaints received for each sector is very low given the number of establishments. This has been identified at the CCMG and further information is provided under Indicator 7: Learning from complaints.

Indicator 5: complaint categories

Outline

This indicator records the total number of complaints received by Education broken down by category of complaint.

Indicator 5 categories of complaints

Category	2013/14			2014/15		
	Stage 1	Stage 2	Stage 3	Stage 1	Stage 2	Stage 3
Staff attitude	79	6	0	58	13	1
Bullying/racism	53	8	1	35	11	2
Policy, procedure and practice	57	12	2	31	15	0
Health & safety	36	3	0	19	1	0
ASL/ASN	10	5	0	11	1	0
Child protection	3	1	0	4	1	0
Communication	36	7	1	8	0	1
Curriculum	12	0	0	13	0	0
Other	61	0	0	24	0	0

Analysis and action

- The top 4 complaints categories during 2014/15 were staff attitude (29%); bullying/racism (19%); policy, procedure & practice (18%) and health & safety (8%).
- Complaints in the 'other' category include:
 - Litter problems around the school
 - Traffic problems during pick-up and drop-off times
 - Noise from playtime disturbing sleep

Indicator 6: Recommendations as a result of investigations

Outline

During the investigation stage recommendations for action, whether the complaint is upheld or not, are detailed in the outcome letter. A copy of this letter is sent to both the head of the establishment and to the relevant Quality Improvement Officer. All recommendations are recorded in the Advice and Complaints (Education) database and analysed for any required improvements.

Indicator 6: Recommendations as a result of investigations

Recommendations made as a result of stage 2 (investigation) complaints during 2014/15 can be categorised under the following headings with examples given: (It should be noted that the majority of recommendations are specific to individual cases) . Monitoring of whether recommendations have been implemented is not carried out consistently and is not recorded in the database.

Pupil support

- special arrangements put in place to support pupils in composite classes
- pupils moved into different classes due to bullying issues
- mediation undertaken by the head teacher
- to ensure the pupil has regular opportunities to inform staff of incidents or concerns
- address any continuing concerns about pupil's wellbeing through the Getting it Right for Every Child approach.

Communications with parents

- deposit returned to parent and school to ensure information to parents is clear and a two way channel of communication is maintained regarding foreign travel
- head teacher to ensure all minutes of meetings with parents are agreed and contain appropriate action points
- school to ensure written communication with parents is of a consistently high standard
- school to review parental engagement procedures
- remind parents through the school newsletter about the procedures for dismissal at the end of the school day

Reviews of policies and procedures

- policies and procedures reviewed include health and safety and equalities.

Indicator 7: Learning from complaints

Outline

We have a clear commitment to listen to our customers and act on their feedback. Learning from complaints is a continuous process that helps us to resolve common complaints and improve the services we provide.

Indicator 7: Learning from complaints

We see the management of complaints as a way to learn and improve the services we provide. We do this in a number of ways:

- We analyse the complaints recorded to help us understand any gaps in understanding of the complaints process
- We analyse the outcomes of complaints and the recommendations made to understand whether any strategic changes are required
- We analyse the nature of the complaints received at all stages to look for trends and repeat complaints

By analysing the information about complaints received during 2014/15, we have identified the following areas for improvement:

- the recording of complaints, especially stage 1 (frontline), is not being carried out consistently or in a timely manner. This is evidenced by the decrease in the number of complaints recorded at stage 1 alongside the information on the number of schools who have recorded no stage 1 complaints during the year. Improvements are required in the recording process and the supporting ICT system. Further training (and retraining) on the complaints process and in particular on how to identify and record a complaint should be carried out across the service. This should include ensuring guidance materials are fit for purpose and readily available.
- the internal process of complaint handling needs reviewed in order to be able to track a complaint effectively from initial contact through to the final response (closure of the complaint). This will include identifying the necessary ICT support until such a time that the new CRM is implemented Council wide.
- the monitoring of implementation of recommendations should be carried out centrally and recorded in the database.
- further analysis of complaints should be carried out to determine any common factors.

This improvement activity will result in a significant increase in the number of complaints recorded but will result in an easily accessible and transparent complaints process for customers. Additionally, a change in culture with regard to welcoming complaints is required across the service area and this change in culture will be led and encouraged by senior management.