

ADJUDICATION & REVIEW COMMITTEE
24 NOVEMBER 2016

Subject Heading:	Learning & Achievement Complaints Annual Complaints Report 2015/16
SLT Lead:	Tim Aldridge/Sue Imbriano
Report Author and contact details:	Veronica Webb, Senior Complaints & Information Officer, Mercury House, Mercury Gardens Romford RM1 3SL Telephone: 01708 433589
Policy context:	Quality and High Customer Satisfaction

SUMMARY

This report is for information and refers to the reports presented to Children & Learning Overview & Scrutiny Committee on 8 November 2016.

RECOMMENDATIONS

Members to note the reports and contents.

REPORT DETAIL

Please see attached report

IMPLICATIONS AND RISKS

Financial implications and risks:

Please see attached report

Legal implications and risks:

Please see attached report.

Human Resources implications and risks:

Please see attached report.

Equalities implications and risks:

Please see attached report.

BACKGROUND PAPERS

None

**CHILDREN & LEARNING OVERVIEW AND SCRUTINY
SUB-COMMITTEE
8 NOVEMBER 2016**

Subject Heading:	Learning & Achievement Complaints Annual Report
SLT Lead:	Tim Aldridge/Sue Imbriano
Report Author and contact details:	Veronica Webb, 01708 433589 Veronica.webb@havering.gov.uk
Policy context:	Quality and high customer satisfaction

SUMMARY

1. The Learning & Achievement report attached as Appendix 1 provides information on the complaints received during 2015/16. It should be noted that Maintained Schools and Academies have their own complaints procedure which are dealt with through their Governing Bodies and are not included within this report. Schools admissions and exclusions are dealt with through a statutory appeals process and also not included in this report.

RECOMMENDATIONS

2. That members note the content of the attached report for information.

REPORT DETAIL

3. The number of Ombudsman enquiries decreased slightly in 2015/16 with two of these being premature/informal enquiries and one where no investigation was warranted. The number of complaints overall has more than doubled with the majority of these resulting from school expansions and the introduction of the new Children and Families Act. This was reflected in those teams dealing with these areas, i.e. Education Provision & Commissioning Service and Children & Adults with Disabilities Team (CAD).

Enquiries, which are complaints about school related matters that were referred to the school/academy or college dropped by 27%.

4. The main reasons for complaint were 'suitability of the service' and 'quality an reliability' relating to the school expansion programme and also to SEN transport and Special Educational Needs.
5. For those enquiries that were referred back to either the school/academy or college the main reason for complaint was 'level of service' relating to bullying and how the relevant school/academy or college dealt with this. Some of these type complaints also linked to safeguarding, however it should be noted that following robust investigations, were identified as perceived risks to either an individual child or children's safety within a school/academy or college rather than actual risks. Complaint reason 'behaviour of staff' was in relation to childminders' behaviour within education premises.
6. The majority of complaints were 'not upheld', and for those partially upheld involved new provision being agreed, increased or changes to practice and provision.
7. Response times continue to be at a very high rate within Learning & Achievement with 97% corporate complaints being responded to within timescale. Learning & Achievement have also responded well to Members enquiries with 93% being responded to within timescale.
8. Complainants continue to prefer making complaints via email or letter which has shown an increase in 2015/16 of 79% and 59% respectively.
9. Compliments have decreased by 58% in 2015/16, although there were increases across Admissions, CAD and Governing Body Support relating to help and support provided. Learning & Achievement will need to ensure that compliments continue to be forwarded to the Complaints Team to be logged.
10. During 2015/16 there has been structural changes within Learning & Achievement as a result of SEND and also within schools, in particular the schools expansion programme which impacted on the number of complaints received. However, Learning & Achievement continue to have a high response rate to complaints and member enquiries.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications or risks arising from this report, as it only notes details of previous complaints.

Legal implications and risks:

There are no apparent legal implications from noting this Report.

Human Resources implications and risks:

There are no direct HR implications or risks to the Council, or its workforce, that can be identified from the recommendation or contents of this report.

Equalities implications and risks:

The report demonstrates that there is a transparent and structured (both informal and formal) route for concerns or complaints, to be registered for review and action where required.

The Council is working towards improving the monitoring of the diversity profile of complainants and service users against relevant protected characteristics such as age, disability, ethnicity, etc, The Governing Body Support Unit is providing complaints training within schools and can explore how information can be obtained. In line with the Council's corporate policy on translation and interpreting services, this service also offers information in other languages and alternative formats on request.

The Service will continue to look at ways in which information can be obtained from schools in order to identify areas for improvement through the Governing Body Support Unit, as well as exploring other options.

The Service will be looking to possible inclusion of an overview or analysis for any equality and diversity complaints in future reports

BACKGROUND PAPERS

None.

APPENDIX 1

Children, Adults & Housing: Learning & Achievement

Annual Report 2015 – 2016 Complaints and Compliments

Prepared for:

Mary Phillips, Assistant Director, Learning & Achievement

Prepared by: Veronica Webb, Senior Complaints & Information Officer

	<u>Contents</u>	<u>Pages</u>
	Executive Summary	3
1	Ombudsman Referrals	3
2	Total Number of Complaints	3
2.1	- Service Areas	3-4
2.2	- Reasons	4-5
2.3	- Outcome	5
2.4	- Response Times	6
3	Members Correspondence	6
4	How complaints were received	6
5	Compliments	6-7
6	Conclusion	7-8

Executive Summary

Learning & Achievement have faced challenges during 2015/16 with the embedding of the Children & Families Act and the new SEND process, along with the increased school place pressures, resulting in a number of schools having to expand to accommodate the increased numbers. This has shown how these areas have been impacted in relation to the increase in complaints received, which has more than doubled in 2015/16.

1. Ombudsman referrals

There was three Ombudsman enquiries, with two being premature/informal, and one where no investigation was warranted.

	Apr 15 Mar16	Apr14- Mar15	Apr13- Mar14
Maladministration		1	
No investigation	1		
No maladministration after investigation			
Ombudsman discretion			
Investigation with Local settlement			1
Outside Jurisdiction		1	
Investigation Discontinued			
Premature/Informal enquiries	2	2	
Total	3	4	1

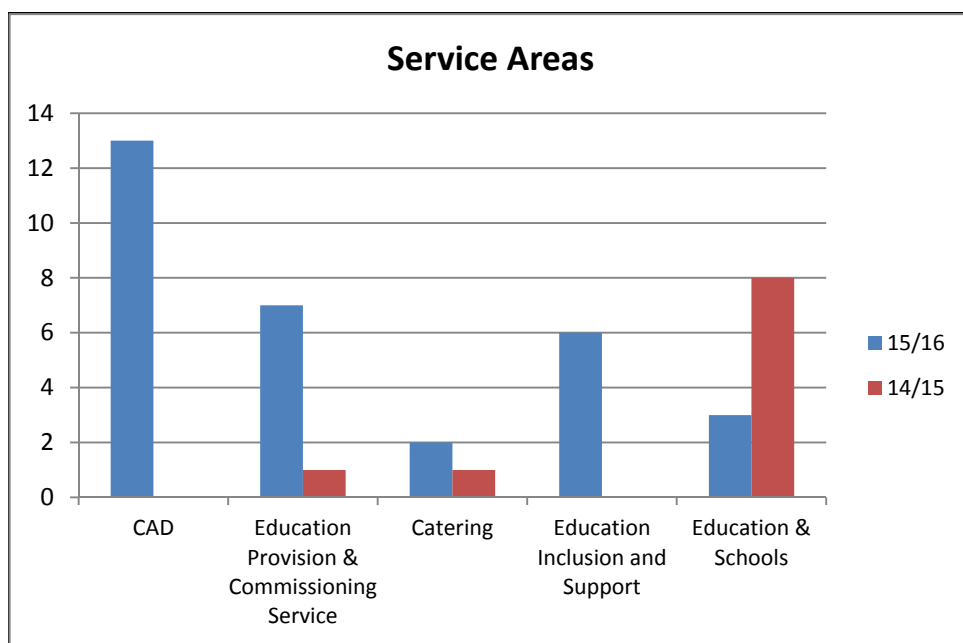
2. Total number of complaints

The number of complaints has more than doubled in 2015/16 compared to 2014/15, although the number of enquiries have dropped by 27%. Enquiries are those complaints that are in relation to school matters that are referred to the relevant school/college to be taken through their own complaints procedure.

	Corporate Complaint	Enquiry	Total
2015/16	31	35	69
2014/15	13	48	61
2013/14	27	14	41

2.1 Service Areas

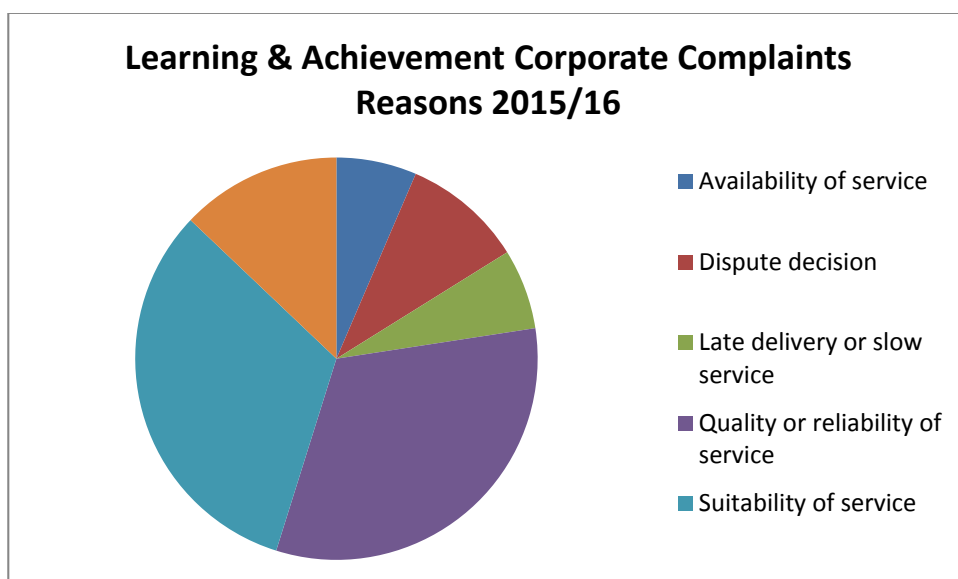
Service areas within Learning & Achievement changed during 2015/16 with the introduction of the Children and Families Act 2014 with the bringing together of Children and Adults with Disabilities (CAD) into one team to reflect the seamless service from birth to death and the introduction of the Special Educational Needs (SEND) process. Therefore a high number of complaints related to the implementation of the Children and Families Act. Also the 86% increase for Education Provision & Commissioning Service resulted from a number of complaints in relation to school expansions.



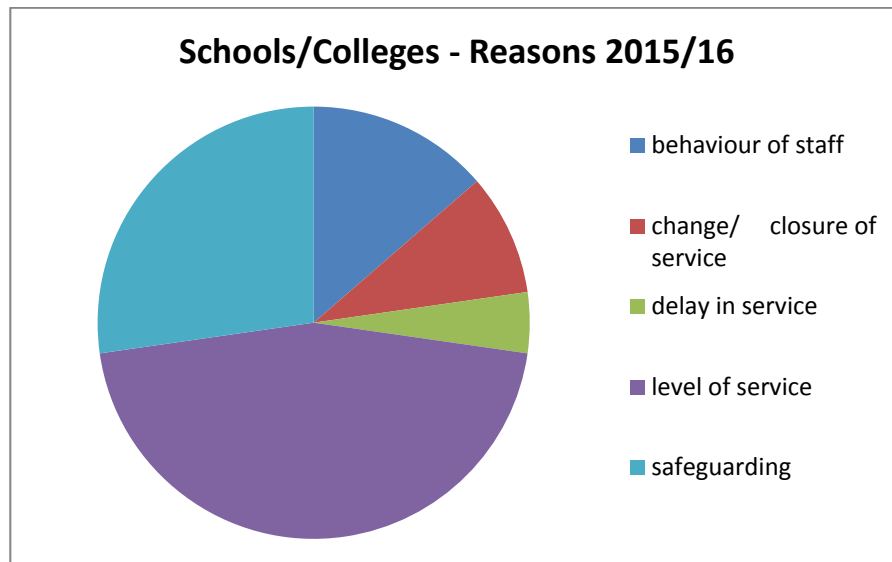
Column1	15/16	14/15
CAD	13	0
Education Provision & Commissioning Service	7	1
Catering	2	1
Education Inclusion and Support	6	0
Education & Schools	3	8

2.2 Reasons

Due to the change in recording of Corporate complaints and the categories, it is not comparable to previous year's data and therefore can only show the breakdown of the complaint reasons for 2015/16. 'Quality and reliability' and 'Suitability of service' were the main reasons for complaint during 2015/16 and related to school expansion programme, provision regarding SEN transport and special educational needs.

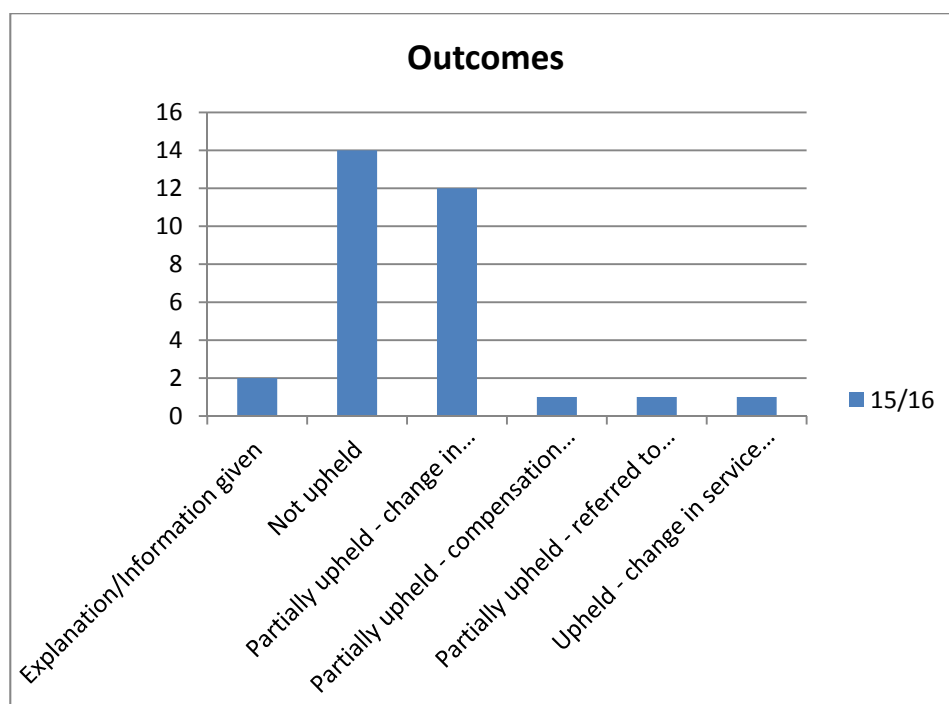


Below shows the breakdown of the reasons of those enquiries that were referred to either schools or colleges. The highest is in relation to 'level of service' and the majority of these were in relation to bullying and how the school/college dealt with it. Linked to this was 'safeguarding, the next highest. Again some of this was in relation to bullying incidents within the school where concerns were raised which, following robust investigations, were identified as perceived risks, rather than actual risk to an individual child or safety of children within the school/college. Those that were around 'behaviour of staff', the majority were in relation to perceived childminders' behaviour within education premises.



2.3 Outcome

Although reporting for outcomes has been done retrospectively, it will enable the Service to see comparable data in future years. Below shows that the majority of the complaints were 'not upheld', with the next highest outcome being 'partially upheld – change in service provision'. These may have included provision being agreed or increased, or changes to practice in relation to provision.



2.4 Response times

There were 31 Corporate complaints received during 2015/16, more than doubled, compared to 2014/15 with 97% being responded to within timescale. This improved from 2014/15 where 77% were responded to within timescale. It should be noted that corporate timescales had changed in 2015/16 to 15 days as opposed to 10 days. Learning & Achievement continue to have a high response rate.

	Within 15 days		Outside of timescale	
	Apr15-Mar16	Apr14-Mar15	Apr15 – Mar16	Apr14-Mar15
Corporate Complaints	30	10	4	3

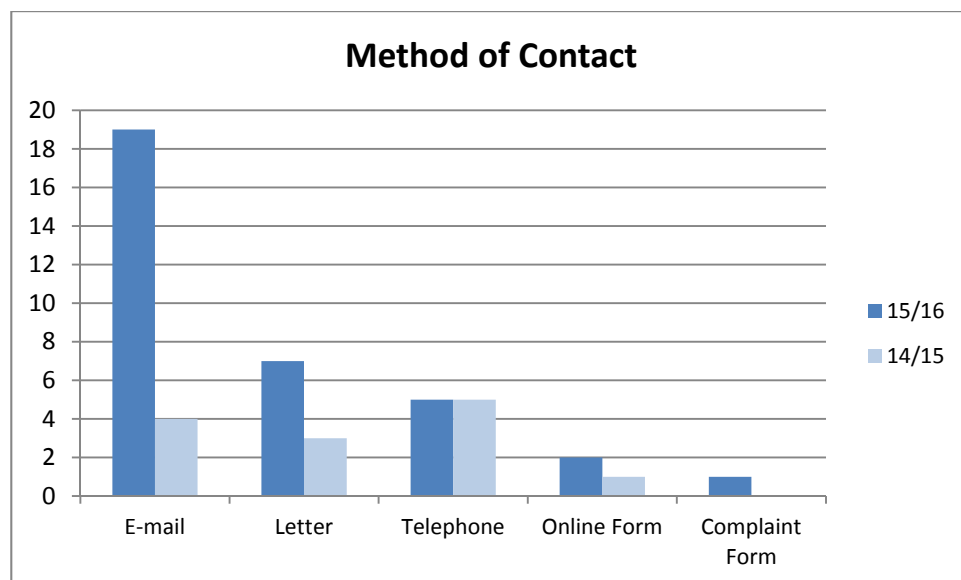
3. Members' Correspondence

Members enquiries have increased by 13% in 2015/16 with 93% responded to within timescale. Learning & Achievement continue to have a high response rate.

	2015/16	2014/15	2013/14
Members Correspondence (from MP's & Cllrs)	54	47	62

4. How Complaints were received

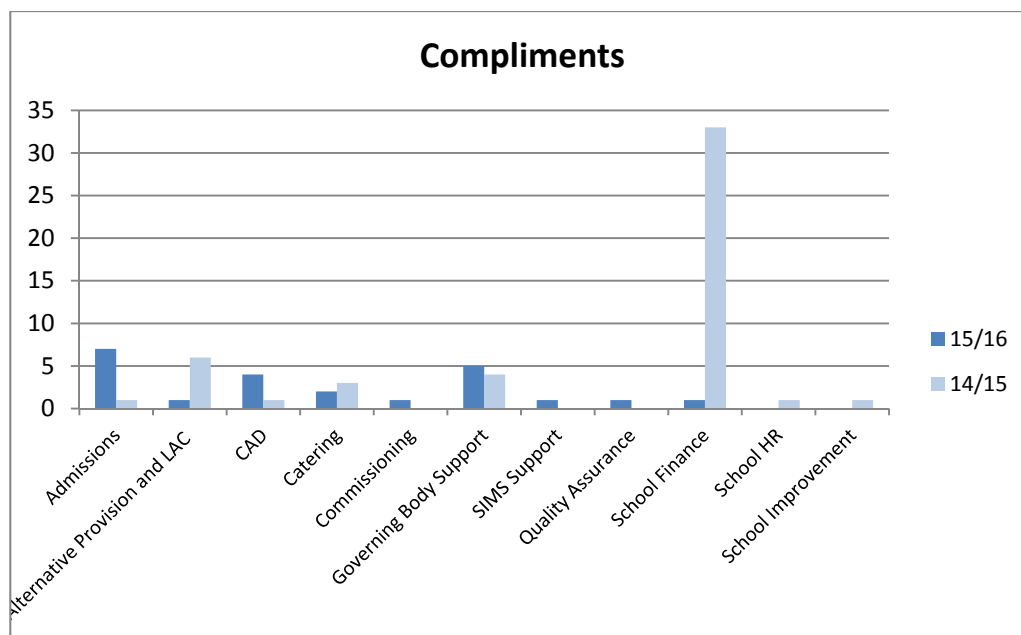
Complainants continue to prefer making their complaint either by email or letter which has shown an increase of 79% and 57% respectively in 2015/16 compared to 2014/15. Telephone contact remains at the same level, and there has been a slight increase in those using the online form.



5. Compliments

Compliments have decreased by 58% in 2015/16 from 2014/15, however in 2014/15 a survey resulted in the high number during this period. There have been increases across Admissions, CAD and Governing Body Support with Quality Assurance and SIMS Support

receiving compliments during 2015/16. The majority of compliments were in relation to the help and support provided.



Some examples of compliments received are given below:

A mother feedbacks on a worker ' she is absolutely brilliant fabulous, I can't fault her. From the very beginning when she came to see the child she was very thorough in checking things out for him. She keeps you informed through phone calls back & forth always phones you back.' Totally different changed our lives so (she) should keep doing what she is doing.' – **Children & Adults with Disabilities (CAD)**

A headteacher writes 'I am writing to express my appreciation and thanks on behalf of the GoverningBody for the help and support you have given to the school since my appointment in 2012. You have always conducted our meetings in a very professional and approachable manner, for which we would like to thank you.' – **Governing Body Support**

A Director of an Academy's Trust writes about a worker 'Just a personal note to thank you and your department for all of your work, support and advice which has been of enormous help to us throughout the year. The improvements made since you have been in post have been considerable, and have enabled us to carry out our whole admissions process with greater knowledge, confidence and efficiency.' – **Admissions**

A headteacher writes 'I just want to say a huge personal thank you to all of you, for all the thought and support you put into helping me with the alteration of the Pastoral Structure. Please pass on my thanks to all the team, who showed amazing patience and kept me sane...'. – **School Information Management System (SIMS)**

6. Conclusion

Complaints data for Learning & Achievement in relation to Corporate complaints is limited, as the categories differ from that within Adults and Children's Social Care. Data in relation to enquiries is based on reports within Children's Social Care, and therefore is reflective of this.

There has been an increase in the number of complaints for Learning & Achievement, based on the changes, not only within the Service but also changes within Schools, in particular the schools expansion programme and the change with the bringing together of Children and Adults with Disabilities under Learning & Achievement.

Learning & Achievement continue to have a good response rate on complaints and may need look at schools and their bullying policies/practices. The service continues to challenge schools in relation to their practice around bullying.