



**Children's Services Overview
& Scrutiny Committee
October 2013**

REPORT

Subject Heading:

Children, Adults & Housing:- Learning & Achievement

Report Author and contact details:

Complaints Report 2012/13

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Policy context:

Service Quality and Customer

Relationships

SUMMARY

The report provides information about the numbers and types of complaints handled by the Learning & Achievement during 2012/13 and how they were dealt with to minimise the impact of justifiable concerns and to reduce the likelihood of future complaints.

RECOMMENDATIONS

To note the content of the report and the attached appendix 1 that sets out the position for 2012/13.

REPORT DETAIL

1.0 Introduction

The separate appendix 1 contains the summary report on the position regarding service complaints handled in relation to the Learning and Achievement for the period 1 April 2012 - 31 March 2013.

2.0 Key Issues

This report excludes:-

- **Social Care & Learning, Pupil Services - School Admissions & Exclusions Appeals**, which are a statutory requirement and are dealt with by Committee Administration within Legal & Democratic Services. There is a separate report that goes to Committee in relation to school appeals and this data is submitted to the Department for Education (DfE) on a yearly basis
- **Maintained Schools** – The 2002 Education Act determined that all governing bodies must have complaints procedures in place by September 2003 and must have regard to guidance given by the Secretary of State, which included a model process. The London Borough of Havering, in consultation with schools decided to recommend a different model and the Department for Education (DfE) subsequently confirmed that it met statutory requirements. Most governing bodies adopted this model. However, in the light of outcomes of specific cases this model has now been revised to assist governing bodies when they review their current arrangements.
- **Complaints about Free Schools and academies**

The Secretary of State will consider complaints similar to those made about maintained schools and may include where:

- There has been undue delay, or the complaints procedure does not comply with statutory requirements, or has not been followed. For example, there is no independent member involved at the final stage of the complaint.

- There is a breach of the funding agreement. For example, there is no religious education or requirements for provision of information are not being met.
- A statutory duty has not been met, unless another organisation is better placed to investigate. For example, child protection matters would be for the local authority; exam malpractice would be for Ofqual;

The Secretary of State is not required to intervene in every case that is brought to his attention but he must always consider whether, in light of the information provided to him by a complainant, he should exercise his powers.

Some of the key messages that arise from the report during 2012/13 are that:

- All corporate complaints are captured on the Customer Relations Management System (CRM) Please refer to page 4,5,10 & 11.
- Matters raised through Councillor or MP routes are now monitored through the new processes (pages 5,6,7,10 & 11 of appendix 1).
- The Pre Stage 1 – This process is used within Children and Young People's Services who have been using a Pre Stage 1 enquiries system since 2005 and continues to be a very successful process. This process has now been adapted to incorporate education enquiries. (Page 7,8,9,10 &11 of appendix 1).
- 5 complaint has been submitted to the Local Government Ombudsman (LGO) and this is an on going investigation.
- The majority of complaints relate to the quality of service.
- A number of future actions have been identified as a result of producing this report. These are set out on page 10 of the appendix 1.

3.0 Future Arrangements

Currently, the Council has a corporate complaints model that captures non-social care complaints which captures complaints/compliments received by Learning and Achievement.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications or risks arising from this report.

Legal implications and risks:

There are no apparent legal implications from noting this Report.

Human Resources implications and risks:

There are no new HR implications or risks arising from 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, including those relating specifically to bullying, harassment, unfair treatment and/or discrimination against pupils, guardians, parents or carers, to be registered for review and action where required. The Council monitors the diversity profile of complainants and service users against relevant protected characteristics such as age, disability, ethnicity, etc. This data is captured on the CRM system and forms part of the Complaints Annual Report.

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.

We will continue working towards raising awareness on equality and diversity related issues and improving the access to our Complaints, Comments and Compliments policy and procedure.

BACKGROUND PAPERS

Appendix 1 attached which draws on the electronic and paper recording systems held within the Children, Adults & Housing Directorate.