

The role of Ofsted in school complaints

21 September 2023

We've seen a significant rise in the number and complexity of complaints schools and trusts receive from parents. It's also clear that many parents seek to fast-track or escalate their complaints via external agencies such as local authorities, local MPs and Ofsted, although more often than not, this can further complicate the process and cause delays.

This is borne out of a rise in complaints about schools to Ofsted by a quarter last year to 14,900. Yet, of all of the complaints received by Ofsted this year, only 16 per cent qualified for investigation.

“Only 16% of complaints qualified for Ofsted investigation”

Ofsted carried out immediate inspections in only 76 cases (less than 1%) and retained information from around 1,530 complaints for the next scheduled school inspection.

The large majority (83%) of complaints made to Ofsted did not qualify for investigation. Those that did were raising whole-school issues, rather than individual matters and most involved safeguarding.

Whole school complaints and safeguarding

Ofsted's remit is to consider complaints about things that affect the whole school rather than individuals. This does not stop parents complaining to Ofsted about a particular issue they're having, but it's worth being clear on the government's guidance that Ofsted cannot:

- Resolve issues between parents and the school
- Ask the school to respond directly to your complaint or take action on it
- Change the outcome of a complaint
- Change the school's complaints process because of a complaint

Unless the complaint raises safeguarding concerns, it's highly unlikely that a parental complaint to Ofsted will trigger an inspection. Ofsted is more likely to record the complaint and use the information when planning the school's next inspection. It is necessary to exhaust the school's internal complaints process prior to raising concerns with external authorities.

This is not deterring parents, who will still do all they can in their bid to ensure their concerns are addressed, and it's easy to understand why, with a lack of clarity around the complaints process, roles, responsibilities and standards.

A lack of clarity and the need to streamline complaints processes

These issues were highlighted in the Academies Regulatory and Commissioning Review earlier this year and the Department for Education (DfE) promised to make the process more streamlined for parents. This included updating the GOV.UK complaints page to make it clearer which organisations should be engaged at which stages.

At the time Ofsted's National Director for Education, Chris Russell, sought to reassure the sector, stating that where complaints are made to Ofsted “the need for immediate action is rare and has not increased alongside the number of complaints”.

Reputational risk

Yet still the challenge persists and the prospect of Ofsted being involved can be disconcerting for school senior leadership teams. Reputation can be at stake. A lot of staff time and resource can also be spent liaising with Ofsted and other agencies where further information is requested.

As such, it is important to try and resolve parental complaints as early as possible, to allay concerns and avoid unnecessary escalation. Doing so can avoid wasting precious time and resource in dealing with complaints at later stages.

Available support for schools and trusts

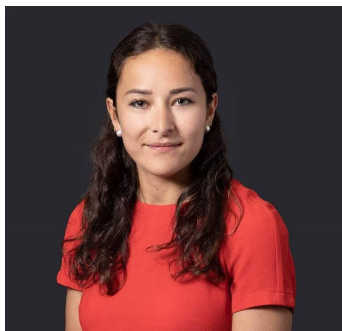
Based on our extensive experience assisting schools in handling parental complaints, we've developed support and resources that help to optimise complaints handling processes, saving time and avoiding unnecessary escalation.

The Complaints Management Support Pack includes a model complaints procedure, best practice guidance, template letters and documents, FAQs and guidance on how to put all of these resources to best use. It's designed by our team of legal experts to help you take a consistent, compliant approach and avoid challenge down the line.

Our Complaints Management Continuous Professional Development (CPD) programme is designed to upskill school managers and leaders, developing their ability to effectively resolve conflict and improve their understanding of the associated governance so they can handle complaints effectively.

If you would like any further information about the above resources or want to talk to us about a specific complaint you are dealing with, please do not hesitate to contact us.

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