

Complaints handling procedure

A guide for service users

Education Scotland's **complaints handling procedure – a summary**

You can make your complaint either in person, by telephone or in writing.

We have a **two stage complaints handling procedure**. We will always try to deal with your complaint quickly, but where it is clear that the matter will require a detailed investigation we will tell you and keep you updated of our progress.

Stage 1 – Frontline resolution

We will always try to resolve your complaint quickly, and **within five working days** wherever we can.

It is most likely to be face to face or over the telephone.

If you are unhappy with our response to your complaint at this stage you can ask for your complaint to be considered at the next stage of our procedure.



Stage 2 – Investigation

We will look at your complaint at this stage where it is clear that it is particularly complicated or will require detailed investigation. If you are still unhappy after we have told you of our decision at Stage 1 – Frontline resolution we may deal with it at this stage.

We will acknowledge your complaint within **two working days** and provide you with our response as soon as possible but not later than **20 working days**, unless there is a clear reason for extending this timescale.



The Scottish Public Services Ombudsman

If, after receiving our response to your complaint and you remain unhappy, you can ask the Scottish Public Services Ombudsman (SPSO) to consider your complaint.

We will tell you how to do this when we send you our response.

A more detailed explanation of the complaints handling procedure is provided on the following pages.

1. Introduction

Education Scotland is committed to providing high quality customer service. We value complaints and use the information they provide because they help us to improve the services we deliver to you.

If something has gone wrong or if you are unhappy about our service, we want you to tell us about it. This guide tells you about Education Scotland's complaints handling procedure and what you can do if you have a complaint. It also tells you about our service standards and what you can expect from us.

1.1 What can you complain about?

A complaint is described as an expression of dissatisfaction with our work. You can complain about our work, which may include:

- the standard and quality of our services or products;
- the content of our resources or websites; and
- the conduct of a member of our staff.

This list is not a complete list, please contact the Complaints Manager if you are in doubt or require further advice.

1.2 What can't you complain about?

There are some things that we cannot deal with through our complaints handling procedure. We cannot resolve or investigate complaints about the establishments we inspect and work with. For example: pre-school centres, schools, colleges, learning communities, prison education, teacher education, educational psychology services or education authorities.

We cannot accept challenges to evaluations made about an establishment as part of inspection or review. This is because during an inspection or review the establishment has the opportunity to provide all of the evidence needed for the inspection team to reach its evaluations. If there is a problem during an inspection, you should speak to the Managing Inspector or a member of the inspection team. It is easier to resolve any issues at whilst the inspection is ongoing.

However, if a service user feels that we had not followed due process during the course of an inspection or review, we would accept and investigate that complaint.

If you have a complaint about an establishment you must follow their own complaints handling procedure. For example if your complaint is about a school, you should contact the school in the first instance.

We cannot comment on, resolve or investigate complaints about policies set by Scottish Government. If you have a complaint about a policy set by Scottish Government you should contact them directly. Their website is: www.scotland.gov.uk.

Further information on complaints that Education Scotland cannot investigate and the correct resolution route can be found in Annex 1.

1.3 Who can complain?

Anyone can make a complaint to us if they, or the person they represent, feel they have been affected as a result of the issue they wish to raise. You can make a complaint in person to any member of staff, by telephone, email or in writing.

1.4 How do you complain?

We want to resolve all complaints quickly and effectively. It can be helpful to talk with a member of our staff at the point of where you feel you're dissatisfied with our work. An example of this could be during an inspection or at an event run by Education Scotland. At this point we can try to resolve any issues on the spot. We find that complaints made quickly, and directly can be more easily resolved. Alternatively, you can contact the Complaints Manager by phone.

Telephone 0141 282 5000

Textphone 01506 600236
This is a service for deaf users. Please do not use this number for voice calls as this will not connect.

If you would prefer to write to us, the contact details are below.

Post Complaints Manager
Education Scotland
Denholm House
Almondvale Business Park
Almondvale Way
Livingston
EH54 6GA

email complaints@educationscotland.gsi.gov.uk

When complaining, you should tell us:

- your full name and address;
- as much as you can about the complaint;
- what has gone wrong; and
- what you want us to do to resolve the matter.

1.5 How long do you have to make a complaint?

We have a time limit for accepting complaints. Normally, you must make your complaint within six months of the event that you want to complain about occurring, or of finding out that you have reason to complain. In exceptional circumstances, we can accept a complaint after the stated time limit, contact the Complaints Manager to discuss this.

2. How we will deal with complaints

2.1 What happens when you have complained?

There are two stages to our complaints procedure, these are:

Stage 1 – Frontline resolution; and
Stage 2 – Investigation.

Please read on for more detailed information about the stages which detail what happens to your complaint.

2.2 Stage 1 - Frontline resolution

We try to resolve complaints quickly and close to the point of service delivery. This could be giving you an on the spot apology and explanation where something has gone wrong, and taking immediate action to resolve the issue.

We will give you our response at Stage 1 – Frontline resolution within five working days, unless there are exceptional circumstances.

If we have been unable to resolve your complaint at this stage either you or your complaint handler may suggest that your complaint is moved to Stage 2 - Investigation, for further consideration.

2.3 Stage 2 - Investigation

Complaints handled at Stage 2 - Investigation may be complicated and require detailed investigation before we can give you our response or may not have been resolved at Stage 1 - Frontline resolution.

When looking at complaints at Stage 2 - Investigation we will:

- acknowledge receipt of your complaint within two working days;
- discuss your complaint with you to confirm why you remain unhappy and what outcome you are looking for; and
- give you a full response to the complaint as soon as possible and within 20 working days.

We will always try to give you our full response to your complaint within 20 working days. If, for any reason, our investigation will take longer to complete, we will tell you and agree revised time limits with you and keep you updated on progress.

2.4 What if you are still not happy?

If you are still not happy after we have fully investigated your complaint and responded to you, you can ask the Scottish Public Services Ombudsman (SPSO) to consider it.

Contact details for the SPSO are:

In person	SPSO 4 Melville Street Edinburgh EH3 7NS
By post	SPSO Freepost EH641 Edinburgh EH3 0BR
Freephone	0800 377 7330
email	www.spsso.org.uk/contact-us
Website	www.spsso.org.uk
Mobile site:	http://m.spsso.org.uk

2.5 Confidentiality

Education Scotland will, as far as possible, respect your confidentiality in line with data protection legislation. If your complaint concerns a member of staff we will share the details of the issue you raise with the person or persons concerned to give them the opportunity to respond, and if appropriate, put matters right. Unless there are exceptional reasons not to do so, we will always let these persons know who has raised the issue.

If you raise an issue that suggests that a vulnerable person may be at risk we will take the necessary steps to address this, which may involve passing the information on to other agencies.

2.6 Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from representatives on behalf of people who are unhappy with our service. We can take complaints from a friend, relative, a Councillor, your MSP or an advocate if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance or Citizens Advice Bureau.

Scottish Independent Advocacy Alliance

Telephone 0131 260 5380
Fax 0131 260 5381
Website www.siaa.org.uk

Citizens Advice Scotland

Website www.cas.org.uk

Or check your telephone book for your local bureau.

Education Scotland contact details

Please contact us by the following means:

By post Complaints Manager
 Education Scotland
 Denholm House
 Almondvale Business Park
 Almondvale Way
 Livingston
 EH54 6GA

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Fax 01506 600388

email complaints@educationscotland.gsi.gov.uk

Annex 1 - Examples of complaints Education Scotland cannot investigate and the correct resolution routes

Complaint not for Education Scotland	Correct resolution route
<p>I have a complaint regarding bullying within a school.</p> <p>I have a complaint regarding the homework that a child receives from school.</p> <p>I have a complaint about the subject choices available in the local high school.</p> <p>I have a complaint about the headteacher of a school.</p>	<p>You should address your concerns with the school involved in the first instance, following the school's complaints handling procedure.</p>
<p>I have a complaint about a pre school or care home.</p>	<p>You should address your concerns with the service involved in the first instance.</p> <p>You can also contact the Care Inspectorate:</p> <p>Telephone: 0845 600 9527 Website: http://www.scswis.com/ Address: Compass House, 11 Riverside Drive, Dundee, DD1 4NY</p>
<p>I have a complaint about a school in England or Wales</p>	<p>If the complaint is about a school in England you should address your concerns with the school involved in the first instance, following the school's complaints handling procedure. If you remain dissatisfied with the response you receive Ofsted may be able to help.</p> <p>Telephone: 0300 123 1231 email: enquiries@ofsted.gov.uk Address: Piccadilly Gate Store Street Manchester M1 2WD</p> <p>If the complaint is about a school in Wales you should address your concerns with the school involved in the first instance, following the school's complaints handling procedure.</p>

<p>I have a complaint about the conduct of a college lecturer.</p>	<p>You should address your concerns with the college involved in the first instance, following the colleges complaints handling procedure.</p>
<p>I have a complaint about the evaluations that I have read in an establishment report.</p>	<p>We cannot accept complaints or challenges to evaluations made about an establishment as part of inspection or review after the inspection or review has completed. This is because during an inspection or review the establishment has the opportunity to provide all of the evidence needed for the inspection team to reach its evaluations.</p>

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Any enquiries regarding this publication should be sent to us at:

Education Scotland
Denholm House
Almondvale Business Park
Almondvale Way
Livingston
EH54 6GA

Tel: 01506 600 200
e-mail: enquiries@educationscotland.gov.uk

www.educationscotland.gov.uk