

Parental complaints: report on the consultation responses

During spring 2007 Ofsted undertook a consultation exercise about its plans to respond to parental complaints, under new powers contained in the Education and Inspections Act 2006. Ofsted conducted an online survey, face-to-face meetings with national organisations and commissioned qualitative research to gather the views of parents whose circumstances made them harder to reach than others, through focus groups and individual interviews. The results of the consultation are summarised in this report.

Age group: All

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Introduction

The Education and Inspections Act 2006 amended the Education Act 2005 to give the Chief Inspector specific powers to consider complaints from parents about schools.¹ The powers are set out in sections 11A to 11C of the legislation and came into force on 27 April 2007.

Section 11A gives the Chief Inspector the power to respond to a complaint made in writing about the work of a school as a whole from any person by:

- bringing forward the inspection of the school under section 5 of the Education Act 2005
- conducting an inspection under section 8 of the Education Act 2005.

The complainant will normally be expected to have followed local complaints procedures before Ofsted will consider the complaint.

Sections 11B and 11C relate specifically to complaints by registered parents of registered pupils about the school that their child attends.^{2,3} Where a complaint is about any of the matters inspected during a section 5 inspection, and is from the registered parent of a pupil who attends the school, Ofsted can investigate by:

- requiring the school and, where appropriate, the local authority to provide further information
- requiring the school to arrange a meeting of parents at the school
- reporting the outcome of any investigation to the school and parents.

When handling complaints from parents Ofsted intends to exercise discretion in using these powers. While aiming to provide a good service to parents, we do not wish to undermine their confidence in the work of schools. In the majority of cases a productive dialogue with the school will be the appropriate way for parents to resolve their complaints.

Ofsted is committed to listening to the views of users of the services we inspect. We will seek to respond to all complainants and will help parents, where appropriate, to identify the most appropriate route to pursue their concerns. We will not respond to complaints that we consider to be malicious, vexatious or without merit; but we will not hesitate to use the new powers where appropriate.

¹ The 2005 Act is available from: www.opsi.gov.uk/acts/acts2005/20050018.htm. The 2006 Act is available from www.opsi.gov.uk/acts/acts2006/20060040.htm; the amendments to Section 11 are here: www.opsi.gov.uk/acts/acts2006/60040--q.htm#160.

² Throughout this document the term 'parent' means a registered parent or carer, of a registered pupil at the school which is the subject of a complaint.

³ Complaints about inspections are dealt with through separate procedures. Please see: www.ofsted.gov.uk/publications/2473.

Key findings

- The consultation indicated that Ofsted's plans for managing parental complaints are generally supported by parents and schools, and by organisations representing these and other stakeholders.
- Respondents agreed that the information and guidance provided make clear how parents can make complaints to Ofsted, and what action Ofsted will take as a result.
- Respondents agreed that Ofsted should provide advice to parents, including contact information for organisations that may be able to supply help or assistance. Parents were more positive than headteachers about these proposals.
- Parents supported the use of a leaflet to disseminate information about Ofsted's arrangements; the telephone was the most favoured means of contacting Ofsted, and when a complaint is to be made in writing, email was the most favoured method for contacting Ofsted.
- A number of respondents were concerned that Ofsted should not duplicate local procedures for resolving parents' complaints.
- Some parents and parents' organisations were concerned that complaints have to be submitted in writing, and that the complainant's identity must be disclosed to the school if the Chief Inspector's new powers to investigate are to be used.
- Local authorities, professional associations and headteachers were concerned that Ofsted should exercise discretion and sensitivity in using the new powers.
- Respondents made a number of helpful suggestions about how the processes and guidance can be improved.

Overview of the consultation

During spring 2007 Ofsted carried out a consultation about its plans to respond to parental complaints. The consultation sought the views of parents and other stakeholders about Ofsted's plans for using the Chief Inspector's new powers to investigate complaints from parents, and developing our responsiveness to parents' concerns about schools. It consisted of an online survey and face-to-face meetings with stakeholder groups. Written submissions were received from several national organisations. The results of the consultation are set out below.

The online survey received 980 responses, eight face-to-face meetings were held with national organisations and nine written responses were received from such bodies. Ofsted also commissioned qualitative research by Cragg Ross Dawson, a commercial research organisation. This explored parents' views about Ofsted's plans to use the Chief inspector's new powers through focus groups and individual interviews. The research concentrated upon groups in circumstances regarded as hard to reach, including those for whom English is an additional language. A summary of the findings is in the annex.

Online survey

The online survey took place between 12 February and 19 March 2007; 980 responses were received. Responses were received from:

- 461 headteachers (47% of the total)
- 208 parents (21%)
- 138 teachers (14%)
- 63 governors (6%)
- 41 local authority representatives (4%)
- 29 other school staff (3%)
- 5 pupils (0.5%)
- 1 trustee (0.1%)
- 34 others (3.5%).

Face-to-face meetings and written submissions

Face-to-face consultation took place with:

- Advisory Centre for Education
- Implementation Review Unit
- Local Government Association
- National Confederation of Parent Teacher Associations
- National Governors' Association
- National Parents' Partnership
- National Society for the Prevention of Cruelty to Children
- Standing Group of Teacher Associations.

Written responses were received from:

- Afroice⁴
- Association of Directors of Children's Services
- National Association of Headteachers
- National Union of Teachers.

Five organisations had a face-to-face consultation and sent written responses:

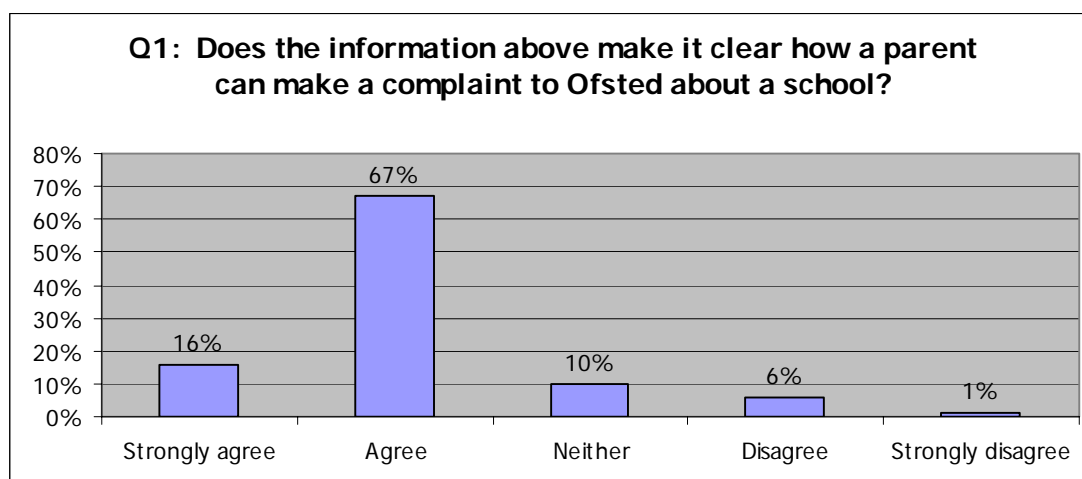
- Advisory Centre for Education
- Implementation Review Unit
- National Confederation of Parent Teacher Associations
- National Parents' Partnership
- National Society for the Prevention of Cruelty to Children.

⁴ Afroice is a London-wide network for the parents, carers and families of African and Caribbean pupils.

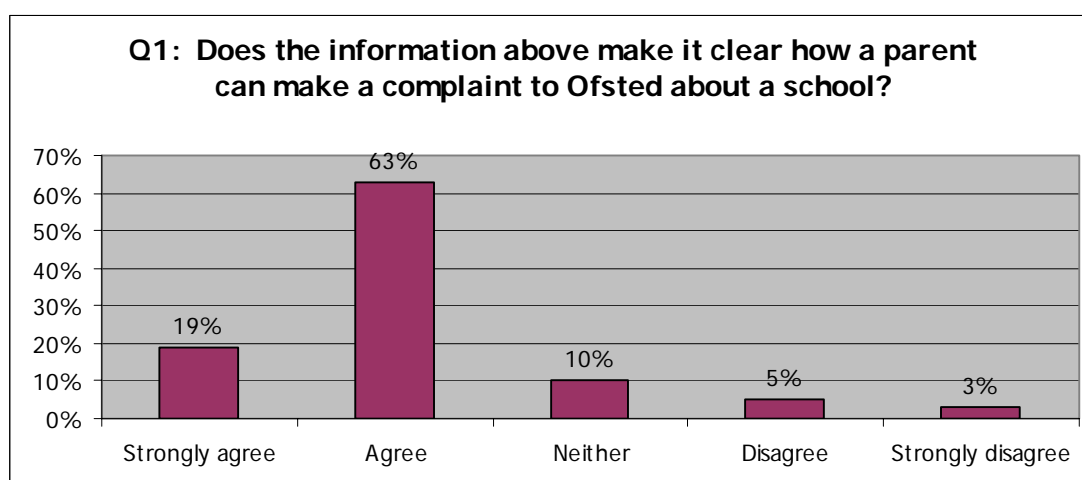
Responses to the consultation

Question 1. Does the information make it clear how a parent can make a complaint to Ofsted about a school?⁵

All respondents



Responses from parents



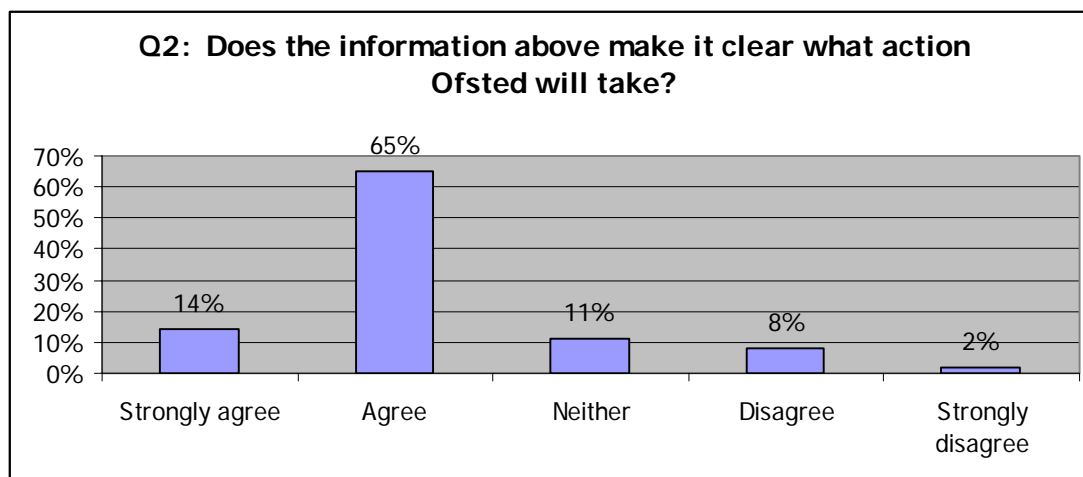
There was a predominantly positive response to this question: 83% of respondents agreed and only 7% disagreed. Overall, 82% of parents responding to the consultation agreed. Within other groups, agreement was strongest among local

⁵ The information provided was an overview of the Chief Inspector's new powers to consider complaints from parents about schools, and how Ofsted will respond to complaints. This information formed the basis of the guidance for parents that has been published on the Ofsted website: www.ofsted.gov.uk/publications/070115.

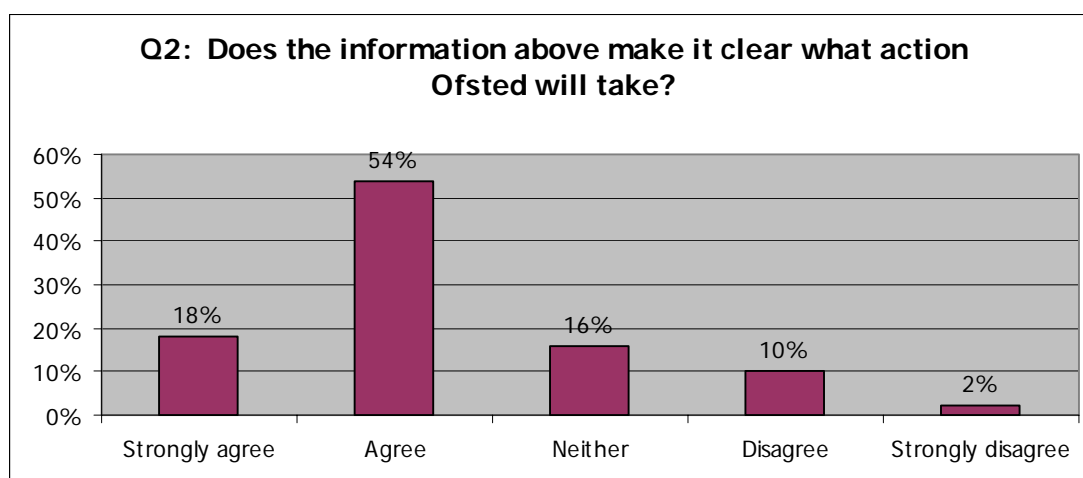
authority representatives (86%) followed by headteachers (84%) and governors (77%).

Question 2. Does the information make it clear what action Ofsted will take?

All respondents



Responses from parents



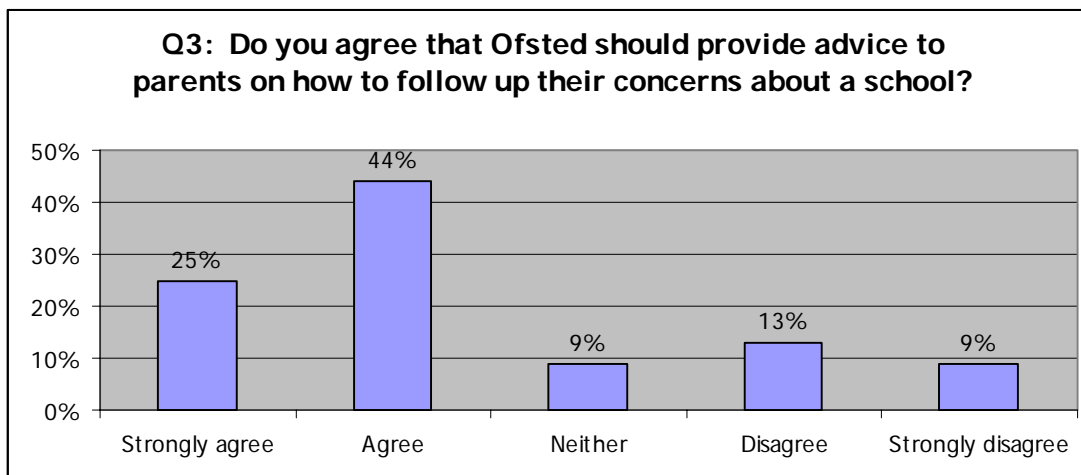
Almost 79% of respondents agreed that the information provided made clear what action Ofsted would take in response to complaints and 10% disagreed. As with question 1, the highest positive response was from local authorities (83%) followed by headteachers (81%), then parents (73%) and governors (72%).

In face-to-face consultation meetings parent groups welcomed Ofsted's new powers, but there was some disappointment about their limited extent. Similarly, some online respondents commented that they would welcome a more extensive role for Ofsted in relation to complaints about individual pupils and areas where other statutory procedures exist.

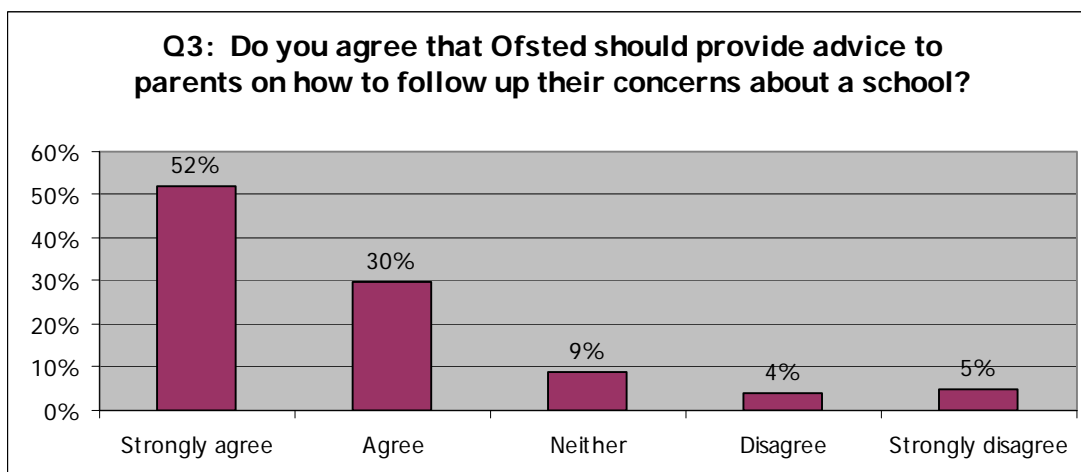
In contrast, professional associations, local authorities, headteachers and teachers sought reassurance that Ofsted would not interfere with the resolution of complaints through local procedures, and expressed concern about the possibility of malicious or vexatious complaints. These concerns were alleviated to some extent by Ofsted's draft guidance, which was welcomed.⁶ Concern was also expressed about the use that might be made of information about complaints in connection with inspection.

Question 3. Do you agree that Ofsted should provide advice to parents on how to follow up their concerns about a school?

All respondents



Responses from parents



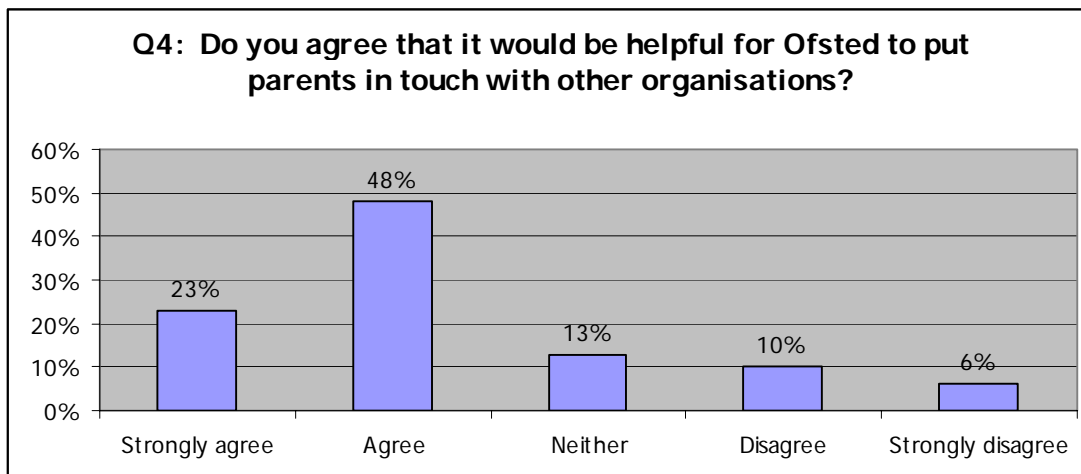
⁶ The draft guidance states that Ofsted will not mediate between a parent and a school to resolve a complaint, or judge how well a school investigated or responded to a complaint: www.ofsted.gov.uk/publications/070115.

Overall, 69% of respondents agreed that Ofsted should provide advice to parents on how to follow up their concerns about a school. Agreement was significantly stronger among parents (82%) than headteachers (62%). Professional associations voiced some concerns, and urged that a school which is the subject of a complaint should normally be contacted informally by Ofsted prior to the use of the Chief Inspector's new powers. Some of the comments from headteachers and local authorities expressed unease that use of the new powers would duplicate local complaints procedures.

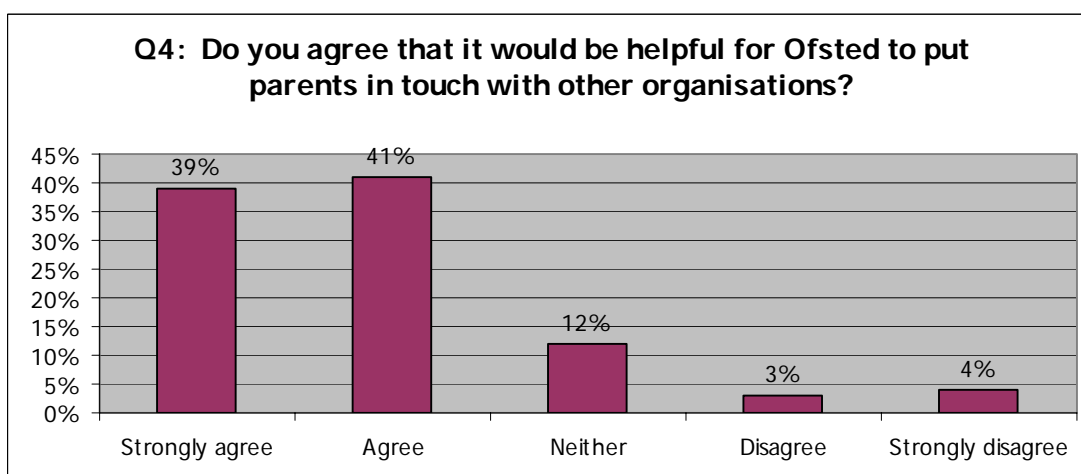
Respondents in all sectors suggested that exemplars or scenarios would help parents to understand when the Chief Inspector's powers can be used.

Question 4. Do you agree that it would be helpful for Ofsted to put parents in touch with other organisations?

All respondents



Responses from parents



In total, 71% of respondents agreed that it would be helpful for Ofsted to put parents in touch with other organisations; 80% of parents supported this view. National parents' organisations that participated in face-to-face meetings were also positive about this proposal. Governors responded most positively in the online consultation, with 84% in agreement. Headteachers were less positive, with 21% disagreeing – three times the figure for parents and five times that for governors – and some of those who added comments to their responses were concerned about Ofsted becoming involved with parents before local procedures had been worked through, or about the prospect of parents trying to bypass local channels by appealing directly to Ofsted.

Questions 5 to 7 in the online survey were aimed at parents only.

Question 5. What is the best way for us to tell you about our service? (Ofsted website, *Ofsted News*, newspaper, leaflet, other)

A leaflet was the most popular option chosen by parents for providing information about Ofsted's arrangements for managing parental complaints, by almost four times more than the other suggested possibilities. In face-to-face meetings, parents' organisations echoed this view, suggesting that leaflets could be distributed through schools, doctors' surgeries and libraries.

Question 6. If you want advice or information, how would you prefer to ask for this? (telephone, email, letter, Ofsted website, other)

The telephone was the method preferred by the largest proportion of parents, followed closely by email. This view was endorsed by face-to-face meetings with parents' organisations.

Question 7. If we advise you to put your complaint in writing, how would you prefer to do this? (letter, email, online form)

Email was the preferred method of correspondence by the largest proportion of parents (39%). However, this preference may reflect the fact that they were responding to an online consultation and therefore favoured it as a means of communication. In face-to-face meetings parents' organisations expressed satisfaction that parents would be able to communicate with Ofsted in a number of ways, but were concerned that the Chief Inspector's new powers can only be used if complaints are put in writing, and if the complainant consents to their identity being disclosed to the school. Professional associations and local authorities, however, welcomed this and expressed concern that information from anonymous complainants might be used to inform decisions about inspection.

Action to be taken following the consultation

We will undertake the following actions.

- Implement our proposals for responding to parental complaints and developing our responsiveness to parental concerns, including the provision of advice and referral to other organisations when appropriate.
- Refine our procedures and draft guidance for parents in the light of the consultation, including in the latter exemplars or scenarios to illustrate the Chief Inspector's new powers.
- Publish a leaflet which provides information about Ofsted's arrangements for managing parental complaints.
- Accept written complaints by email, letter or online form, and seek to provide an excellent service to users.
- Continue to seek users' views, and undertake a review and evaluation of this new service following implementation.

Annex

Summary of findings from qualitative research by Cragg Ross Dawson

Through the Central Office of Information, Ofsted commissioned Cragg Ross Dawson, a commercial research organisation, to undertake qualitative research on parents' views. Six focus group discussions and nine individual interviews were conducted in different parts of the country, with parents whose circumstances made them difficult to reach well represented. The research focused on parents' views about the Chief Inspector's new powers to investigate parental complaints, and how Ofsted will respond.

1. Contextual points

Parents' attitudes towards schools were mixed, ranging from the positive to the more ambivalent. General satisfaction levels with schools were relatively high, although on prompting faults were easily found. Comparisons between schools were often made and generally parents of primary level children were happier with the schools their children attended than parents of secondary level children. This was mainly due to parents' perceived looser relationship with the school and less interaction at secondary level. It was universally acknowledged that ensuring their children got into a good school was a concern for parents.

2. Attitudes to complaining

Making an official complaint was not in the forefront of most parents' minds or likely to happen, unless it was a serious issue affecting a child's well-being; even then the more likely course of action would be to withdraw the child from the school. Some parents had concerns that making an official complaint might have negative repercussions for their child. Generally, parents believed that minor issues were more likely to be resolved than major ones. This said, the types of issues likely to motivate official complaints were serious in nature, such as bullying, standards of education and health and safety. There was little faith that a complaint from an individual could change policy or provoke any significant cultural shift in a school.

Most parents felt there were no obvious complaints procedures in place, although a number assumed official procedures must exist. There were some unprompted calls for an obvious, transparent process, administered by an independent body, that allowed parents to voice concerns regarding their children's schools and register official complaints. Where it was felt there was no identifiable process in place, parents thought that the procedure to initiate a complaint would be relatively straightforward, starting with the school (class tutor, head of year, head teacher) and then being taken on to organisations that schools are answerable to (the LA). A small number mentioned complaining to school governors but for many they were seen as too closely linked to the school.

Ofsted rarely featured in people's minds as an obvious route for initiating complaints. All the complainants agreed with mainstream parents that no obvious routes to making an official complaint existed. They felt they had stumbled upon a way to complain rather than exploiting an official procedure, but once initiated found it relatively straightforward. What prompted these parents to take their concerns beyond the schools was a belief that the schools were reluctant to acknowledge their problems and act on them.

3. Awareness and perceptions of Ofsted

Ofsted was relatively well known by parents, with the exception of some recent arrivals to the country. Sources of information regarding Ofsted were typically the news media. Ofsted was viewed as overseeing standards of schools and educational establishments through inspections. The commonly held belief was that schools are wary of Ofsted and inspections.

Ofsted was broadly viewed as necessary to ensure standards in education were met and that schools do not become complacent. This said, many found it difficult to assess whether they felt the inspectorate was efficient and carried out its tasks well. A number of the more cynical parents questioned the value of Ofsted, based on their (incorrect) assumptions that schools are given plenty of notice of inspections and, to their knowledge, inspections do not take place frequently.⁷

Ofsted's relevance to parents was questioned by practically all parents in the sample and the inspectorate was not regarded as having a direct relationship with parents. Some assumed they could not contact Ofsted directly, while others reported having received letters both pre- and post-inspection from Ofsted.

A significant number of parents believed that some parents relied heavily on Ofsted reports as selection criteria for choosing schools for their children. A few were concerned that the importance placed on a good Ofsted report fuelled the extreme determination of parents to get their children into certain schools.

4. Responses to new powers

Responses to Ofsted's new investigative powers were initially very positive. For many, an independent organisation where parents can take complaints regarding their children's schools was an attractive proposition. Initially many assumed that the inspectorate's new remit allowed parents to complain to Ofsted on all matters related to the school and their child. On closer inspection, parents felt the powers were not as far-reaching as they had hoped and people questioned their value. A significant number were surprised and disappointed that the new powers would not cover

⁷ Since September 2005, inspections are on a three year cycle. Schools normally have two days notice of an inspection.

complaints about an individual child, unless they related to the school as a whole. There was also some uncertainty regarding precisely what issues Ofsted could investigate under its new remit, precisely what qualified as a qualifying complaint, and in particular, identifying an individual complaint relating to the school as a whole and how that differed from other individual complaints.

The new powers to investigate complaints were not regarded as a replacement of current processes and it was assumed they would lie alongside existing channels.

Responses to what actions Ofsted could initiate in response to a complaint from a parent were mixed. For some the investigative powers were well received, but others had concerns regarding the ultimate sanctions to be taken against schools and what meaningful outcomes could be achieved.

Comments regarding the mechanisms to initiate a complaint to Ofsted were generally positive and the simplicity of the proposed complaints procedure was appreciated. The process appeared straightforward to use and simple to navigate, and the three proposed contact routes seemed sensible and helped to make Ofsted appear accessible to parents.

Having to disclose one's name in order for a complaint to benefit from the full extent of Ofsted's investigative powers had a varied response. Most said they would be happy to forego their anonymity, particularly if the complaint was serious, but a sizeable minority were less comfortable with giving their names, mainly for fear of repercussions on their child from the school.

While parents were broadly supportive of the introduction of wider investigative powers, it was difficult to assess the likelihood of their use. Some clearly felt better equipped and informed regarding the complaints process and more confident about initiating official complaints. On this evidence, it seems likely that the better known and more established routes will be used first, with Ofsted viewed as an alternative should the traditional avenues prove fruitless. Despite parents being in no doubt that complaints regarding individual children would not qualify, some displayed a willingness to approach Ofsted with individual issues, if they felt they had nowhere else to turn.

Most believed the best way to communicate the new investigative powers to parents would be via children's schools. It was felt this would demonstrate that schools are transparent and not afraid of being held accountable by parents. A small number felt communicating through schools was inappropriate and that news should come straight from Ofsted.

5. Responses to draft guidance

The draft guidance notes were well received and were universally praised for being simple to understand, detailed, informative and helpful in tone. The amount of content in the guidance was considered about right and generally there were few complaints of it being too long or lacking detail. Some called for the notes to include

examples of qualifying complaints. The complaints channels (email, online, letter) were liked and people felt Ofsted was making it as easy as possible for parents to register concerns. There were some favourable comments regarding the turnaround of five days and 20 days. These were thought acceptable by all and found impressive by some.

Parents' recommended delivery points for distribution of the leaflet included schools, libraries and council offices. A handful thought the guidance would be available electronically at the Ofsted site.