

Guidance Note for Schools and Parent Councils Complaint Handling and Representations

Introduction

A Head Teacher or Quality Improvement Officer may be approached in a number of different ways by a parent, carer or Parent Council regarding a concern. It is important that the Head Teacher or Quality Improvement Officer can identify the correct approach in handling the concern.

1. Request for Information

Where a parent approaches the Head Teacher or Quality Improvement Officer seeking information or advice about their child's education or general information about a school's curriculum, procedures or policy in relation to a particular matter – this should be handled under the Scottish Schools (Parental Involvement) Act 2006.

Section 12 of the 2006 Act states:-

“Duties of education authority to parents generally

- (1) *An education authority are to give advice and information to any parent of a pupil in attendance at a public school in their area when that parent reasonably requests it from them on any matter relating to the education provided to that pupil.*
- (2) *An education authority are to take such steps as appear to them to be appropriate to ensure that the headteacher and staff of the school—*
 - (a) are available to give such advice and information to the parent in question, and*
 - (b) in giving it act in a manner consistent with the authority's duties under this Act.”*

2. Parental Complaint

It is important to be able to distinguish between a parental request for information or clarification about something involving their child's education from a complaint about the service they are receiving.

The definition of a complaint is found in the Council's Complaint Handling Procedure which can be accessed from the Council's website at:-

http://www.shetland.gov.uk/comments_complaints/documents/ComplaintsHandlingProcedure.pdf

The Council's definition of a complaint is:-

“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.”

The procedure goes on to provide a very helpful list of what a complaint may relate to:

- Failure to provide a service
- Inadequate standard of service
- Dissatisfaction with local authority policy
- Treatment by or attitude of a member of staff
- Disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter
- The local authority's failure to follow the appropriate administrative process

3. Representations from a Parent Council

A Parent Council is constituted under the Scottish Schools (Parental Involvement) Act 2006 and has the right to make representations to the Head Teacher of the school, the education authority and in certain circumstances Education Scotland. These representations can be about the standards of education in the school, the quality of education which the school provides, the exercise by the Council of its functions and such other matters as appear to the Council to be of interest or concern to the Parent Council.

A Parent Council cannot use the Council's Complaints Handling Procedure to address any concerns or issues they may have with a particular school. The Complaints Handling Procedure is for anyone who receives, requests or is affected by the Council's services. The Council does not provide a service directly to Parent Councils and therefore, it is not appropriate for a Parent Council to access the Complaints Handling Procedure. Any Parent Council wishing to make a representation on any matter affecting their school, can do so to the Head Teacher or to central services staff within Children's Services. The Council has a legal duty to respond to any representations made by a Parent Council and should do so within a reasonable timescale.

4. Training

If your school would like to access some training on these issues, please contact your Quality Improvement Officer. Your Quality Improvement Officer can liaise with the Council's Legal Team to arrange one of the solicitors to attend a team meeting after the school day or at another appropriate time to discuss these issues in more detail, provide some further information and guidance.