



P7 (ISI 33A) – COMPLAINTS POLICY

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| Reviewed By: | Leadership Team | 9 th October 2020 |
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Contents

| | |
|--|----|
| Revision History..... | 3 |
| Abbreviations, Acronyms and Definitions..... | 3 |
| Aim / Objective / Statement of Intent | 4 |
| What constitutes a complaint? | 4 |
| How does the School define a ‘current’ pupil? | 5 |
| The Complaints Process | 5 |
| Stage One – Informal Resolution | 5 |
| Stage Two – Formal Resolution..... | 6 |
| Stage Three – Panel Hearing | 8 |
| External Agencies | 9 |
| Timescales | 9 |
| Illustration of Typical Timetable for term-time only complaints..... | 10 |
| Repetitive, Frivolous or Vexatious Complaints | 11 |
| Confidentiality | 12 |
| Annex A – Complaints Procedure for Pupils | 13 |

Revision History

| Revision | Paragraph Number | Revision |
|----------------|------------------|---|
| November 2017 | | |
| September 2020 | | Updated Format and significant changes to content although the process remains broadly the same. Additional information added for clarity and to detail timescales involved. Section added on vexatious complaints. |

Abbreviations, Acronyms and Definitions

| Abbreviation / Acronym | Definition |
|------------------------|---|
| DSL | Designated Safeguarding Lead |
| ISI | Independent Schools Inspectorate |
| Leadership Team | Consists of: Headmaster, Director of Academic Studies, Director of Music, Bursar, Director of Development, Head of Pastoral Care & DSL. |

Aim / Objective / Statement of Intent

1. It is hoped that The Yehudi Menuhin School will continue to maintain excellent relationships with the parents of pupils. There are however occasions when a parent or pupil may wish to lodge a complaint about the School or a member of staff.
 - We aim to explain the systems we have put in place and to give parents confidence in the School's willingness to listen and determination to be open, honest and fair in the School's dealings with parents.
 - Any complaint or concern will enable the School to modify and improve its procedures.
 - It should be as easy as possible for a parent to submit a complaint.
 - The School will begin by treating complaints as a constructive expression of dissatisfaction with an aspect of school life which deserves a response.
 - The School will treat each complaint seriously however it is made, whether in person or in writing.
 - The School will respond appropriately to any complaint promptly and politely.
 - The School will make and keep a record of complaints so that they are available for consultation in the future.
 - Being subject to the National Minimum Standards for Boarding Schools, the School takes its response to complaints by boarders or their parents extremely seriously and follows the procedure outlined below.
 - All complaints are taken extremely seriously and will be resolved within the timescale set out below.
 - This policy should not be used to appeal exclusions; there is an alternative policy for this. (Please see policy P7.1)
 - This policy does not relate to examination appeals. Information on this process is available from the School's Examinations Officer.

What constitutes a complaint?

2. A complaint is an expression of dissatisfaction. It may be made about the school as a whole, about a specific department or about an individual member of staff. A complaint is likely to arise if a parent believes that the School has done something wrong, or failed to do something that it should have done, or acted unfairly. Parents can be assured that all concerns and complaints will be treated seriously and confidentially. The School is

here for your child and you can be assured that he/she will not be penalised for a complaint that you raise in good faith.

How does the School define a ‘current’ pupil?

- This policy applies to the parents of current pupils. In other words, those who are registered on the formal School roll. Once a pupil has left The Yehudi Menuhin School, they are no longer a current pupil. A parent whose child has left The Yehudi Menuhin School may escalate a complaint that they have already registered informally or at any formal stage, but cannot initiate a new complaint.

The Complaints Process

- The Yehudi Menuhin School operates a three-stage complaints process.

Stage One – Informal Resolution

- The School hopes to resolve all complaints and concerns quickly and informally. Most complaints or concerns can usually be addressed informally and to everybody’s satisfaction through discussion with the appropriate member of staff. The first port of call for most issues would be the pupil’s houseparent. Depending on the nature of the complaint, they may suggest that another member of School staff might be better placed to address the concern (see section below for examples of other responsibility holders).
- Whether a complaint is made in writing, in person or via the telephone, the relevant responsibility holder (See Table 1 below) will acknowledge the complaint within three teaching days of its receipt in term time (in holiday and half-term periods, within two weeks).
- If the member of staff cannot resolve the matter alone, it may be necessary for him or her to consult the Headmaster or another member of the Leadership Team. A member of the Leadership Team will be informed of any informal complaint even if the matter is not yet escalated to them for further action.

| If your complaint is related to: | Please contact: |
|---|---------------------------|
| The pupil’s Houseparent | The Head of Pastoral Care |
| The School’s disciplinary arrangements or | The Head of Pastoral Care |

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| the pastoral support of the School | |
| The pastoral support of a tutor or the arrangements in house | The Houseparent of the pupil's house |
| The teaching in an academic department | The subject teacher or Head of Department |
| The Head of an Academic Department or the School's Academic Policy | The Director of Academic Studies |
| Any aspect of music provision including music tuition | The Director of Music |
| A member of the administrative, bursary, catering, or housekeeping team | The Bursar |
| A member of the Leadership Team | Headmaster |
| The Headmaster | Chairman of Governors (via the Bursar in the role of Clerk to the Governors) |

Table 1 : Examples of Responsibility Holders

8. Complaints may be made either orally or in writing. A written record will be kept of all concerns and complaints and the date on which they were received.
9. The responsibility holder will inform the relevant member of the Leadership Team who line-manages them, on receipt of an informal complaint. Where the complaint is made orally, the relevant member of staff will also include a note of the contents of any discussions. The responsibility holder having duly considered the issue, and acted on it, at his or her discretion will then notify the parent in writing, normally within 30 calendar days of receiving the complaint (in term time, and within 30 calendar days of the start of the next academic half term if it is a holiday period), confirming that the matter has been investigated and explaining what action has been taken in the light of the complaint.
10. If the parent remains dissatisfied with the response provided to the informal complaint, the next step is to pursue a formal complaint under Stage Two.

Stage Two – Formal Resolution

11. If the complaint cannot be resolved on an informal basis, then the parents should put their complaint in writing to the Headmaster, Director of Music or the Bursar. We would expect this to be done within 14 calendar days of receiving communication concluding

the informal stage. The division of responsibility at The Yehudi Menuhin School is as follows:

The Headmaster:

All matters to do with pupil's education, including discipline, academic matters, and pastoral care.

The Director of Music:

All matters relating to the musical provision of the School, including instrumental teaching and performance opportunities

The Bursar:

Financial matters, buildings, grounds and equipment, health and safety and domestic issues.

12. The Headmaster, Director of Music and Bursar consult regularly, particularly when their areas of responsibility overlap. In the event of any formal complaint, the Headmaster will be consulted and will decide, after considering the complaint, the appropriate course of action to take.
13. A formal complaint should commence with the parent briefly setting out in writing the concern, together with a statement as to why it is believed that the investigation and/or action taken at the previous stage was unsatisfactory.
14. The Headmaster, Director of Music or Bursar will respond within three teaching days to acknowledge receipt (in holiday and half-term periods, within two weeks).
15. The recipient of the formal complaint may delegate responsibility for a further investigation into the matter to be conducted by a senior member of staff, independently of conclusions arrived at during the informal stage. In some cases, the Headmaster may commission an independent investigation from a third party.
16. The Headmaster will keep written records of all meetings and interviews held in relation to the complaint.
17. Once the Headmaster is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and parents will be informed of this decision in writing. The outcome of a Stage Two investigation will be communicated to parents in writing by the Headmaster, Director of Music or Bursar usually within one month of the matter being brought to their attention (in term time; within one month of the start of the next academic term if it is a holiday period). They will also give reasons for their decision.
18. If parents are still not satisfied with the decision or believe that the complaint has not been dealt with properly, they should proceed to Stage Three of this procedure.

Stage Three – Panel Hearing

19. If parents seek to invoke Stage Three (following a failure to reach an earlier resolution), they should bring their concern to the attention of the Council of the Governing Body. We would expect this to be done within fourteen calendar days of receiving communication concluding the Stage Two complaint. Access to the Council is via the Bursar (bursar@menuhinschool.co.uk), who will inform the Chair of Governors that a complaint has been raised. If a formal request to invoke Stage Three is *not* received by the School within fourteen days of the sending of the outcome of Stage Two, the School will assume that the matter has been resolved.
20. The Governors will ordinarily appoint three persons not previously directly involved in the matters detailed in the complaint, one of who shall be independent of the management and running of the School; as per DfE guidelines, this person will be someone who has held a position of responsibility and is used to scrutinising evidence and reaching a balanced decision. The Bursar, in capacity as Clerk to the Governors, on behalf of the Panel, will acknowledge the complaint and schedule a hearing to take place as soon as practicable and usually within 30 calendar days of receipt of the request to pursue Stage Three of this process (if received during the holidays, it will be within one month of the beginning of the next academic term).
21. If the Panel considers it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars shall be supplied to all parties not later than 14 calendar days prior to the hearing.
22. The parents may attend the hearing and be accompanied by one other person if they wish. This may be a relative, teacher or friend. Legal representation will not normally be appropriate.
23. The panel will make every effort to accommodate parental availability for dates and will consider parental comments concerning panel composition, however The Yehudi Menuhin School Governing Council has the final say on the composition of the panel and the date of the hearing.
24. If the parents decide not to attend the hearing, the Panel should still convene and the parents' complaint be considered. Only if the parents withdraw their complaint should the Panel hearing be cancelled.
25. If possible, the Panel will resolve the parents' complaint immediately without the need for further investigation. Where further investigation is required, the Panel will decide how it should be carried out.
26. After due consideration of all the facts they consider relevant, the Panel will reach a decision and make recommendations.

27. The Panel will provide a copy of its findings and recommendations to the complainant and, where relevant, the person complained about within 14 calendar days after the hearing. The Panel's decision will be final.
28. The Panel's findings and recommendations will be made available by the Chairman of Governors and Headmaster.
29. A written record will be kept of all complaints and of whether they are resolved at a preliminary stage or proceed to a Panel Hearing.
30. A copy of the Complaints Procedure, together with the number of complaints which reached Stage 2 of the Procedure in the previous academic year, is made available for parents to consult in the School Office or to view on the School website.

External Agencies

31. Where the School's internal procedures have been followed and a parent remains dissatisfied, the ISI may be contacted. ISI inspects all aspects of independent school education and its contact information is as follows:

Telephone +00 44 (0)20 7600 0100

Email concerns@isi.net

32. Boarding parents concerned about the welfare of their child may contact ISI as follows:

Independent Schools Inspectorate, Ground Floor, CAP House, 9-12 Long Lane, London EC14 9HA

Telephone +00 44 (0)20 7600 0100

Email concerns@isi.net

Timescales

33. The timescales set out in this policy refer to complaints made during term time. When a complaint is made during a holiday, the timescales indicated above will commence from the first day of the next term or half-term. Similarly, if a complaint is made just before a holiday, the timescales will be suspended for the duration of the holiday and continue on the first day following the intervening holiday. In all cases, however, the School will endeavour to resolve the complaint as quickly as possible.

| Illustration of Typical Timetable for term-time only complaints | |
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| STAGE ONE | |
| Initial complaint raised | Day 0 |
| Responsibility holder to acknowledge complaint (See paragraph 6) | +3 teaching days |
| Responsibility holder to notify complainant of the result of investigation and any action taken (see paragraph 9) | +30 calendar days |
| STAGE TWO | |
| Complainant to put their complaint in writing to Headmaster, Director of Music or Bursar as appropriate (See paragraph 11) | + 14 calendar days |
| Headmaster, Director of Music or Bursar to respond in writing to acknowledge receipt (See paragraph 14) | + 3 teaching days |
| Headmaster to meet with parents where appropriate (see paragraph 16) | +14 calendar days |
| Submission of written response to Stage Two complaint | + 30 days |
| STAGE THREE | |
| Complainant to raise complaint with Governing Council via Clerk to Governors (See paragraph 20) | +14 calendar days |
| Clerk to Governors to acknowledge complaint and schedule a panel hearing to take place (See paragraph 21) | +30 calendar days |
| Any additional particulars required to be provided to the panel (See paragraph 22) | -14 calendar days prior to hearing |
| Panel to provide findings and recommendations to complainant and where relevant to staff member complained about (See paragraph 28) | +14 calendar days after hearing |
| <i>Note that complaints initiated outside of term time, or which are in progress during holiday periods do not follow the timetable illustration above.</i> | |

Repetitive, Frivolous or Vexatious Complaints

34. The office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' complaint as:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- Insistence upon pursuing meritorious complaints in an unreasonable manner
- Complaints which are designed to cause disruption or annoyance
- Demands for redress that lack serious purpose or value

35. The Yehudi Menuhin School is committed to dealing with all complaints fairly and impartially. We will not normally limit the contact complainants have with our School. However, we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

36. The Yehudi Menuhin School defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the School, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance;
- refuses to co-operate with the complaints investigation process;
- refuses to accept that certain issues are not within the scope of the complaints procedure;
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice;
- introduces trivial or irrelevant information which they expect to be taken into account and commented on;
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales;
- makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced;
- changes the basis of the complaint as the investigation proceeds;
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed);
- refuses to accept the findings of the investigation into that complaint where the School's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education;
- seeks an unrealistic outcome;

- makes excessive demands on School time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in person, in writing, by email and by telephone while the complaint is being dealt with;
- uses threats to intimidate;
- uses abusive, offensive or discriminatory language or violence;
- knowingly provides falsified information; or
- publishes unacceptable information on social media or other public forums.

37. Complainants should try to limit their communication with the School that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached. Whenever possible, the Headmaster or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

38. If the behaviour continues, the Headmaster will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact The Yehudi Menuhin School, causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

39. In response to any serious incident of aggression or violence, we will immediately inform the Police and communicate our actions in writing. This may include barring an individual from The Yehudi Menuhin School.

Confidentiality

40. Parents can be assured that concerns and complaints will be treated seriously and kept confidentially. Correspondence, statements and records relating to individual complaints are to be kept confidential except where the Secretary of State or a body conducting an inspection under Section 162 of the Education Act 2002 requests access to them.

41. All correspondence for the Chairman of Governors should be addressed to the Clerk to the Governors at the School and marked 'private and confidential'.

42. A written record is kept of all complaints which reach Stage 2 of the Complaints Procedure and is reviewed regularly. They are also available for inspection at the School by the Chairman of Governors and Headmaster. The complaints log is also monitored twice a year by the Chairman of the Governor's Education Committee and by the Governor who has particular oversight of matters pertaining to Health and Safety within the School.

The Yehudi Menuhin School received no formal complaints from parents of current pupils during the academic year 2019 – 2020.

Annex A – Complaints Procedure for Pupils

43. There may be an occasion when a pupil is not happy about the way they have been treated by someone inside or outside the School. If this is the case, the pupil should have an informal conversation with a member of staff (ideally the Houseparent), bringing a friend of their own age along if they wish.
44. Having talked about it informally, if the pupil feels that they want to deal with the matter more formally, they may write to the Houseparent or any member of the School's Leadership Team, including the Headmaster.
45. The pupil will be told that the letter/email has been received and is being dealt with within two teaching days, and he/she will be asked to talk the matter through with either the Head of Pastoral Care, the Director of Music, or the Headmaster. As with the informal talks, the pupil may invite a friend of his/her own age, or an adult to be with him/her.
46. If the pupil is still unhappy, they can contact the School's Counsellor or the Independent Listener who will advise the pupil on what to do. The Children's Commissioner for England can also be contacted on any boarding issues.

Useful contacts for Pupils

School Counsellor

Gemma Sharp – counsellor@menuhinschool.co.uk

Independent Listener

Reverend David Ireland – talk@menuhinschool.co.uk

Children's Single Point of Access (C-SPA)

Monday to Friday (9am – 5pm) – 0300 470 9100

24 hour Emergency duty team - 01483 517 898

Email anytime – csmash@surreycc.gcsx.gov.uk

The Children's Commissioner for England

Telephone 0800 528 0731

www.childrenscommissioner.gov.uk/help-at-hand

Childline

Telephone 0800 1111