

Responses to Ofsted's consultation on proposed changes to our process for responding to complaints made about our work: an evaluation report

Beginning in mid-October 2009, Ofsted undertook a consultation on the proposals for improvements to our process for handling complaints made about our work. The consultation included a formal three-month online consultation process and work with our Parents' Panel. This evaluation report summarises the responses to Ofsted's consultation on the proposals.

Age group: All

Published: June 2010

Reference no: 100055

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Introduction

This evaluation report summarises the responses to Ofsted's consultation on the proposals for improvements to our process for handling complaints made about our work.

The summary of the responses received through the consultation process is the result of a formal three-month online consultation and questions put to members of our Parents' Panel and the BeHeard panel of young people.

Background

An independent review of our complaints procedures was carried out by a small team of external consultants in 2008, which led us to consider revised procedures in early 2009. These included:

- the idea of early resolution
- implementation of internal moderation panels
- a greater focus on the needs of users and stakeholders.

We piloted elements of these proposals in parallel with the existing procedures from March to July 2009.

The public consultation commenced in October 2009 and closed in January 2010. We used the outcomes of the consultation to develop further the proposed improvements to the complaints process. The resulting new procedures will be published at www.ofsted.gov.uk following the publication of this response to the consultation.

Our approach to the consultation

Online public consultation

The online public consultation consisted of 12 questions focusing on specific proposals to improve our process for handling complaints about our work. We received 74 responses, 26 of which were from individuals representing organisations including local authorities, childcare providers, professional associations, trade unions and headteachers of schools.

Parents' Panel

The consultation with our Parents' Panel was carried out using a similar set of questions to those used for the online public consultation, although we asked supplementary questions to provide clarification and further explanation of responses. We received 683 responses from the panel, which was weighted to be representative of all parents in England with a child aged 0–18 in a maintained school or registered childcare.

BeHeard Panel

We put a focused question to members of our BeHeard Panel by text message on 16 October 2009. This resulted in 35 responses.

What the online public consultation told us

Overall, the proposals set out in the online consultation were broadly supported by respondents. Responses to seven of the questions were strongly favourable, with a further four questions receiving overall support from a large majority of respondents.

On one question, responses were divided as to whether a written acknowledgment of a complaint is necessary if successful phone contact has been made with the complainant.

The greatest levels of support were registered in relation to the following seven questions:

- Do you agree that it would be helpful if, when we receive a complaint, we contact the person making it to clarify the main aspects of the complaint?
- If we have successfully sorted out a complaint after our initial phone call, we are proposing to send written confirmation of this. This would include a brief summary of the points discussed and agreed. Do you agree that written confirmation of the outcome of this phone conversation would be helpful?
- Do you agree that it would improve the complaints process if complaints about the inspection judgements and report wording were to be moderated by a panel not linked to the process?
- We propose sending a questionnaire to everyone who makes a complaint to us after we have dealt with their complaint. Do you agree we should send a customer satisfaction questionnaire?
- Do you agree that we should report publicly on the lessons we have learnt from complaints?
- Do you agree that a form for complaints would make the complaints process more accessible?
- Do you agree that in the cases where there is not enough evidence to decide whether a complaint is 'upheld', we should simply say that we cannot reach a conclusion, rather than treating the complaint as 'not upheld'?

The main cause for concern identified through the online public consultation centred on the perception of a lack of independence built into the existing and proposed complaints processes. This concern was identified for the first stage of complaints and also at the subsequent stage when complainants dissatisfied with the outcome of the first stage can request a review of the way the original complaint has been handled.

What the Parents' Panel told us

While the questions asked of the Parents' Panel were similar to those used for the online public consultation, they were designed to elicit further understanding about the respondents' preferences and the reasons for their answers. This approach was useful in: arriving at the summary of the most important features of a complaints procedure for parents; assessing the level of approval for our proposed changes; and identifying areas where further thought was needed in assessing the appropriateness of the proposed approach.

In summary, the findings from the Parents' Panel are set out here.

- Parents' Panel members were most concerned that in handling complaints there should be:
 - a thorough investigation
 - regular communication between the complainant and the investigating officer/administration team
 - independence of the investigator from the inspection team
 - a full explanation of the final decision.
- There was widespread approval among panel members for the proposed changes to the complaints process, especially for:
 - contact by telephone combined with formal written communication
 - the internal moderation panel
 - the second stage review being carried out by a separate team of Ofsted staff.
- There were mixed/alternative views about:
 - the use of a 'no conclusion' judgement where there is not enough evidence to decide whether a complaint is upheld
 - the form of the outcome letter, with many expressing a preference for a fuller report rather than an outline summary.

The panel's responses to the proposals for the complaints process broadly agreed with those from the online consultation. However, there were three notable exceptions.

- A very large majority of panel members felt that an initial phone call to the complainant should be followed up with a written acknowledgement of receipt of the complaint. This differs from the responses to the online public consultation, which was split evenly on this point.
- Panel members expressed a greater preference for a full report on the outcomes of the complaint investigation; respondents to the online public consultation favoured a more concise letter.

- The very large majority of respondents to the online consultation agreed that where there is not enough evidence to decide whether a complaint is 'upheld' we should simply say that we cannot reach a conclusion. The Parents' Panel was less sure – a minority of panel members agreed that the 'no conclusion' approach was the right one in these cases.

What the BeHeard Panel told us

The following text message question was put to the young people on the BeHeard Panel:

'Ofsted inspects the services you get. If you don't like the way they do this you can complain. How can they make it easy for you to complain to them?'

The young people's responses concentrated on the routes through which they could complain. Most favoured contact with inspectors through email using some kind of form or questionnaire, although a small minority considered that direct contact by phone or face-to-face would be their preference.

A small number responded with a range of different routes through which they could communicate a complaint, including email, phone for text or voice conversations, talking in person and writing a letter. This multi-channel approach seems sensible in giving young people, especially those in children's homes and foster care, as much opportunity as possible to raise their concerns about Ofsted's work.

How we will revise our procedures for handling complaints

Following careful consideration of the responses to the consultation, we are planning to revise our complaints procedures as follows.

We will:

- introduce a complaints form as an option for use by complainants; however, we will still accept complaints written as free text letters and emails
- accept complaints by telephone – complaints made in this way will be transcribed by our call centre staff on receipt of the call and details of the complaint will then be relayed back to the complainant for verification
- provide a written acknowledgment of all complaints within one working day of receipt
- contact complainants by telephone within five working days of receipt of a complaint to clarify aspects of the complaint and ensure as far as possible that there is sufficient evidence available to support a full investigation of the complaint

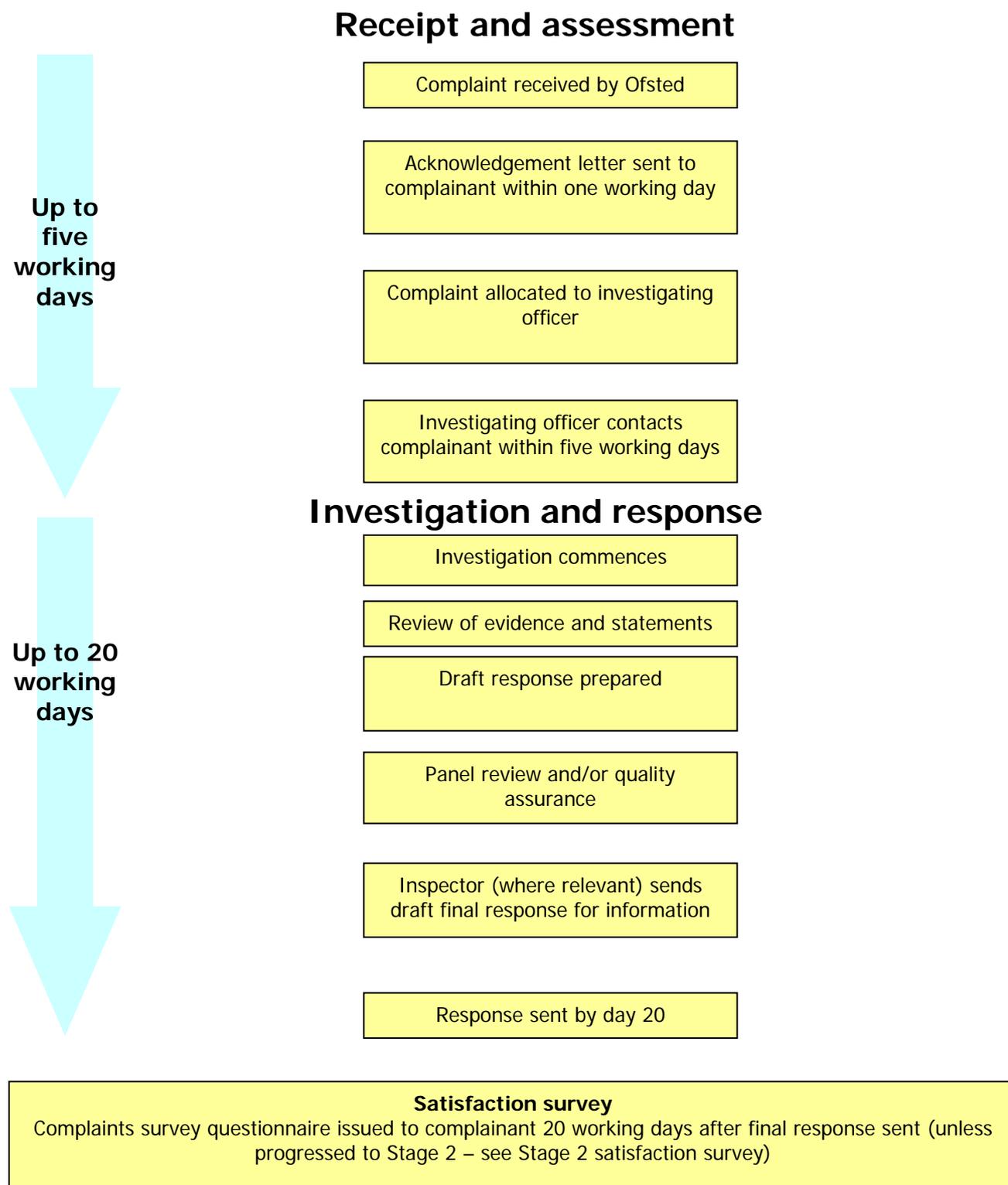
- make a record of these initial telephone calls and include a summary of the issues discussed and agreed in the final outcome letter
- introduce moderation by a panel of senior managers unconnected with the relevant inspection
- ensure responses provide a clear conclusion in terms of whether an aspect of a complaint has been upheld or not upheld. However, where the evidence is inconclusive, for example if there is a difference of opinion which cannot reasonably be resolved through independent corroboration, then no conclusion will be drawn and the outcome will be recorded as 'no decision could be reached'. Where this occurs, we will give a full explanation of why a conclusion cannot be reached
- ensure all outcome letters are sufficiently detailed to provide a substantive response to all aspects of the complaint
- introduce satisfaction questionnaires
- when complainants are dissatisfied with aspects of the outcome of an investigation, conduct a review of how the complaint was handled, which will be managed by a separate team within Ofsted in our Manchester office. This review will be able to change inspection judgements when necessary. In response to the comments made by participants in the public online consultation and members of the Parents' Panel, we will give careful consideration to how we might provide an even greater level of independence and objectivity to the internal process for reviewing complaints handling. This would be in addition to the existing process through which complainants may make representations to the Independent Complaints Adjudication Service for Ofsted
- publish an annual report on lessons we have learned from complaints on our website www.ofsted.gov.uk.

Our revised complaints procedure is summarised in Annex A.

Annex A. Revised complaints process chart

Stage 1

If users or stakeholders are dissatisfied with any aspect of Ofsted's work, they may complain to us.



Stage 2

If complainants are not satisfied with the Stage 1 response to their complaint, they will have recourse to the internal review process (Stage 2).

