

COMPLAINTS, COMPLIMENTS 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 1st November 2003 to 31st August 2004.

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 unresolved complaints referred 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 that 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 November 2003 to the end of August 2004, complaints and formal appeal requests have been as follows –

Service Area	Complaints	Appeal requests
Transport	7	
Pupil Admissions	2	68
Early Years Provision	1	
Pupil Exclusions (permanent)	-	6
Special Education	2	5
Other Children's Services issues	1	
Personnel	-	
Capital Programme	-	
Student awards and post-16 education	-	
Miscellaneous	-	

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. Thirteen complaints were received during the period; one of the complaints has been referred by a parent 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 7 complaints about transport during the period to the end of October – 3 related to eligibility for transport one of which was agreed, and 4 to the operation of a particular service. All 7 of the complaints have been resolved.
8. **Pupil Admissions** There were 2 complaints during the period about pupil admissions. Both were to do with incorrect allocation of places, and in both cases the complaint was upheld and a school place allocated in accordance with parental wishes. In addition to the complaints there were 68 appeals (see paragraph 14 below).
9. **Early Years** The 1 complaint related to provision for Early Years and is currently being considered by the Director of Education.
10. **Exclusions** There were no complaints about exclusions, though there were 6 appeals (see paragraph 15 below).
11. **Special Education** Both of the complaints on Special Education related to parents' requests for placement in a special school of children whose special needs fell below the level for which special school placements are appropriate. In both cases, the parents accepted the decision not to allocate a place. There were also 5 appeals to the Tribunal (see paragraph 16 below).
12. **Other Children's Services Issues** The one complaint related to safety issues at a particular school and is currently being considered by the Local Ombudsman.

Formal Appeals

13. Pupil admissions and SEN appeal requests are dealt with according to formal statutory procedures involving independent appeals arrangements.

14. The 68 admission appeals related to a mixture of initial intakes, and other age group admissions, to primary and secondary schools. 21 of the appeals were for primary school places – 12 for the reception years (8 upheld) and 9 for other year groups (2 upheld). The 47 secondary school appeals comprised 22 for Year 7 (7 upheld) and 25 for other year groups (7 upheld). In each of the 24 cases upheld, the Panel accepted the Council's assessment that the relevant school was full, but allowed the appeal in response to individual family circumstances.
15. There were 31 permanent exclusions during the school year - 28 from high schools and 3 from primary. In 6 of the 31 cases, parents appealed to the independent panel. In 3 cases, the appeals were upheld and the pupils reinstated. In the other 3 cases, two students have been admitted to the pupil referral service and the other student is currently awaiting a place
16. There were 5 appeals to the Special Educational Needs and Disability Tribunal for the period. They were all against a refusal to carry out a statutory assessment. As a result of subsequent discussions with the parents, statutory assessments were agreed in all 5 cases and the parents withdrew their appeals. The appeals still count because the appeals had been registered with the Tribunal.

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.