



Yehudi
Menuhin
School

Complaints Policy

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Summary of Material Changes

| Date | Details |
|-------------|--|
| Autumn 2022 | <p>Paragraph 14 Section added to include request for desired outcome or proposed resolution.</p> <p>Paragraph 21 Sentence added "If the Governors accept that there are grounds for complaint"</p> <p>Paragraph 32 Emphasis added</p> <p>Paragraph 35 Clause added to include refusal or failure to follow procedure to be considered unreasonable behaviour</p> <p>Page 10 Update on the number of formal complaints for the most recent reporting period</p> |
| Summer 2024 | Head to deal with all Stage 2 complaints (except where he is the subject of the complaint); Stage 3 procedures clarified. |
| Autumn 2025 | Clarification of lines of responsibility, especially at Stage 3. |

Abbreviations, Acronyms and Definitions

| Abbreviation / Acronym | Definition |
|------------------------|--|
| DSL | Designated Safeguarding Lead |
| ISI | Independent Schools Inspectorate |
| Leadership Team (LT) | Consists of: Head, Director of Music, Bursar, Deputy Head (Pastoral), Deputy Head (Academic), Director of Development and Marketing, and Hall Director & Head of Commercial Activities. |
| Staff | For the purposes of this policy, the term 'staff' encompasses all those who are employed by the school, those who are self-employed but engaged by the school to provide tuition, volunteers, contractors and supply staff who may be engaged by the school from time to time. |

Aim / Objective / Statement of Intent

1. It is hoped that the 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 its determination to be open, honest and fair in the School's dealings with parents.
 - Complaints may enable the School to modify and improve its processes and practices.
 - 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 orally or in writing.
 - The School will respond appropriately to any complaint promptly and politely. Stages 1 and 2 should be completed within 20 term-time working days, or as soon as possible during holiday time, and Stage 3 should be completed within a further 25 term-time working days.
 - The School will make and keep a record of complaints.
 - Being subject to the National Minimum Standards for Boarding Schools, the School takes its response to complaints by pupils or their parents extremely seriously and follows the procedure outlined below.
 - All complaints will, wherever practicable, be resolved within the timescales 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 that process is available from the School's Examinations Officer.

The School makes its Complaints Procedure available to all parents of pupils and of prospective pupils on the School's website and in the School office during the school day and will ensure that parents of pupils and prospective pupils who request it are made aware that this document is published or available and the number of complaints registered under the formal procedure during the preceding school year. In accordance with paragraph 32(1) of Schedule 1 to the Education (Independent School Standards) Regulations 2014, we will also make available, on request, to Ofsted, the Department for Education (DfE) or the Independent Schools Inspectorate (ISI), details of this Complaints Procedure and the number of complaints registered under the formal procedure during the preceding school year.

This policy document shall state the number of complaints received during the previous school year. ***The School received one formal complaint from parents of current pupils during the academic year 2024/25.***

What constitutes a complaint?

2. A complaint is an expression of material dissatisfaction. It may be made about the School as a whole, about a specific department or about an individual member of staff. A complaint may 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 reasonable complaints, indeed any reasonable concerns, will be treated seriously and confidentially. The School is here for your child and you can be assured that they will not be penalised for a complaint that you raise in good faith.

How does the School define a ‘current’ pupil?

3. 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 School, they are no longer a current pupil. A parent whose child has left the School may pursue a complaint was within the procedure at the date of leaving, but cannot initiate a new complaint.
4. Parent(s) means the holder(s) of parental responsibility for a pupil about whom the complaint relates.

The Complaints Process

5. The School operates a three-stage complaints process.

Stage One – Informal Resolution

6. The School hopes to resolve all complaints quickly and informally. Most complaints 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 or Tutor. Depending on the nature of the issue, they may suggest that another member of School staff might be better placed to address the matter (see section below for examples of other responsibility holders).
7. Whether a complaint is made in writing or in person, the relevant responsibility holder (See Table 1 below) will acknowledge the complaint in writing within three term-time working days of its receipt.
8. If the member of staff cannot resolve the matter alone, it may be necessary for them to consult the Head or another member of the Leadership Team (LT).

Table 1

| If your complaint is related to: | Please contact: |
|--|--|
| The pupil's Houseparent | The Head |
| The School's disciplinary arrangements or the pastoral support of the School | The Deputy Head (Pastoral) |
| The pastoral support of boarding staff or the arrangements in house | The Houseparent of the pupil's house |
| Teaching and learning | Deputy Head (Academic) |
| The Head of an Academic Department or the School's Academic Policy | Deputy Head (Academic) |
| 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 | Head |
| The Head | Chairman of Governors (via the Bursar as Clerk to the Governors) |

9. A digital record will be maintained by the Head's PA of all complaints and the date on which they were received.
10. The responsibility holder will inform the relevant member of LT who line-manages them, on receipt of an informal complaint. Where the complaint was 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 10 term-time working days of the matter being investigated, explaining what action has been taken in the light of the complaint.
11. If the parent remains dissatisfied with the response provided to the informal complaint, they may pursue a formal complaint under Stage Two.

Stage Two – Formal Resolution

12. If the complaint has not been resolved on an informal basis, then the parent may put their complaint in writing to the Head. This should be done within 5 term-time working days of receiving communication concluding the informal stage.
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. The complainant is encouraged to include any details of a desired outcome or proposed resolution; the School will manage expectations accordingly.
14. The Head will respond within 3 term-time working days to acknowledge receipt (in holiday and half-term periods, within two weeks where possible) and in most cases, the Head (or their nominee) will meet or speak to the parents concerned at this stage to discuss the matter. If possible, a resolution will be reached at this stage.
15. The Head 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 Head may commission an independent investigation from a third party external to the School.
16. Written records of all meetings and interviews will be held in relation to the complaint.
17. Once the Head (or their nominee) is satisfied that, so far as is practicable, 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 Head, which should be within 20 term-time working days of the initial complaint being made, or as soon as possible if during holiday time. They will also give reasons for their decision.
18. If the complaint is against the Head, the complaint should be made to the Chair of Governors. The Chair of Governors will nominate someone to determine the complaint. The Stage 2 process described above will then be followed as if the references to the Head (or their nominee) is to the individual nominated by the Chair of Governors to determine the complaint against the Head.
19. If parents are still not satisfied with the decision or believe that the complaint has not been dealt with properly, they may proceed to Stage Three of this procedure.

Stage Three – Panel Hearing

20. If parents seek to invoke Stage Three (following a failure to reach an earlier resolution), they should bring their complaint to the attention of the Chair of Governors. This must be done within fourteen calendar days of receiving communication concluding the Stage Two complaint, via email: david.buckley@menuhinschool.co.uk. If a formal request to invoke Stage Three is *not* received by the School within 14 calendar days of the sending of the outcome of Stage Two, the School will assume that the matter has been resolved.

21. If the Chair accepts that there are grounds for complaint, they will ordinarily appoint three persons not previously directly involved in the matters detailed in the complaint, one of whom 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, as Clerk to the Governors, on behalf of the Panel, will acknowledge the complaint and liaise with the Panel over the scheduling of a hearing to take place as soon as practicable and usually within 30 term-time days of receipt of the request to pursue Stage Three of this process.
22. 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 normally be supplied to all parties not later than 14 term-time days prior to the hearing. The Panel will give such directions as to the hearing as it considers appropriate.
23. The parents may attend the hearing and be accompanied by one other person if they wish. This may be a relative, teacher or friend. It is not anticipated that this companion will act as the complainants' legal representative.
24. The Panel will make reasonable efforts to accommodate parental availability for dates and will consider parental comments concerning panel composition, but the Panel will fix the date of the hearing.
25. 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.
26. 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.
27. After due consideration of the merits of the complaint and all the facts they consider relevant, the Panel will reach a decision and make recommendations.
28. The Panel will provide a copy of its findings and recommendations to the complainant and, where relevant, the person complained about within 14 term-time days after the hearing. The Panel's decision will be final.
29. The Panel's findings and recommendations will be made available by the Chairman of Governors and the Head.
30. 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.
31. 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

32. Where the School's internal procedures have been followed and a parent remains dissatisfied, ISI may be contacted: 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

Repetitive, Frivolous or Vexatious Complaints

Where repeated attempts are made by a parent to raise the same complaint after it has been considered at all three stages, this will be regarded by the School as vexatious and outside the scope of this procedure.

33. 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

34. The School is committed to dealing with 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 unreasonable behaviour and will take action to protect staff from that behaviour, including any which is abusive, offensive or threatening.

35. The 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, for example, 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 or fails to follow the procedure as set out in this policy;
- 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 abusive, offensive, discriminatory, threatening or intimidatory language;
- uses violence;
- knowingly provides falsified information; or
- publishes unacceptable information on social media or other public forums.

36. 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, email or text), as it could delay the outcome being reached. Whenever possible, the Head or Chair of Governors will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

37. If the behaviour continues, the Head will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the 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.

38. 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 School.

Confidentiality

39. Parents can be assured that legitimate 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 109 of the Education and Skills Act 2008 requests access to them.

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

41. 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 Head. The complaints log is also monitored twice a year by the Chair of the Governor's Education & Welfare Committee and by the Governor who has particular oversight of matters pertaining to Health and Safety within the School.

Recording Complaints and use of personal data

Following resolution of a complaint, the School will keep a written record of all formal complaints, noting at which stage there were resolved and what action if any was taken. The School processes data in accordance with its Privacy Notice. When dealing with complaints the School (including any Panel member appointed under the Stage 3 process) may process a range of information, which is likely to include the following:

- Date when the issue was raised
- Name of parent
- Name of pupil
- Description of the issue
- Records of all the investigations (if appropriate)
- Witness statements (if appropriate)
- Name and contact details of member (s) of staff handling the issue at each stage
- Copies of all correspondence on the issue (including emails and records of phone conversations)
- Notes/minutes of the hearing, and
- The Panel's written decision

This may include 'special category personal data' (as further detailed in the School's *Privacy Notice*, but potentially including, for instance, information relating to physical or mental health) where this is necessary owing to the nature of the complaint. This data will be processed in accordance with the School's Data Protection Policy.

The School will keep records of formal complaints and Complaints Panel hearings, as required by regulation. It will do so in accordance with its Data Protection Policy. All records relating to complaints shall be treated as confidential. In addition to where requested by the Secretary of State or an inspector (see above), there may be other circumstances where disclosure of the substance of a complaint or particular confidential records relating to it is required, for example, where there is a legal, regulatory, safeguarding or data protection obligation (e.g. in response to a subject access request) which prevails over the requirement to maintain the records as confidential.

Complaints Procedure for Pupils

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.

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 Head.

The pupil will be told that the letter/email has been received and is being dealt with within two teaching days, and they will be asked to talk the matter through with either the Deputy Head (Pastoral), the Director of Music, or the Head. As with the informal talks, the pupil may invite a friend of his/her own age, or an adult to be with them.

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

counsellor@menuhinschool.co.uk

Independent Listener

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.qcsx.gov.uk

The Children's Commissioner for England

Telephone 0800 528 0731

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

Childline

Telephone 0800 1111