



Management CIRCULAR No.

89

August 2016
Management Circular No. 89

Glasgow City Council
Education Services
City Chambers
40 John Street
Merchant City
GLASGOW
G1 1JL

To **Heads of all Schools***

Dear Colleague

Dealing with Complaints

1. In June 2013 Glasgow City Council implemented a standard procedure for managing customer complaints that complies with guidance from the Scottish Public Services Ombudsman. All councils in Scotland have adapted their approach to managing complaints in line with this.
2. Complaints provide valuable customer feedback and may be made to any member of staff. A Council standard form for complaints is available on Glasgow City Council's website in the 'My Council', 'How to Make a Complaint' section. Details of the current process can also be found there. Appendix 1 of this Management Circular illustrates the Model Complaints Handling Procedure.
3. The new procedure aims to provide a quick, simple and streamlined process for resolving complaints early and locally. There are two routes to resolution within Education Services:
 - **Front line resolution (Stage 1)**
For issues that are straightforward and easily resolved. A key performance target as set by the Scottish Public Services Ombudsman is to resolve these in **five working days or less**.
 - **Investigation (Stage 2)**
Undertaken for issues that have not been resolved at the frontline or are complex, serious or "*high risk*". A key performance target as set by the Scottish Public Services Ombudsman is to ensure a response is provided within **20 working days**.
The need for an investigation may arise as a result of Stage 1, or a complaint may require investigation from the start. Education Services staff have been trained as Investigating Officers.
4. This Management Circular contains guidance on how the customer complaints procedure is administered in Education Services and provides examples of standard documentation to assist.
5. LAGAN is the formal complaint management system used across Glasgow City Council family. The Corporate Customer Care Team update LAGAN on behalf of Education Services. Education schools or centres do not have access to LAGAN for direct input and a standard pro-forma has been designed for the capture of information locally (Appendix 2).

* Schools refers to all Units, Early Years, Primary and Secondary Schools.

6. What is a complaint?

6.1 A complaint is defined as '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'. A distinction should be made as to whether it is a complaint or enquiry when a customer makes contact.

6.2 Any member of staff may receive a complaint from a customer. A complaint may be made locally (in school for example), or the Corporate Frontline team. It may be made verbally, face to face or in writing. Complaints received at the Service Desk, 45 John Street will be dealt with in the first instance by the reception staff. Details of the public complaints process can be found on the Council's website under 'My Council > How to Make a Complaint':

www.glasgow.gov.uk/index.aspx?articleid=16133

6.3 It should be noted that for Education Services there are several areas where a parent or carer may wish to make a complaint, but other forms of redress are more appropriate, for example school exclusions, placing requests and exam results. Appendix 3 provides guidance on areas outwith the definition of a 'complaint' and details of alternative redress. (Appendix 7-10 has sample letters for these types of complaints).

6.4 Education Services is legally required to record all complaints received and to provide annual performance statistics to the Scottish Public Services Ombudsman. Reports generated using the information recorded on the LAGAN system will be essential in meeting this requirement.

7. Who deals with a complaint?

7.1 The aim is for schools or centres to respond to complaints at the first point of contact (Stage 1). Complaints that are not received locally (for example, by the Education Customer Services) will be referred to the appropriate school or centre for action.

7.2 If the complaint requires investigation (Stage 2) the Executive Director of Education will appoint an Investigating Officer and will respond to the complaint within the necessary timescales.

8. How to deal with a complaint

8.1 A summary of the Model Complaints Handling Process is provided in Appendix 1.

8.2 Front line resolution (Stage 1)

8.2.1 Where a complaint is received verbally, face to face or in writing, it must be responded to within five working days. If however, this cannot be achieved, the timescale in exceptional circumstances can be extended. This can be done in agreement with the customer and you must write to the customer to advise why we cannot investigate their complaint within five working days. A standard letter is provided in Appendix 6. Please send a copy to the Customer Care Team at education.customerservices@glasgow.gov.uk. On rare occasions, a customer may ask for written acknowledgement of their complaint. A sample response is provided in Appendix 4.

8.2.2 Scottish Public Services Ombudsman guidance states that a written response is required only where the complaint is received in writing. We encourage a written response in the event of the parent or carer taking their complaint to the next stage. A standard response is provided as Appendix 5. Your written response must advise the parent or carer how to take their complaint to a second stage if they wish to do so.

8.2.3 A copy of the written response should be forwarded to: Education Services, Customer Services, education.customerservices@glasgow.gov.uk. They will update LAGAN accordingly.

- 8.3 If the complainant remains dissatisfied, they should be referred to Stage 2 of the Complaints process, preferably submitting their complaint in writing along with the reasons why they remain dissatisfied and what they would like to happen as a result of their complaint.
- 8.4 Investigation (Stage 2)**
- 8.4.1 A complaint must be escalated to the investigation stage when:
- the frontline resolution has failed; the customer remains dissatisfied and requests an investigation into the complaint. This may happen immediately, or up to 12 months after the event;
 - the issues raised are complex and require detailed investigation.
- 8.4.2 Take particular care to identify complaints that might be considered serious, high risk or high profile, as these may require particular action or raise critical issues that need senior management's direct input.
- 8.4.3 The Scottish Public Services Ombudsman defines potential high-risk or high-profile complaints as those that may:
- involve a death or terminal illness;
 - involve serious service failure, for example major delays in providing, or repeated failures to provide a service;
 - generate significant and ongoing press interest;
 - pose a serious risk to local authority operations;
 - present issues of a highly sensitive nature, for example concerning:
 - a particularly vulnerable person
 - child protection.
- 8.4.4 All complaints requiring investigation should be referred to the Customer Care Team at Education Services, Customer Services education.customerservices@glasgow.gov.uk who will record them on LAGAN and forward to appropriate officer for investigation. These complaints will be acknowledged by the Customer Care Team within three working days and the investigating officer must respond within 20 working days.
- 8.4.5 If, after investigation, the complainant remains dissatisfied with the response, they can refer their complaint to the Scottish Public Services Ombudsman. They will be advised of this as part of the response to the investigation stage.
- 8.5 If the complaint concerns alleged racism, or if there is a racial element to the complaint, schools or centres should seek advice from a member of Education's Race Equality Team (phone 0141 287 4724 or 4787).
- 8.6 Adhering to the specified response times for a complaint is important to conclude a complaint satisfactorily and to avoid unnecessary referrals to the Scottish Public Services Ombudsman. However, complaints are often received close to extended school breaks often making it difficult to respond within 5/20 days. In this situation, the Education Customer Complaints Team within Corporate Services will contact the complainant to advise that it may not be possible to conclude their complaint within specified timescales and will seek agreement from the complainant to have the time extended. However, an extension to response times is not automatic in this situation and the complainant may refuse and still refer their complaint to the Scottish Public Services Ombudsman.

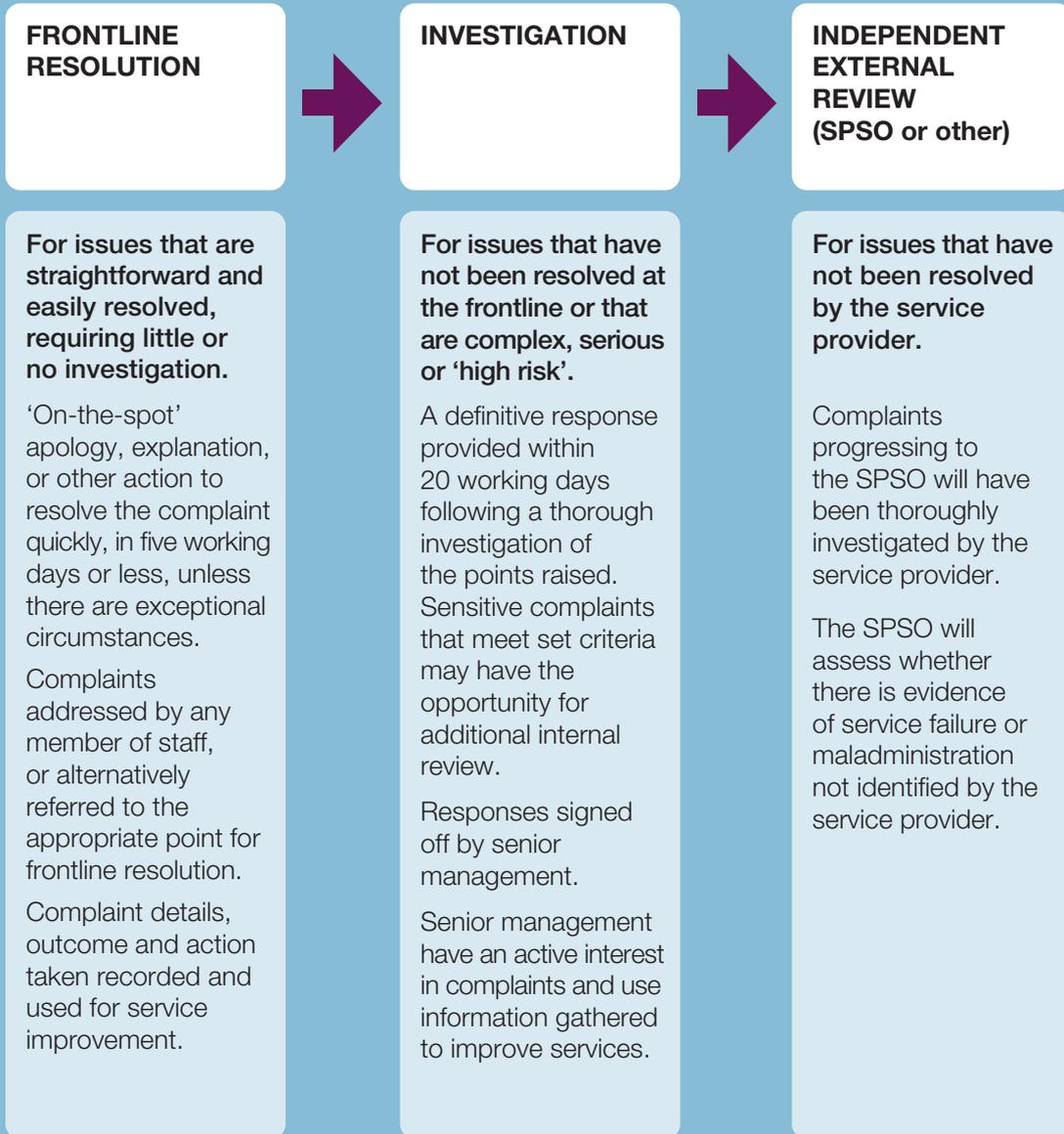
9. **Managing unacceptable behaviour**

- 9.1 People may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the customer acting in an unacceptable way. Customers who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate complaint.
- 9.2 A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them. However, we also recognise that the actions of customers who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour from customers.
- 9.3 Where we decide to restrict access to a customer under the terms of an unacceptable actions policy, we have a procedure in place to communicate that decision, notify the customer of a right of appeal, and review any decision to restrict contact with us. This will allow the customer to demonstrate a more reasonable approach later.
- 9.4 Our policy and procedure on unacceptable actions can be accessed on [Connect](#), or at: <http://connect.glasgow.gov.uk/article/13414/Customer-Comments-Compliments-and-Complaints>.
- 9.5 The Customer Care Team process Education Services complaints on our behalf. If you require any guidance on complaints please contact them by email education.customerservices@glasgow.gov.uk who will be happy to contact you and answer any queries you may have.

Maureen McKenna

Executive Director of Education

The Model Complaints Handling Procedure





Complaint Recording Pro-Forma

PLEASE USE BLACK INK AND BLOCK LETTERS

1	Name of School/Centre		
2	DETAILS OF COMPLAINANT		
If complainant wishes to remain anonymous please put 'ANON' at Surname			
Title	Forename		
Surname			
Flat/Apartment Number (if applicable)			
House Number	Street Name		
City/Town		Postcode	
Phone	Mobile		
Email			
3	DETAILS OF COMPLAINT		
Date Received			
Received by	Name	Position	
How complaint was received (Please tick the appropriate box to indicate method of communication)			
<input type="checkbox"/> EMAIL <input type="checkbox"/> FACE TO FACE <input type="checkbox"/> PHONE <input type="checkbox"/> LETTER			
Please provide details of the complaint below - include what the complainant would like to happen			
4	DETAILS OF RESPONSE		
Date Complaint responded to			
Who responded	Name	Position	
How complaint was responded to (Please tick the appropriate box to indicate method of communication)			
<input type="checkbox"/> EMAIL <input type="checkbox"/> FACE TO FACE <input type="checkbox"/> PHONE <input type="checkbox"/> LETTER			
Please provide a summary of action taken to resolve complaint			
Was customer satisfied with resolution	<input type="checkbox"/> YES <input type="checkbox"/> NO	Date passed to Customer Care Team (where appropriate)	

Please email this form to:

education.customerservices@glasgow.gov.uk

CLASSIFICATION OF CUSTOMER CONTACT		
Category	In Scope of Complaints Handling Process	Refer to Standard Letter
Complaints – “ <i>an expression of dissatisfaction</i> ”	Yes	
Requests for Service	No	
General Enquiries	No	
Information Requests	No	
Freedom of Information Requests	No	
Compliments	No	
Data Protection Requests	No	
Elected Member Enquiry	No	
Consultations, for example, School Closures	No	
Placing Request Appeals	No	Appendix 7
Exclusion Appeal	No	Appendix 8
Scottish Qualifications Authority Exam Appeal	No	Appendix 9
Child Protection Issue	No	Appendix 10
Co-ordinated Support Plan or Additional Support for Learning placing requests (via Additional Support for Learning tribunal)	No	
Attendance Council Appeals (via Court)	No	
Home to School Transport Appeals	No	
Teacher Conduct: issues relating to teacher conduct fall under LNCT Circular 12 procedures. If a complaint is about a teacher’s attitude, the parent can still complain but will not be advised of the outcome in line with LNCT Circular 12.	No	
Internal staff issues, for example, grievance or conduct issues raised by staff	No	



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Education Services
Glasgow City Council
City Chambers
40 John Street
Merchant City
Glasgow G1 1JL
Phone 0141 287 3655
Fax 0141 287 3795
Email education@glasgow.gov.uk
Web www.glasgow.gov.uk

Name of Addressee
Address
Continuation Line
GLASGOW
G0 0AA

Our ref
Date

Your ref

Dear Head of Nursery/Setting/School/Centre

Complaint - (*insert as appropriate*)

Thank you for your <letter/telephone call/email> of <date>. I am currently gathering information to investigate your complaint.

We aim to respond to your complaint within 5 working days of the date of receipt. However, if you need any further information prior to this please do not hesitate to get in touch and I will endeavour to assist you.

For further information, please refer to the Glasgow City Council website under My Council, How to Make a Complaint.

Yours sincerely

Name
Designation

**If phoning or visiting please ask for
Direct phone 0141 000 0000**



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Name of Addressee
Address
Continuation Line
GLASGOW
G0 0AA

Our ref
Date

Your ref

Dear

Complaint - (*insert as appropriate*)

Thank you for your <letter/telephone call/email> received on <date> regarding the above. Having investigated your complaint I am now in a position to respond to you.

PLEASE INSERT FULL RESPONSE AS APPROPRIATE

Glasgow City Council has now concluded its investigation into your complaint (s). We hope you are satisfied with our response. If you feel the response does not fully answer your complaint there is the option to have it considered at the next stage of our Complaints Handling Procedure. Details of how we deal with complaints may be found on the council's website at www.glasgow.gov.uk/index.aspx?articleid=16133 or you may write to:

Corporate Compliance Officer
Customer Care Team
Customer and Business Services
Glasgow City Council
City Chambers
George Square
GLASGOW
G2 1DU

Yours sincerely

Name
Designation

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Name of Addressee
Address
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GLASGOW
G0 0AA

Our ref
Date

Your ref

Dear

Complaint: Exclusion Procedures - (insert name of child/young person)

Thank you for your <letter/telephone call/email> of <date>.

The process to appeal an exclusion is governed by The Schools General (Scotland) Regulations 1975 (as amended) and the Education Scotland Act 1980 (as amended). This legislation details the legal requirements each local authority must follow when dealing with an exclusion.

This matter is outwith the scope of Glasgow City Council's Comments, Compliments and Complaints Policy and I am therefore unable to accept this correspondence as a complaint.

I have enclosed a copy of Glasgow City Council's '*Appeals Procedures for Children and Young People Excluded from School*' which I trust you will find helpful, however, if you require any further information please contact me and I will endeavour to assist you.

Yours sincerely

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Name of Addressee
Address
Continuation Line
GLASGOW
G0 0AA

Our ref
Date

Your ref

Dear

Enquiry regarding exam appeal procedures

Thank you for your <letter/telephone call/email> of <date> regarding the above.

The exam appeal process is dealt with by the Scottish Qualifications Authority. Exam appeals to the Scottish Qualifications Authority can only be made by a school on behalf of a candidate and Scottish Qualifications Authority will not accept appeals directly from a candidate or their parent or carer.

A guide to the appeals process including details of when a candidate is eligible to appeal can be found on the Scottish Qualifications Authority website at www.sqa.org.uk.

This matter is outwith the scope of Glasgow City Council's Complaints Policy and I am therefore unable to accept this correspondence as a complaint.

I have passed a copy of this letter to <insert school name> and should you wish to contact them regarding making an appeal please call <phone number>.

I trust this information clarifies the situation for you.

Yours sincerely

Name
Designation

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Name of Addressee
Address
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GLASGOW
G0 0AA

Our ref
Date

Your ref

Dear

Complaint - *(insert as appropriate)*

Thank you for your <letter/telephone call/email> of <date>.

With regard to the decision to make a Child Protection referral please note that this referral was made in accordance with Glasgow City Council Education Services' Child Protection Policy. A copy of this policy is attached. Please refer to Section 7 where your right to be included in the process is explained further.

This matter is outwith the scope of Glasgow City Council's Complaint Handling Procedures and I am therefore unable to accept this correspondence as a complaint.

Yours sincerely

Name
Designation

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