COMPLAINTS CONCERNING THE DELIVERY OF EDUCATION SERVICES

OUR VISION

East Dunbartonshire Council’s vision statement is reflected in the ethos of the Education Service:

“Working together to achieve the best with the people of East Dunbartonshire”.

We work with staff in our schools and services to ensure the best outcomes for all our children and young people.

We share the Council’s commitment to:

- The Customer
- Excellence
- Innovation
- Partnership
- Our Employees

Improving the quality of our services and provision for children, young people and their families is at the heart of our work.

We aim to support children and young people to be:

- **Safe** and protected from abuse, neglect and harm by others at home, at school and in the community
- **Nurtured** and living within a supportive family setting, with additional assistance if required, or where this is not possible, within another caring setting, delivering a positive and rewarding childhood experience
- **Healthy**, enjoying the highest attainable standards of physical and mental health, with access to suitable healthcare and support for safe and healthy lifestyle choices.
- **Achieving and Attaining** with access to positive learning environments where they have opportunities to develop their potential skills, confidence and self esteem
- **Active**, with opportunities and encouragement to participate in play and recreation including sport.
- **Respected and Responsible**, involved in decisions which affect them and encouraged to play an active and responsible role in their communities.
- **Included**, with access, when required to high quality services, with assistance to overcome the social educational, physical, environmental and economic barriers which create inequality.
COMPLAINTS CONCERNING THE DELIVERY OF EDUCATION SERVICES

INTRODUCTION

This procedure aims to ensure a consistent approach to the management of complaints about the delivery of education services under the management of East Dunbartonshire Council’s Education Service. It reflects the procedure detailed in Your Say (2005), the Council’s corporate strategy for the management of comments, compliments and complaints.

There are two sections to this procedure:

- **Section One** details the various elements of the complaints procedure including definitions of a complaint, the 4 stages of managing a complaint (including timescales) and record keeping.

- **Section Two** details the procedure for managing complaints about individual members of staff.

LINKS TO OTHER LEGISLATION AND LOCAL PROCEDURES

This Complaints Procedure should ensure that the Education Service meets its duties under section 15 of the Scottish Schools (Parental Involvement) Act 2006 (see section 1.19, for further guidance).

The Education (Additional Support for Learning) (Scotland) Act 2004 also gives parents whose children have additional support needs, specific rights including the right to:

- be involved in decisions relating to their child and to have their views taken into account;
- be helped by a supporter or an advocate;
- request mediation and/or external independent adjudication services;
- apply to a Tribunal in matters relating to a Co-ordinated Support Plan.

These rights do not replace existing rights of appeal which may involve for example, going to an Education Appeal Committee.
RATIONALE

The Education Service recognises that its service users\(^1\) have a right to appropriate mechanisms for making complaints about service provision and that the information gained can help to improve such provision. The Education Service has a robust approach to service evaluation, and the management of data from this procedure, forms one part of this.

This procedure provides a framework for dealing with \textit{external} complaints from service users. It should not be used to manage complaints from employees, or individuals participating in work placements with the Education Service (or their representatives) regarding issues such as working conditions, pay or other grievances. Procedures are in place for managing these internal concerns.

UNDERPINNING PRINCIPLES

This procedure is built on a number of key principles detailed in \textbf{Box 1}.

EDUCATION SERVICE STAFF RESPONSIBLE FOR MANAGING COMPLAINTS

In general, Establishment Heads\(^2\) (or their designated representatives) are responsible for managing all complaints at Stages 1 and 2 of the complaints process (detailed in Section One) unless the following circumstances apply:

- a complaint is made against an Establishment Head;
- a complaint is made against an employee alleging commission of a criminal offence, sexual misconduct or serious industrial/professional misconduct, (i.e., the managing of all complaints, which, were they to be substantiated, could lead to serious disciplinary action, will be the responsibility of the Head of Education or designated representative) in consultation with the Director of Community Services;
- a complaint is directed against agreed Council policy decisions.

Responsibility for managing the above concerns always rests with the Head of Education (or designated representative) in consultation with the Director of Community Services. The Head of Education is also responsible for managing Stage 3 complaints, though, depending on the nature of the complaint, this task may also be undertaken by the Director of Community Services. The Head of Education may also be required to manage a small number of complaints at Stages 1 and 2.

Establishment Heads are responsible for ensuring that staff understand their obligation to take seriously any complaints made by service users. Staff should understand that the responsibility for managing complaints (no matter how informal) rests with the Establishment Head.

\(^1\) For the purposes of this procedure, a service user of the Education Service can be a parent/guardian, a pupil, a member of the public, a Parent Council member, an elected member, an MSP, MP, MEP or other person who is external to the Education Service.

\(^2\) For the purpose of this procedure, ‘Establishment Head’ means a Head Teacher, Education Support Service Manager or the manager of an Early Years Centre. Where the term ‘Establishment Head’ appears in the text, it means ‘Establishment Head (or designated representative)’.
DOCUMENT AVAILABILITY AND ACCESSIBILITY

This document can be made available (on request) in a variety of alternative formats and languages. Requests should be made to the Head of Education at:

East Dunbartonshire Council
Southbank House
Strathkelvin Place
Kirkintilloch
Glasgow
G66 1XQ

Tel: 0141 578 8709
Email: gordon.currie@eastdunbarton.gov.uk

Copies of all publications written by the Education Service can also be obtained from schools, education support services and libraries. They can also be accessed on East Dunbartonshire Council’s website: www.eastdunbarton.gov.uk
Box 1 UNDERPINNING PRINCIPLES

a) All complaints, including anonymous complaints, concerning the delivery of education services will be treated seriously and investigated according to procedural requirements.

b) The Education Service will seek to work in partnership with complainants in order to try to achieve acceptable outcomes.

c) The Education Service expects complainants to act towards staff with respect and courtesy and to provide timely and accurate information to support their complaint (see section 1.11: Abusive or persistent complaints).

d) Where the Education Service requests that the complaint is put in writing (or other permanent form), the Education Service will try to ensure that the complainant is able to do this. Where appropriate, it will put in place support mechanisms to assist this process.

e) The Education Service aims to acknowledge all complaints within 5 working days and to reply to complaints within 20 working days of receipt. The Education Service will provide an explanation for any delay to the timescales by explaining to the complainant the reason for the delay and providing the complainant with a new timescale for a response.

Where a complaint is extremely complex or of a sensitive nature and there is every possibility that it will take longer to respond to than the stated timescales, ongoing dialogue with the complainant must be maintained by Education Service staff in order that the complainant fully understands the investigation processes that are being undertaken and how long each aspect will take to complete. The complainant should also have the opportunity to request, at any time, an update on the investigation and the likely timescale for completion.

f) The Education Service will respect the confidentiality of complainants as far as possible. However, certain exceptions do apply (for example, when a complaint is made against an employee, the identity of the complainant will only be withheld from the employee in exceptional circumstances i.e. where the Establishment Head has clear reasons for doing so namely, where there may be concerns regarding the care and welfare of children, members of staff or issues which require further action by the Head of Education or other agencies).

g) The Education Service will ensure that records of all complaints (together with written comments and compliments about the work of the Service), are maintained in accordance with procedural requirements.

h) Only the Establishment Head/Head of Education (or their designated representative) shall correspond with, or interview (see section 1.12: Health & Safety considerations), a complainant.

i) An employee, against whom a complaint is made, shall be informed of the complaint by the Establishment Heads/Head of Education without delay or as soon as practicable after the complaint is made.
j) Where a complaint is made against an employee of the Education Service, Establishment Heads/Head of Education will take into account the provisions of the Council’s disciplinary procedures etc. and the rights of employees to trade union or other representation.

k) Complaints involving allegations of sexual misconduct, commission of a criminal offence or serious industrial/professional misconduct by an employee must be referred to the Head of Education and investigated by a designated officer in consultation with the Director of Community Services. Similarly, complaints which are viewed as high risk, complex or of a sensitive nature must also be referred to the Head of Education and investigated by a designated officer in consultation with the Director of Community Services.

l) The Education Service is committed to ensuring that complainants will not experience discrimination or victimisation when they make a complaint.
SECTION ONE: ELEMENTS OF THE COMPLAINTS PROCEDURE

1.1 **DEFINITIONS**

**Complaint**

The Commissioner for Local Administration in Scotland gives a general definition of a complaint as being:

“an expression of dissatisfaction, however made, which alleges failure on the part of the Council to perform a function or provide a service in line with stated Council practices and policies.”

A complaint can therefore arise if an individual (i.e. the complainant) feels that the Education Service has, in relation to its functions, policies and practices:

- done something wrong;
- failed to do something it should have done;
- acted unfairly;
- acted discourteously or with discrimination.

**Box 2** gives examples of complaints from within the context of work undertaken by the Education Service.

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**Box 2**

**EXAMPLES OF COMPLAINTS**

**Example 1**

A parent/carer writes to the Head of Education about the Service’s Anti-bullying Policy in schools. She states that in her opinion the policy is not being consistently implemented in her child’s school. She states that she has not discussed this yet with her child’s school and believes that the Establishment Head may disagree with her views. She wishes to bring her concerns to the Head of Education. The Head of Education will write to thank the parent for bringing this matter to his attention. He will explain that, in the first instance, she should raise her concerns with the Establishment Head in line with the Council’s procedures. The Head of Education passes a copy of her letter to the Establishment Head who is responsible for managing the complaint.

**Example 2**

A parent makes a written request for her child to be given medication during the school day. The Establishment Head decides that this request is not reasonable and justifies her decision in relation to the Education Service’s policy and procedure on the Administration of Medicines in Schools. The parent is angered by the refusal to administer the medication and makes this clear in a letter to the Establishment Head who, in turn, explains her rationale (again) to the parent. The parent again refuses to accept this decision and sends a further letter to the Establishment Head. In the letter the parent states that the policy is inappropriate and ill thought out. This then becomes a complaint against a Council policy decision and the Establishment Head informs the parent that the matter has been referred to the Head of Education. The Establishment Head passes all documentation to the Head of Education.
A complaint is not:

- A request made by a parent/carer for specialist education service provision for their child. However, it could become a complaint where the parent believes that, in making its decision about the provision, the Education Service failed to follow relevant policy and procedure.

- Disagreement with legally taken decisions (for example, those that relate to Placing Requests). Challenges to such decisions should be made via the established Local Authority Appeals process.

- Insurance claims or potential claims concerning injury to people or damage to property. These should be dealt with through the Council’s insurers.

The service user does not have to mention the word complaint in a conversation or letter for the contact to be considered a complaint. It is up to the Education Service to recognise it as such. Initially, where a service user first voices his/her dissatisfaction, it may not be possible to discern the exact nature of the concern. What matters is that it is taken seriously and the service user is given an opportunity to voice their concern. It should then be possible to determine the nature of the concern and the relevant policy/procedure through which it should be processed.

Enquiry

An enquiry is a request for information relating to Education Service provision.

Comment and/or compliment

The Education Service routinely seeks feedback from its service users about service provision via parent surveys, meetings with individual parents, inspection processes and consultation exercises with pupils (for example through Pupil Councils) etc.

Service users may wish to praise particularly good service (for example, the work of an individual employee or the way in which the Education Service is making provision for a child with additional support needs). They may also wish to make suggestions about how improvements might be made to an aspect of the Education Service. It is important that Establishment Heads ensure that feedback from service users is managed appropriately. The Education Service does not have a specific pro-forma for collecting comments/compliments from service users as most establishments already have mechanisms in place for managing such information.

1.2 WHO CAN MAKE A COMPLAINT?

A complaint can be made by:

- anyone who receives or wishes to receive a service from the Education Service,
- or
- someone acting on behalf of an individual who receives or wishes to receive a service.
Representatives can be a Councillor, any third party (such as an advocate or supporter) or even a solicitor. In some cases (e.g. where the complaint is made on behalf of an individual by a relative) the Education Service may need to satisfy itself that the complainant (not his/her representative) both knows of and consents to the complaint being made and is happy for information on the matter to be shared with their representative.

1.3 **COMPLAINTS MADE BY CHILDREN/YOUNG PEOPLE WHO HAVE LEGAL CAPACITY**

Children and young people who have legal capacity[^3] are entitled to make a complaint. Wherever possible, the Education Service encourages children and young people to actively involve their parents/carers at each stage of the complaint’s process.

Where a complaint is initiated by a child/young person, the Establishment Head should follow the procedure detailed in **Section 1.6** and where the complaint involves an employee, **Section Two**.

Complaints can be made either in person or anonymously.

1.4 **ANONYMOUS COMPLAINTS**

The Education Service will not ignore a complaint simply because it is anonymous. All complaints, including anonymous complaints, concerning the delivery of education services will be treated seriously and investigated according to procedural requirements.

The Establishment Head should consult with the Head of Education immediately in all cases of anonymous complaints, especially where there may be concerns regarding the care and welfare of children and/or employees or issues which may require further action by the Council/other agencies (e.g. police, social services).

The Head of Education may:

- record the matter and take no further action (e.g. in cases where information is limited);
- refer the anonymous complaint back to the Establishment Head to initiate an investigation at Stage 2 of the complaints process; or
- initiate an investigation under the Council’s disciplinary procedures (where the complaint alleges that an employee is involved).

If the complainant contacts the Establishment Head s/he should be informed that no further action can be taken, other than a referral to the Head of Education, where:

- the complainant’s identity cannot be verified; and
- the complainant fails or refuses to submit the complaint in writing; or
- fails to or refuses to meet the Establishment Head.

[^3]: The Age of Legal Capacity (Scotland) Act 1991 states that a person under the age of 16 years has legal capacity to instruct a solicitor or another in connection with civil proceedings where they have a general understanding of what it means to do so. A child of 12 or more is presumed to have sufficient age and maturity.
Where anonymous complaints are made against employees, the Establishment Head should inform the employee of the complaint without delay, or as soon as practicable after the complaint is received. Where a decision is taken to proceed with the complaint, the employee must also be informed of his/her right to trade union or other representation throughout the process.

Guidance on the management of unsubstantiated complaints made against employees is given in Section Two.

1.5. **HOW CAN SERVICE USERS MAKE A COMPLAINT?**

Complaints can be notified in person, by telephone, letter, email, through the Council’s website and/or the Council’s Your Say leaflet.

The Education Service will take all reasonable steps to provide the support an individual requires to make their complaint, this may include:

- accepting a complaint that is not made in writing but in an alternative permanent format (for example a video, tape cassette or CD recording);
- providing interpreting and/or translation services;
- putting the complaint in writing for the complainant – the complainant must always be asked to agree that the content of the statement is accurate and to sign the statement.

The above steps support the Education Service’s commitment to promoting equality and non-discriminatory practice by seeking to ensure that all those who wish to make a complaint are able to do so.

1.6 **A STAGED APPROACH TO MANAGING COMPLAINTS**

There are 4 possible stages in the complaints process, namely:

a) Stage 1 – Informal complaint  
b) Stage 2 – Formal complaint  
c) Stage 3 – Review  
d) Stage 4 – Appeal

Flow charts summarising the following procedures are detailed at Appendix 3.

1.6 **A STAGED APPROACH TO MANAGING COMPLAINTS - STAGE 1 – INFORMAL**

Wherever possible, the Education Service will try to resolve a complaint in an informal way. This does not mean that the Education Service takes the complaint less seriously. Also, the complainant may not wish to make a formal complaint but simply make a comment about an aspect of service delivery.

**NB/** Complaints against employees of the Education Service should NOT be treated as Stage 1, Informal complaints. All complaints about employees must be put in writing (or other permanent format) by the complainant and treated as a Stage 2, Formal complaint. The rationale for this is detailed in Section Two.

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Stage 1 complaints will normally be made verbally, either in person or via the telephone. However, if the first notification of a complaint is received in writing (or other permanent format) the Education Service will treat this as a Stage 2, Formal complaint.

Informal complaints will usually be managed by the Establishment Head who will:

- hear the complainant’s concerns;
- seek to explore the situation with the complainant;
- try to find a solution to the issue or concern;
- complete the relevant sections of the Complaints Pro-forma (see Appendix 1).

The above may be undertaken via the telephone or in a meeting.

After the initial exploration of the complaint, the Establishment Head may then:

- ask the complainant to make a more formal complaint (a Stage 2, Formal complaint);
- invite the complainant to a more formal meeting within 7 working days of the complaint being received;
- agree to remedial action and inform the complainant of that action and the date when the action will be implemented, thereby ending the complaint process.

The complainant should always be informed of any outcomes including the date when the outcomes will be implemented and, where a meeting with the complainant has taken place, this should be done within 20 working days of receiving the initial complaint. Notification should always be in writing using the appropriate template letter detailed in Appendix 2.

Where the complainant is unhappy with the outcome of the informal complaint, s/he has the right to progress their concern to a Stage 2, Formal complaint.

### Note: The Council’s Corporate Complaints Strategy does not specify any timescales for the management of Stage 1, Informal complaints.

### Timescale for Stage 1, Informal complaints

<table>
<thead>
<tr>
<th>Informal complaints will be dealt with as quickly as possible. Where possible, the Education Service will seek to inform the complainant of any action taken and the date when the action will be implemented no later than 10 working days after the complaint has been received by the Education Service. If a formal meeting has been organised then the complainant should be informed within 20 working days.</th>
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<tr>
<td>If, for whatever reason, more time is needed, the complainant will be informed of the reasons for this (refer to Box 1 ‘Underpinning Principles’ – Page 5: point e). Complaints received immediately before or during school holidays will take longer to process.</td>
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1.6 A STAGED APPROACH TO MANAGING COMPLAINTS - STAGE 2 – FORMAL

On receiving a Stage 2, Formal complaint, the Establishment Head will:

- take steps to check out the content of the complaint which may involve inviting the complainant to a meeting;
- if considered appropriate, invite the complainant to attend a meeting within 7 working days of the complaint being received in writing (or other permanent format);
- where a meeting is held, explore the complainant’s concerns;
- ask the complainant to agree the content of interview notes and sign them to indicate that they are an accurate account of the meeting;
- make an assessment of the complaint and try to find a solution;
- complete the relevant sections of the Complaints Pro-forma (see Appendix 1).

If, after considering the complaint, the Establishment Head feels that it is justified s/he may take one or more of the following steps:

- in minor cases, agree to immediate remedial action and inform the complainant of that action and the date when the action will be implemented, thereby closing the complaint file; or
- in more serious cases agree to immediate remedial action, instigate disciplinary procedures (in the case of complaints against an employee) and inform the complainant of any action taken and the date when the action will be implemented, thereby closing the complaint file.

The complainant should always be informed of any outcomes and the date when the outcomes will be implemented and this should be done within 20 working days of receiving the initial complaint. Notification should always be in writing using the appropriate template letter detailed in Appendix 2.

<table>
<thead>
<tr>
<th>Timescale for Stage 2, Formal complaints</th>
<th>On receipt of a written complaint (or complaint produced in a permanent alternative format), the Education Service should acknowledge receipt of the complaint within 5 working days of receiving the complaint.</th>
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<td></td>
<td>Complainants should normally be invited to meet with the Establishment Head (or designated person(s)) within 7 working days of receipt of the complaint.</td>
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<td>A full response to the complainant including the date when actions/outcomes will be implemented as a result of the complaint should be sent within 20 working days of receiving the initial complaint.</td>
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<td>If, for whatever reason, the above timescales cannot be met, the complainant should be informed of the reasons for this (refer to Box 1 ‘Underpinning Principles’ – Page 5: point e). Complaints received immediately before or during school holidays will take longer to process.</td>
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1.6 A STAGED APPROACH TO MANAGING COMPLAINTS - STAGE 3 – REVIEW

Where the complainant remains dissatisfied with the management of their complaint by an Establishment Head, s/he has the right to ask the Head of Education to undertake a review of the complaint. The Head of Education will expect such a request to be put in writing (or other permanent format).

Where the complainant is dissatisfied with the way in which the Head of Education has managed their complaint, s/he has the right to ask the Director of Community Services to undertake a review of the complaint. The Director of Community Services will expect such a request to be put in writing (or other permanent format).

Written requests for a Stage 3: Review should be made by the complainant according to the required timescale – see box below.

<table>
<thead>
<tr>
<th>Timescale for Stage 3, Review</th>
<th>Complainants who remain dissatisfied with the response to their formal complaint at Stage 2, will be told of their right to make a request for a review. Such a request should be made by the complainant within <strong>10 working days</strong> of receiving the written response at the end of Stage 2.</th>
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<tr>
<td></td>
<td>On receipt of a request for a Stage 3 Review, the Head of Education / Director of Community Services will acknowledge the request within <strong>5 working days</strong>.</td>
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<td></td>
<td>The Head of Education/Director of Community Services will provide a full response to the complainant including the date when actions/outcomes will be implemented as a result of the complaint within <strong>20 working days</strong> from receipt of request for the Review. During this time period the complainant will be invited to meet with the Head of Education / Director of Community Services.</td>
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<td>If, for whatever reason, more time is required, the complainant will be informed of the reasons for this (refer to Box 1 ‘Underpinning Principles’ – Page 5: point e).</td>
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1.6 A STAGED APPROACH TO MANAGING COMPLAINTS - STAGE 4 – APPEAL

Stage 4 is where the complainant is still unhappy with the management of their complaint and wishes to pursue his/her right of appeal to the Chief Executive. The Chief Executive will expect the request to appeal to be put in writing (or other permanent format).

After the Chief Executive’s stage is exhausted, the only remaining avenue for the complainant is the Scottish Public Services Ombudsman, 4 Melville Street, Edinburgh, EH3 7NS, Tel No. 0800 377 7330 or to seek legal advice.

<table>
<thead>
<tr>
<th>Timescale for Stage 4, Appeal</th>
<th>Complainants who remain dissatisfied with the response to the Stage 3 Review should request an appeal within 10 working days of receiving the review letter.</th>
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<tr>
<td></td>
<td>The Chief Executive will acknowledge the complainant’s request to appeal within 5 working days of receipt of the written request.</td>
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<td></td>
<td>The Chief Executive will provide a full written response to the appeal including the date when actions/outcomes will be implemented as a result of the complaint within 20 working days of receipt for appeal request. During this time period the complainant will be invited to meet with the Chief Executive.</td>
</tr>
<tr>
<td></td>
<td>If, for whatever reason, more time is required, the complainant will be informed of the reasons for this (refer to Box 1 ‘Underpinning Principles’ – Page 6).</td>
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1.7 **SOLUTIONS AND REMEDIES TO A COMPLAINT**

Guidance provided by the Scottish Public Services Ombudsman, states that where a complaint is found to be justified, consideration needs to be given to an appropriate remedy which may include (for example):

- a verbal apology;
- a written apology;
- offering to correct or repair something within stated timescales;
- making an agreement with the complainant to do something differently within stated timescales;
- offering redress if the complainant has clearly sustained quantifiable loss or suffering.

The Education Service will, when reviewing a complaint, consider what redress it wishes to provide to a complainant and, where appropriate, take advice on this issue.

1.8 **RECORDING COMPLAINTS**

The Education Service will record all complaints received (whether informal or formal) using the Complaints Pro-forma (see Appendix 1).

Completed pro-formas should be processed in accordance with the principles of data management under the Data Protection Act 1998. Establishment Heads should ensure that completed pro-formas are stored in a manual file which is only accessed by designated individuals.

Under the Data Protection Act 1998, individual service users are entitled to access personal and sensitive data held by the Council, unless certain exceptions apply. Service users who require access to their file should make their request in writing to the Head of Education (not to the Establishment Head).

1.9 **MANAGING UNSUBSTANTIATED COMPLAINTS**

Complainants who fail to put their concerns in writing (or other permanent format) and/or meet the Establishment Head when requested, will be advised that no further action can be taken by the Establishment Head. Where this occurs, the complaint will be referred by the Establishment Head to the Head of Education who may still decide to take further action. This will be the case where it is considered that the complaint may involve care and welfare issues for pupils and/or employees or require the involvement of the Council/or other agencies.

1.10 **MALICIOUS COMPLAINTS**

The Education Service will fully support employees who are subject to malicious allegations. Such allegations shall be referred immediately to the Establishment Head who shall take appropriate action in consultation with the Head of Education, Head of Legal and Administration Services and the relevant trade union.
1.11 **ABUSIVE OR PERSISTENT COMPLAINTS**

The Education Service recognises that people who complain are often vulnerable and may be emotional when they make their complaint. However, abusive or threatening behaviour or language on the part of a complainant (or representative) will never be tolerated. If physical or verbal assault occurs or is intimated, the Police will be contacted.

Where a complainant repeatedly corresponds with the Education Service on the same complaint or issue, the Head of Education will contact Legal Services. The complainant may be advised that, unless s/he has further information that substantially affects the Council’s position on the matter, the complaint will not be pursued further.

1.12 **HEALTH & SAFETY CONSIDERATIONS**

When meeting with the complainant, due regard should be given by the Establishment Head/Head of Education to safeguards against any potential health & safety risk associated with the meeting.

1.13 **COMPLAINTS ABOUT MORE THAN ONE SECTION OF THE EDUCATION SERVICE AND COMPLAINTS ABOUT SERVICES OUTWITH THE DIRECT MANAGEMENT OF THE EDUCATION SERVICE**

Where a complaint covers more than one section of the Education Service, the Head of Education will manage the complaint. Where a complaint involves a service outwith the direct management of the Education Service e.g. Facilities Management etc, the Head of Education will refer the complaint to the Director of Community Services who will assist in co-ordinating a response to the complainant in discussion with the Head of Education and the relevant Council Head of Service. The Establishment Head will be kept up-to-date regarding all stages of the investigation.

1.14 **COMPLAINTS AGAINST THIRD PARTIES**

Where a complaint is made against a third party involved in the delivery of educational provision on behalf of the Education Service, the Head of Education in consultation with the Director of Community Services will investigate the complaint. In doing so, the Head of Education has the right to seek appropriate advice from relevant Council services e.g. Legal Services. The Establishment Head will be kept up-to-date regarding all stages of the investigation. The Head of Education will seek to ensure that, when contracting with third parties to deliver education provision, the management of complaints is included within the contract.

1.15 **COMPLAINTS ALLEGING DISCRIMINATION**

In the case of a complaint alleging discrimination (for example on the grounds of a breach of the Disability Discrimination Act 1995, Race Relations Act 1976 or Sex Discrimination Act 1975, including any relevant amendments) the Head of Education in consultation with the Director of Community Services will manage the complaint on behalf of the Education Service. Advice will be taken from appropriate Council services including, for example, Legal Services and Corporate Planning & Performance.

1.16 **OMBUDSMAN COMPLAINTS**

If the Ombudsman receives a complaint and does not consider that the Council has had a chance to consider it, the complaint will be referred back to the Council which will then have 12 weeks to manage the complaint through the stated procedure(s). To
prevent Ombudsman investigation, the Education Service will make every effort to ensure that its complaints procedure is appropriately implemented and understood by its service users.

1.17 COMPLAINTS RELATING TO COUNCIL POLICY DECISIONS

If a complaint made to the Education Service contains reference to the decision of a relevant Committee (e.g. Education Committee), the Head of Education will, following investigation:

(i) advise the complainant that the complaint is upheld and remedial action within set timescales will be taken and the relevant Council policy and procedures will be applied, or

(ii) that Council policy and procedures have been applied in this case.

If the complaint is against a relevant Council policy decision, the Head of Education will inform the complainant that the complaint is against a relevant Council policy decision. The Head of Education will confirm to the complainant that this has been notified to the Chief Executive.

1.18 INVOLVEMENT OF ELECTED MEMBERS

Where a service user of the Education Service makes a complaint about the actions or conduct of an Elected Member, the Head of Education should be informed. The concern will then be passed to the Chief Executive.

Elected Members can be approached directly by constituents with complaints. Complaints made in this way will be dealt with in accordance with the provisions of the Council’s existing Code of Conduct document, which requires Council officers to respond to Elected Members’ enquiries within 10 working days of receipt of the enquiry.

1.19 INVOLVEMENT OF PARENT COUNCILS

The Scottish Executive’s guidance on the Scottish Schools (Parental Involvement) Act 2006, states that:

“Given Parent Councils’ role in representing the collective views of parents, the education authority must consult them on their arrangements for a complaints procedure. Parent Councils can also make general representations on matters arising from individual complaints where these raise issues of a wider policy or strategic concern.”(Ref to para 31. of the Guidance)

Parent Councils therefore do not have a role in the management of individual complaints. Where a parent approaches a member of a Parent Council, that member should direct the individual to the Establishment Head and also signpost the parent to the Education Service’s Complaints Procedure.

1.20 NON-COMPLIANCE WITH THESE PROCEDURES

If the complainant fails to reasonably comply with the terms of these procedures no further action will be taken.

1.21 EMPLOYEE’S RIGHTS
These procedures do not detract from an employee’s right to seek redress through the Council’s appropriate Grievance Procedures or at Employment Tribunal.
SECTION TWO: COMPLAINTS MADE AGAINST EMPLOYEES OF THE EDUCATION SERVICE

2.1 LEVEL OF COMPLAINTS MADE AGAINST EMPLOYEES

The Council’s corporate complaints procedure – Your Say - states that:

“Where a complaint specifically concerns allegations about the actions, personal conduct or attitude of an individual officer, this must be in the form of a written statement either provided directly by the complainant or signed by the complainant.” (Para. 4.2.4 of corporate policy).

The corporate policy also states that:

“If the first notification of a complaint is received in writing this should be recorded and addressed as Stage 2, Formal complaint”. (Para. 4.6.4 of corporate policy).

In the light of this guidance, the Education Service has therefore determined that any complaint made against an employee will automatically be treated as a Stage 2, Formal complaint. Complainants who make a verbal complaint against an employee will be asked to put their complaint in writing.

2.2 MANAGING UNSUBSTANTIATED COMPLAINTS AGAINST EMPLOYEES

Where the complainant fails to or refuses to submit their complaint about an employee in writing (or other permanent format) and refuses or fails to meet with the Establishment Head or investigating officers, s/he will be advised that no further action will be taken regarding the complaint. An unsubstantiated complaint shall not be taken into account in any subsequent disciplinary proceedings against the employee who has been the subject of the complaint.

However, the Establishment Head will refer an unsubstantiated complaint about an employee to the Head of Education where it is felt that the nature of the complaint could indicate concerns relating to the care and welfare of children/employees or issues which may require further action by the Council or other agencies.

2.3 STAFF RESPONSIBLE FOR MANAGING COMPLAINTS AGAINST EMPLOYEES

Establishment Heads are responsible for managing complaints made against all staff under their line management.

Where a complaint is made against an Establishment Head, the Head of Education will be responsible for managing the complaint.

Where a complaint is made against the Head of Education, the Director of Community Services will be responsible for managing the complaint.

The Head of Establishment/ Head of Education/ Director of Community Services will make an initial assessment of the complaint.

Analogous with the Council’s Disciplinary Procedures, the Head of Establishment/ Head of Education/ Director of Community Services will designate an investigating officer who will take forward fact finding interviews with the complainant, the employee and other parties.
The investigating officer’s confidential report will be submitted to the Head of Establishment/ Head of Education/ Director of Community Services, as appropriate, and issued to the employee prior to the meeting indicated in Part 2.5 below.

Where a complaint is made against a Council employee or against a third party involved in the delivery of educational provision not under the line management of the Establishment Head or the Head of Education, the Head of Education will refer the complaint to the Director of Community Services who will assist in co-ordinating a response to the complainant in discussion with the Head of Education and the relevant Council Head of Service or third party manager. The Establishment Head will be kept up-to-date regarding all stages of the investigation.

2.4 EMPLOYEE’S RIGHT TO INFORMATION ABOUT THE IDENTITY OF THE COMPLAINANT AND THE NATURE OF THE COMPLAINT

The nature of the complaint and, where appropriate, the identity of the complainant will be made available to the employee against whom a complaint is made and to his/her representative. The identity of the complainant will only be withheld in exceptional circumstances e.g. where the Establishment Head has concerns regarding the care and welfare of pupils or employees or considers that there is a need to involve external agencies (e.g. police, social services).

In relation to anonymous complaints made against employees, Establishment Heads should refer to the guidance in section 1.4 of this procedure.

In relation to malicious complaints against employees, Establishment Heads should refer to the guidance in section 1.10 of this procedure.

Where a complaint involves an allegation of commission of a criminal offence, sexual misconduct or serious industrial/professional misconduct, by an employee, the Head of Education is responsible for managing the complaint – (NOT the Establishment Head in consultation with the Director of Community Services).

2.5 TIMESCALES FOR NOTIFYING AND INTERVIEWING AN EMPLOYEE WHO IS THE SUBJECT OF A COMPLAINT

The employee who is the subject of a complaint shall be informed of the complaint by the Establishment Head without delay, or as soon as is practicable after the complaint is received.

The Establishment Head shall interview the employee (together with their representative) within 7 working days in order to determine the employee’s perspective of the complaint.

2.6 EMPLOYEE’S RIGHT TO TRADE UNION OR OTHER REPRESENTATION

The employee shall be informed of their right to trade union or other representation at all stages of the complaints procedure.

2.7 MANAGING A COMPLAINT WHERE THE EMPLOYEE ACCEPTS THAT THE COMPLAINT IS JUSTIFIED

Where the employee accepts that a complaint is justified, the following outcomes are available:
(a) In relatively minor cases the Establishment Head and employee will formally agree remedial action as appropriate. The complainant will be advised of the outcomes including the date when the outcomes will be implemented using one of the template letters detailed in Appendix 2. The complaint file will be closed.

Or

(b) In more serious cases, the Establishment Head may initiate appropriate disciplinary procedures against the employee. Without prejudice to the disciplinary procedures, the Establishment Head may immediately take remedial action in relation to the complaint.

Both the complainant and the employee shall be notified of the outcome of the complaint and of any remedial action in relation to the complaint including the date when the action will be implemented. Notification to the complainant will be made using one of the relevant template letters detailed at Appendix 2.

Notification to the complainant shall be within 20 working days of receipt of the complaint (refer to the timescale for Stage 2, Formal complaints in Section 1.6 of this procedure).
2.8 MANAGING A COMPLAINT WHERE THE EMPLOYEE DOES NOT ACCEPT THAT THE COMPLAINT IS JUSTIFIED

In the case where an employee does not accept that the complaint is justified, the complainant shall be invited to meet with the Establishment Head to discuss the complaint.

The meeting with the complainant should take place within 7 working days of receipt of the complaint, unless there is mutual agreement to slightly delay the meeting.

The meeting with the complainant will follow the process for a Stage 2 Formal Complaint (see section 1.6 of this procedure).

As a result of a meeting with the complainant (and taking into account all meetings with the employee), the following outcomes are available:

(a) The Establishment Head may consider the complaint to be unjustified. In this case, both the complainant and the employee will be notified in writing using the relevant template letter detailed at Appendix 2.

(b) The Establishment Head and employee may both recognise that the complaint is justified and either:

   (i) in relatively minor cases, both formally agree remedial action as appropriate, in which case the complainant will be notified of the remedial action including the date when the action will be implemented and the complaint file closed;

   Or

   (ii) in more serious cases, the Establishment Head may initiate the appropriate disciplinary procedures against the employee.

(c) The employee may not accept the complaint as justified, in which case the Establishment Head will initiate an investigation in accordance with the appropriate disciplinary procedures.

In relation to (b) (ii) and (c) above, and without prejudice to the disciplinary process, the Establishment Head may immediately take remedial action in relation to the complaint.

In all of the above instances, both the complainant and the employee shall be notified of the outcome of the complaint and of any remedial action proposed including the date when the action will be implemented using the relevant standard template letter at Appendix 2.

In all of the above instances, notification to the complainant and the employee should be issued within 3 working days of the meeting with the complainant.
## APPENDIX 1

### SECTION A: Please Complete This Section For All Complaints

<table>
<thead>
<tr>
<th>Name of Establishment</th>
<th>Name and role of individual managing the complaint (this should be the Establishment Head/Head of Education or designated representative)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date and time when the complaint was reported.</td>
<td></td>
</tr>
</tbody>
</table>

**Who is the source of the complaint?**

<table>
<thead>
<tr>
<th>Parent/carer of a child/young person who is receiving education provided by EDC.</th>
<th>Member of the public (who is not a parent/carer of a child/young person receiving education provided by EDC).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Representative of the complainant</td>
<td>Parent Council Member</td>
</tr>
<tr>
<td>Pupil</td>
<td>Elected Member</td>
</tr>
<tr>
<td>MSP/MP/MEP</td>
<td>Other (please state)</td>
</tr>
</tbody>
</table>

**How was the complaint made?**

<table>
<thead>
<tr>
<th>Directly and verbally by the complainant to an employee</th>
<th>By telephone – by the complainant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Directly and verbally by the representative of the complainant</td>
<td>By telephone – by the representative of the complainant</td>
</tr>
<tr>
<td>In a letter which is signed by the complainant</td>
<td>By email – by the complainant</td>
</tr>
<tr>
<td>In an alternative permanent format (please state) which clearly identified the complainant</td>
<td>By email – by the representative of the complainant</td>
</tr>
<tr>
<td>Anonymously (see below)</td>
<td>Other – please state</td>
</tr>
</tbody>
</table>

**Complainant’s details (where known)**

<table>
<thead>
<tr>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
</tr>
<tr>
<td>Post-code</td>
</tr>
</tbody>
</table>

**Contact telephone numbers**

<table>
<thead>
<tr>
<th>Email contact</th>
</tr>
</thead>
</table>

**Is the complainant related to a child/young person receiving education provided by EDC?**

State YES or NO. If YES, please give details:-
Is the complaint anonymous?  

YES ☐   NO ☐

If YES, has the Head of Education been notified of the complaint?

YES ☐   NO ☐

If NO, please state reason for not notifying the Head of Education


SECTION B: About the Complaint (Please Complete This Section For All Complaints)

Please summarise briefly the nature of the complaint. Where the complaint was made in a written form, please attach relevant documents to this form.

Does the complaint involve an allegation against an employee?

YES [ ] NO [ ]

If YES, please complete SECTION C
If NO, please complete SECTION D
SECTION C: To Be Completed Where An Allegation Is Made Against An Employee

Has the complainant been informed that any complaints made against employees are regarded as Stage 2 Formal complaints?

If NO, please ensure that the complainant is informed as soon as possible.

Is the complaint in writing (or other permanent format)?  YES  NO

If NO, the complainant should be asked to put the complaint in writing (or another alternative format) as soon as possible. As some complainants may find this difficult, they should be provided with help/assistance to do this (e.g. advised of their right to a supporter etc.).

Has the employee been informed of the complaint, shown all relevant correspondence, advised of the right to trade union or other representation and been given an opportunity to comment on the complaint?  YES  NO

If NO, please state reasons for not informing the employee

Does the complaint involve an allegation of commission of a criminal offence, sexual misconduct or serious industrial/professional misconduct on the part of the employee?  YES  NO

Allegations involving commission of a criminal offence, sexual misconduct or serious industrial/professional misconduct on the part of an employee must be passed to the Head of Education. Similarly, complaints which are viewed as high risk, complex or of a sensitive nature must also be passed to the Head of Education. Please state the date and time when the complaint was passed to the Head of Education

Has the complainant been invited to an interview?  YES  NO

If NO, please state reason.
<table>
<thead>
<tr>
<th>Please tick relevant box(es):</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Complaint found to be unjustified</strong></td>
</tr>
<tr>
<td>Employee notified and advised no further action</td>
</tr>
<tr>
<td>Complainant notified of outcome in writing and advised no further action</td>
</tr>
<tr>
<td>Complaint file closed</td>
</tr>
<tr>
<td><strong>Complaint regarded as minor case</strong></td>
</tr>
<tr>
<td>Employee accepts that complaint is justified</td>
</tr>
<tr>
<td>Remedial action agreed</td>
</tr>
<tr>
<td>Complainant notified of outcome in writing including the date when remedial action will be implemented</td>
</tr>
<tr>
<td><strong>Complaint regarded as serious case</strong></td>
</tr>
<tr>
<td>Employee accepts that complaint is justified</td>
</tr>
<tr>
<td>Disciplinary procedures initiated</td>
</tr>
<tr>
<td>Remedial action taken</td>
</tr>
<tr>
<td>Employee notified of outcome of complaint and remedial action</td>
</tr>
<tr>
<td>Complainant notified of outcome in writing including the date when remedial action will be implemented</td>
</tr>
<tr>
<td><strong>Employee does not accept that complaint is justified</strong></td>
</tr>
<tr>
<td>Disciplinary procedures initiated</td>
</tr>
<tr>
<td>Remedial action taken</td>
</tr>
<tr>
<td>Employee informed of mechanisms for progressing their case</td>
</tr>
<tr>
<td><strong>Special circumstances requiring the attention of the Head of Education</strong></td>
</tr>
<tr>
<td>Case to be referred to Legal Services and T.U</td>
</tr>
<tr>
<td>Complainant dissatisfied and wishes to progress to Stage 3 Review</td>
</tr>
<tr>
<td>Complainant refused to substantiate claim/meet with Establishment Head</td>
</tr>
<tr>
<td>Health and Safety issues identified</td>
</tr>
<tr>
<td>Inappropriate actions/behaviours of complainant</td>
</tr>
<tr>
<td>Inappropriate actions/behaviour of employee</td>
</tr>
<tr>
<td><strong>Other response – please state</strong></td>
</tr>
</tbody>
</table>
### SECTION E: To Be Completed Where A Complaint Is Made About An Aspect Of Service Delivery.

**What is the level of this complaint?**

<table>
<thead>
<tr>
<th>Stage 1 - informal</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 2 - formal</td>
<td></td>
</tr>
<tr>
<td>Stage 3 - review (should be managed by the Head of Education or the Director of Community Services)</td>
<td></td>
</tr>
<tr>
<td>Stage 4 – appeal</td>
<td></td>
</tr>
</tbody>
</table>

**What area of service policy/procedure is this complaint about?**

<table>
<thead>
<tr>
<th>Key Performance Outcomes</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact on Learners</td>
<td></td>
</tr>
<tr>
<td>Impact on Staff</td>
<td></td>
</tr>
<tr>
<td>Impact on the Community</td>
<td></td>
</tr>
<tr>
<td>Delivery of Education</td>
<td></td>
</tr>
<tr>
<td>Policy Development and Planning</td>
<td></td>
</tr>
<tr>
<td>Management and Support of Staff</td>
<td></td>
</tr>
<tr>
<td>Partnership and Resources</td>
<td></td>
</tr>
<tr>
<td>Leadership</td>
<td></td>
</tr>
<tr>
<td>Other – Please State</td>
<td></td>
</tr>
</tbody>
</table>

**Please indicate the steps taken to manage this complaint**

- Procedure for Stage 1 Informal complaint followed
- Procedure for Stage 2 Formal complaint followed
- Procedure for Stage 3 Review followed
- Complainant advised of his/her right of Appeal to Chief Executive

Where possible and appropriate, please attach copies of any relevant documentation to this Pro-forma.

**Please indicate outcome and/or remedy (if appropriate)**

---

**Pro-forma completed by:**

(PRINT NAME)

**Position:**

**Signature:**

**Date:**
Date
Name
Address
Address
Address
Address

Dear

Further to your letter of ………………….. and our meeting of ……………………, I can now confirm that your complaint has been fully investigated within the terms of the Education Service’s Complaints Procedure.

I have to advise you that as a result of my investigation your complaint has been substantiated and that appropriate action has/is now being taken to remedy the situation and to ensure that there is no repeat.

The action being taken is (INSERT DETAILS INCLUDING THE DATE WHEN ACTION WILL BE IMPLEMENTED.  DO NOT INCLUDE DETAILS OF DISCIPLINARY OR INVESTIGATORY PROCESS INVOLVING A MEMBER OF STAFF OR PUPIL).

May I thank you for taking the time to contact me regarding this matter and for providing me with the opportunity to amend the situation.

In accordance with Council Procedures, if you remain dissatisfied with the outcome of your complaint you have the right to appeal to the Head of Education/Director of Community Services (delete as appropriate).

The address is: (delete as appropriate)

<table>
<thead>
<tr>
<th>Head of Education</th>
<th>Director of Community Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Dunbartonshire Council</td>
<td>East Dunbartonshire Council</td>
</tr>
<tr>
<td>Southbank House</td>
<td>Tom Johnston House</td>
</tr>
<tr>
<td>Strathkelvin Place</td>
<td>Civic Way</td>
</tr>
<tr>
<td>Kirkintilloch</td>
<td>Kirkintilloch</td>
</tr>
<tr>
<td>G66 1XQ</td>
<td>G66 4TJ</td>
</tr>
</tbody>
</table>

Yours sincerely,
Dear

I refer to your letter dated .......... and to our subsequent meeting on .......... and would confirm that the complaint that you had raised has now been fully investigated in accordance with the Education Service’s Complaints Procedure.

I have to advise you that as a result of my investigation it has not been possible to substantiate your complaint and therefore in this instance I do not propose to take further action.

The reason for this is (INSERT REASON).

In accordance with the above complaints procedure, if you are not satisfied with the outcome of your complaint you have the right of appeal to the Head of Education/Director of Community Services (Delete as appropriate).

The address is: (delete as appropriate)

<table>
<thead>
<tr>
<th>Head of Education</th>
<th>Director of Community Services</th>
</tr>
</thead>
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<td>G66 4TJ</td>
</tr>
</tbody>
</table>

Yours sincerely,
APPENDIX 3

FLOW CHARTS SUMMARISING THE 4 STAGES IN MANAGING COMPLAINTS:

• STAGE 1 – Informal complaint

• STAGE 2 – Formal complaint **not** made against an Education Service employee

• STAGE 2 – Formal complaint made against an Education Service employee

• STAGE 3 – Review

• STAGE 4 – Appeal
APPENDIX 3

STAGE 1 – INFORMAL COMPLAINT

Complaint made verbally – either in person or telephone.

Initial exploration of the complaint by the Establishment Head.

Complainant is advised to make a Stage 2: Formal complaint.

Complaint is received in writing (or other permanent format) – process as a Stage 2: Formal complaint.

Complaint is about an employee of the Education Service. Process as a Stage 2: Formal complaint and ask complainant to put his/her concerns in writing.

Within 7 working days of receiving the complaint, the complainant is invited to a more formal meeting with the Establishment Head and other staff (as considered appropriate by the Establishment Head).

Establishment Head agrees remedial action and complainant is informed of the action taken and the date when the action will be implemented.

Complainant notified of outcome(s) in writing and the date when the outcome(s) will be implemented (see Appendix 2) within 10 working days of receiving the complaint. If a formal meeting has been organised then the complainant should be informed within 20 working days. Relevant sections of complaint form completed – see Appendix 1.
STAGE 2 – FORMAL COMPLAINT (NOT MADE AGAINST AN EDUCATION SERVICE EMPLOYEE)

Complaint is received in writing (or other permanent format) and managed by the Establishment Head.

The complainant is invited to a meeting within **7 working days** of receipt of the complaint.

**OR**

Establishment Head progresses the complaint without the need for a meeting.

Complainant asked to agree the content of interview notes and sign them to indicate that they are an accurate reflection of the meeting.

Relevant sections of complaint form completed (see Appendix 1).

Complainant notified of outcome(s) and the date when the outcome(s) will be implemented in writing (see Appendix 2) within **20 working days** of receiving the initial complaint.

The Education Service acknowledges receipt of the complaint within **5 working days** of receiving the complaint.
STAGE 2 – FORMAL COMPLAINT MADE AGAINST AN EDUCATION SERVICE EMPLOYEE

Complainant is asked to put their complaint in writing.

Where complaint is unsubstantiated (i.e. complainant refuses to put his/her complaint in writing or refuses to meet with establishment Head) NFA by Education Service unless involves concerns about the care and welfare of a child/young person/employee – Establishment Head notifies Head of Education.

Written complaint received and processed by Establishment Head / Head of Education/Director of Community Services as appropriate.

Where a complaint involves an allegation of commission of a criminal offence, sexual misconduct or serious industrial/professional misconduct the Head of Education is responsible for managing the complaint in consultation with the Director of Community Services.

Employee who is the subject of the complaint is informed of the complaint without delay and is interviewed (with his/her representative) within 7 working days.

The Establishment Head/Head of Education/Corporate Director (Community) designates an investigating officer to conduct fact finding interviews with all parties.

The investigating officer’s confidential report is submitted to the appropriate officer and issued to the employee prior to any meeting with the employee.

Where the employee accepts that the complaint is justified, action will be taken in line with section 2.7 of Complaints Procedure.

Where the employee does not accept that the complaint is justified, action will be taken in line with section 2.8 of the Complaints Procedure.

Both the complainant and employee are notified of the outcome(s) and the date when the outcome(s) will be implemented in line with the timescales and procedure detailed in sections 2.7 and 2.8 of the Complaints Procedure.
STAGE 3 - REVIEW

Complainant dissatisfied with the way in which his/her complaint has been managed at Stage 2: Formal complaint.

Written request for a ‘Stage 3: Review’ is made by the complainant within **10 working days** of receiving a written response at the end of Stage 2: Formal complaint.

The Head of Education/Director of Community Services will acknowledge the request for a review within **5 working days**.

The Head of Education/Director of Community Services will provide a full response to the complainant including the date when the actions/outcomes will be implemented within **20 working days** from receipt of request for a review.

If more time is required the complainant will be informed of the reason for this (refer to Box 1 ‘Underpinning Principles’ – Page 5: point e).

A ‘Stage 3: Review’ will be processed either by the Head of Education or the Director of Community Services, according to who processed the original Stage 2: Formal complaint.

During the **20 working day period**, the complainant will be invited to meet with the Head of Education/ Director of Community Services.
STAGE 4 – APPEAL

Complainants who remain dissatisfied with the response to a ‘Stage 3: Review’ can make a written request (or request in other permanent format) to the Chief Executive within **10 working days** of receiving the written outcome(s) from the ‘Stage 3 – Review’.

Chief Executive acknowledges receipt of written request within **5 working days** of receipt of the request.

Chief Executive provides a full written response to the appeal including the date when the actions/outcomes will be implemented within **20 working days** of receipt of the appeal request.

If more time is required, the complainant will be informed of the reason for this (refer to Box 1 ‘Underpinning Principles’ – Page 5: point e).

During the **20 working day period**, the complainant will be invited to meet with the Chief Executive.

Where the complainant remains dissatisfied with the outcome(s) of the ‘Stage 4: Appeal’, s/he has the right to progress the complaint to the Scottish Public Services Ombudsman.