

15 COMPLAINTS AND APPEALS

Report By: DIRECTOR OF EDUCATION

Wards Affected

Countywide.

Purpose

1. To consider the summary of comments, complaints and appeals relating to the Education Directorate, for the period 25th January 2003 to 30th June 2003.

Report

2. The major part of parental and public contact with the Education Service is with schools, which have their own procedures for responding to enquiries and complaints. Such direct contacts between parents/public and the schools are outside the scope of this report, except in the case of secondary complaints to headquarters' services from parents not satisfied with the responses they have received from schools.
3. Much of the work of the Education Directorate itself is concerned with providing resources and support services to schools. Such activities are also outside the scope of this report, which focuses on those parts of the Directorate which provide direct service to parents – in particular, home to school transport, pupil admissions, special education and other children's services matters, including the complaints about schools that require LEA involvement.
4. For the period February 2003 to the end of June 2003, complaints and formal appeal requests have been as follows –

Service Area	Complaints	Appeal requests
Transport	4	
Pupil Admissions	-	52 (13 withdrawn)
Early Years Provision	3	
Pupil Exclusions (permanent)		11
Special Education	1	3
Other Children's Services issues	2	
Personnel	-	
Capital Programme	-	
Student awards and post-16 education	-	
Miscellaneous	1	

For further information on the subject of this report is available from
Dr Eddie Oram, Director of Education on (01432) 260801

5. It should be emphasised that the figures above relate only to matters that have involved appeals or complaints about the way in which the service has been provided. The figures obviously do not include the huge volumes of daily contact that occur dealing with applications and enquiries. The formal complaints and appeal requests received need to be seen in the context of the overall service levels, which include, for example –

5,000 applications annually for pupil admissions and transfers

daily transport for 6,500 pupils/students

3,000 pupils/students at the various stages of the SEN Code of Practice

more than 900 pupils/students with statements of Special Educational Need

Outcomes

Complaints

6. All but 1 of the 12 complaints received during the period have been resolved. No complaints have been referred by parents to the Local Ombudsman. When investigating complaints, the Directorate always considers seriously improvements that might need to be made to its procedures or information, although most of the complaints received arise from individual situations.
7. **Transport** There were 4 complaints about transport during the period to end of July – 1 related to eligibility for transport, 1 to issuing bus passes, 1 to a public bus service and 1 to contracts. All of the complaints were resolved by explanations.
8. **Pupil Admissions** There were no complaints during the period about pupil admissions, though there were 39 appeals (see paragraph 14 below).
9. **Exclusions** There were no complaints about exclusions, though in two cases parents have chosen to appeal (see paragraph 15 below).
10. **Special Education** The 1 complaint on Special Education involved a request for support for a pupil with moderate learning difficulties.
11. **Children's Services Issues** The 2 complaints related to issues to do with the learner swimming pool.
12. **Early Years.** The 3 complaints concerned support provided for early years settings.
13. Of the remaining 2 complaints, one related to data protection requirements and the other to a request for a student to enter post-16 education at the start of Year 11.

Formal Appeals

14. Pupil admissions and SEN appeal requests are dealt with according to formal statutory procedures involving independent appeals arrangements.
15. The 39 appeals for pupil admissions relate to in-year admission to primary and secondary schools. 12 requests for primary school places have been heard and 3 of the appeals were successful. The 27 appeals for high schools have been heard, with 9 upheld (9 for Year 7 and 18 for other year groups). In all cases, the Panel

accepted the Council's assessment that the school was full, but allowed the appeals in response to individual family circumstances.

16. All 11 appeal requests against pupil exclusion have been heard and all were confirmed.
17. There were 3 appeals for statutory SEN assessment during the period. 1 has been withdrawn, and the other 2 have yet to be heard.

RECOMMENDATION

THAT the Committee consider the report, with a view to identifying any points of concern about how complaints have been dealt with or about particular areas of complaint.

BACKGROUND PAPERS

- **None identified.**