

PCYM COMPLAINTS POLICY

1. Statement and Principles

Aims and Principles

- We are committed to dealing effectively with any concerns or complaint you may have about the provision the services we offer. This policy relates to complaints about The Peterborough Centre for Young Musicians CIC (PCYM).
- We need to know as soon as possible if there is any cause for dissatisfaction. We aim to clarify any issues about which you are not sure and if possible, we will put right any mistakes we may have made. We also aim to learn from our mistakes and use the information we gain to improve our services. Should you become unhappy with PCYM we will try to address your concerns quickly and effectively. We will also try to find resolutions that are reasonable and acceptable to everyone concerned at the earliest possible stage.
- All concerns and complaints will be dealt with in a positive manner and taken seriously, no individual will be penalised or treated unfairly as a result of making a complaint. Through this policy, we aim to put right any matter which may have gone wrong and to review systems and procedures in the light of the relevant circumstances.
- We will make reasonable adjustments for people with disabilities in accordance with the Equality Act 2010.
- This policy is consistent with all other policies adopted by PCYM and is written in line with current legislation and guidance.

Complaints we may not/will not consider

We may not consider complaints in the following circumstances:

- We receive the complaint more than three months after the incident occurred, or for ongoing issues more than six months from the last instance causing complaint
- We receive unreasonable or persistent complaints (please see section 3 below for further information)
- Matters that are the subject of legal action

We will not consider complaints in the following circumstances:

- Where the complaint has been made previously to us about the same or similar issue which has been fully investigated and / or resolved under this policy
- Anonymous complaints
- Complaints made by a third party on behalf of another person without prior authority
- If the complaint is about a third-party provider of a service that is organised or facilitated by us – complaints of this nature should be directed to the service provider

If we decide that we are unable to consider your complaint, we will write to you within three weeks following the receipt of your complaint and explain why. In some circumstances, we may decide that your concern(s) should be considered using another policy or procedure.

Monitoring and Review

This policy will be reviewed every two years or in the following circumstances:

- Changes in legislation and / or government guidance
- As a result of any other significant change or event
- In the event that the policy is determined not to be effective

If there are urgent concerns these should be raised with the Kirsten Goldthorp, Head of Peterborough Music Hub and Centre for Young Musicians in the first instance for them to determine whether a review of the policy is required in advance of the review date.

Roles and Responsibilities

Kirsten Goldthorp	Head of Peterborough Music Hub and Centre for Young Musicians
	Kirsten.goldthorp@peterborough.gov.uk
	07920160035
Morag Richardson	Music Hub Officer
	Morag.richardson@peterborough.gov.uk
	07908223670
Jonathan Lewis	Service Director for Education, Peterborough City Council
	Jonathan.lewis@peterborough.gov.uk

2. Making a Complaint

- It may become obvious to a staff member that an individual is not happy about the actions or services we provide. The staff member should identify that a concern is being raised and should deal with this in accordance with the relevant procedure below. It is a precondition of the complaints procedure that reasonable attempts should be made to resolve issues on an informal basis (at stage 1) and the Chair PCYM shall have the discretion, to be exercised reasonably, not to allow a complaint to be pursued where this precondition has not been met.
- Every parent complaint that reaches stage 2 of the procedure must be recorded, detailing the action taken and the stage at which the complaint was resolved. A record of this will be retained with the complaint file which includes all of the documents relied upon when investigating the complaint.
- The complaint file will 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 it, and in accordance with data protection legislation. Any requests for disclosure of any or all sections of this file will be dealt with on a case by case basis and in line with data protection legislation.
- All complaints that reach stage 2 will be recorded on a complaints log which details the date the complaint was made, key complaints, what stage the complaint went to, whether the complaint was resolved and any actions that occurred as a result of the complaint. This is done to spot any trends arising and can inform us of the need for general or targeted training.

Parent Complaints

Parent complaints follow a three-stage process. With all stages of the complaint a satisfactory conclusion will end the complaints process and in effect close the complaint file, whereas an unsatisfactory conclusion will mean that the complaint will be escalated to the next stage of the process until the whole process is exhausted. This procedure is not available for use by prospective or past parents – it may only be used by parents of current pupils registered at PCYM.

- Stage One – Informal
 - If parents have a complaint, they should normally contact Centre Manager or Hub officer in the first instance. If the member of staff cannot resolve the matter alone, or a complaint is made in writing or by telephone to another member of staff, the complaint will be forwarded to the PCYM Board who will ask the appropriate person (Service Director for Education) to handle the complaint. It may be necessary for the academy to request that a complaint form be completed to aid the understanding of the complaint. The academy will aim to resolve the complaint within ten academy days.
 - Any documents relied upon for this stage of the complaint (including any

complaint form and written response will be retained on the complaint file. If the complaint is closed at this stage the complaint log will be updated. If the academy is unable to resolve the complaint at the informal stage, then parents can escalate the complaint to stage two.

- Stage two – Formal
 - All complaints at this stage must be received in writing unless reasonable adjustments are required. Stage Two complaints about the PCYM can be made in the following ways:
 - Completing a complaint form – available on the PCYM website
 - By phone or in person – only where a reasonable adjustment to handle the complaint over the phone or in person needs to be made. If reasonable adjustments require the complaint to be made verbally then a written record of what the complaint is regarding should be recorded during the phone call / meeting and sent to the complainant.
 - The complaint will be investigated by the Head of Peterborough Music Hub and Centre for Young Musicians. Where the complaint is about the Head of Peterborough Music Hub and Centre for Young Musicians or a member of the PCYM Board (excluding the chair) the complaint will be investigated by the Service Director for Education, PCC or in some cases an independent investigator will be appointed. This will be decided within five days and an acknowledgement of the complaint will be sent to the complainant confirming who will be investigating the complaint and the timescales required to investigate and resolve the complaint.
 - The investigator may delegate the task of collating the information to another staff member but not the decision on the action to be taken. The response should be received in writing within four weeks of the date of the acknowledgement letter for stage two where possible. Any delay in the investigation will be communicated to the complainant at the earliest opportunity.
 - If the complainant remains dissatisfied with the academy's final response, then they are able to progress the complaint to stage three. All documents relied upon for this stage of the complaint will be retained on the complaint file. If the complaint is closed at this stage the complaint log should be updated.
- Stage three – Complaints Panel
 - Stage three is the final stage of the complaints process where the complainant can request a complaint panel hearing. The complainant should contact PCYM's board chair within three weeks of the date of the stage two complaint outcome letter if they would like a complaint panel to be convened. This should include the reasons why they are not satisfied with the outcome of the complaint and the steps that could be taken to resolve the complaint.
 - The panel will consist of at least three people. The composition of the panel may include persons from the following categories:
 - A PCYM Board member
 - A governor from the academy being complained about
 - An individual who is independent of PCYM
 - A senior member of staff from PCYM
 - At least one panel member will be an independent person who is independent of the running and management of PCYM. The panel is independent and impartial. All members of the panel will have no prior involvement in the complaint or in the circumstances surrounding it. The complaints panel will be chaired by the member of staff from PCYM and a clerk will attend to oversee the running of the panel and to take minutes.
 - The panel will be arranged by the Head of Peterborough music Hub and Centre for Young Musicians at a location and time convenient to all parties. This will not exceed four weeks from the date the panel was requested by the

complainant where possible. At any meeting, the complainant will be entitled to be accompanied by a friend, but legal representation will not be allowed. The panel will be held in private and its aim is to resolve the complaint and achieve reconciliation between PCYM and the complainant. However, it is recognised that this might not always be possible, and it may only be possible to establish the facts and make recommendations.

- The complaints panel will proceed irrespective of whether or not the complainant attends. If the complainant fails to attend on the day, the complaints panel will still proceed in their absence and the process will continue to its conclusion. Any further attempt to re-open the matter will be considered as falling under the unreasonable/persistent complaint section as below.
- The panel can:
 - Dismiss the complaint in the whole or in part
 - Uphold the complaint in whole or in part
 - Decide on the appropriate action to be taken to resolve the complaint
 - Recommend changes to systems or procedures to ensure that problems of a similar nature do not recur
 - A letter will be sent to the complainant (by electronic mail or otherwise) confirming the findings and recommendations of the panel within 10 academy days. Where relevant, the copy of the findings and recommendations will be provided to the person complained about. PCYM will update its complaint log, noting the stage at which the complaint was resolved, and action taken by PCYM as a result of the complaint, and the findings and recommendations will be available for inspection.

Non-Parental Complaints

- Stage one – informal
 - Where a concern or complaint has been brought to the attention of / identified by a staff member in person then they will address the issue on the spot, where appropriate. If the complaint has been raised over the phone or in writing the complaint will be forwarded to the appropriate person to handle the complaint. It may be necessary for the PCYM to request that a complaint form be completed to aid the understanding of the complaint.
 - If it is a minor complaint, then this will be dealt with by the relevant member of staff. A full response will be provided within ten days. This may be a written response or can involve a meeting with a staff member.
 - All documents relied upon for this stage of the complaint (including the complaint form and outcome) will be retained on the complaint file. If the complaint is closed at this stage the complaint log should be updated.
 - If the complainant remains dissatisfied with the academy's response, then they are able to progress the complaint to stage two.
- Stage two – formal
 - All complaints at this stage must be received in writing unless reasonable adjustments are required. Stage 2 complaints can be made in the following ways:
 - Completing a complaint form on the website
 - By email to musichub@peterborough.gov.uk – to help us identify that it is a complaint then please put 'complaint' in the subject heading
 - By phone or in person – only where a reasonable adjustment to handle the complaint over the phone or in person has been made. If reasonable adjustments require the complaint to be made verbally then a written record of what the complaint is regarding should be

- recorded during the phone call / meeting and sent to the complainant.
- The complaint will be investigated by the Head of Peterborough music Hub and Centre for Young Musicians. Where the complaint is about the Head of Peterborough Music Hub and Centre for Young Musicians or a member of the PCYM Board (excluding the chair) the complaint will be investigated by the Service Director for Education, PCC or in some cases an independent investigator will be appointed. This will be decided within five days and an acknowledgement of the complaint will be sent to the complainant confirming who will be investigating the complaint and the timescales required to investigate and resolve the complaint.
- The investigator may delegate the task of collating the information to another staff member but not the decision on the action to be taken. The response should be received in writing within four weeks of the date of the acknowledgement letter where possible. Any delay in the investigation will be communicated to the complainant at the earliest opportunity. The decision of the Head of Peterborough Music Hub and Centre for Young Musicians or Service director for Education at this stage is final.
- All documents relied upon for this stage of the complaint will be retained on the complaint file.

3. Unreasonable and persistent complaints

We expect anyone who wishes to raise concerns to:

- Treat all members of PCYM and the community with courtesy and respect
- Avoid the use of violence, or threats of violence, towards people or property
- Allow us a reasonable time to respond to a complaint and follow the complaints procedure
- Whilst we recognise that some complaints may relate to serious and distressing incidents, we will not accept threatening or harassing behaviour towards any members of PCYM or the community.
- In a minority of cases, people pursue their complaints in a way which can either impede the investigation of their complaint or can have significant resource issues for PCYM. 3.2.

This can happen either while their complaint is being investigated, or once the investigation has been concluded. We define unreasonable, persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts, hinder our consideration of their complaints, particularly if the matter appears to be pursued in a way intended to cause personal distress rather than to seek a resolution.

We will not tolerate any form of unacceptable behaviour. In cases of vexatious / unreasonably persistent complaints or abusive behaviour, we may take some or all of the following steps, as appropriate:

- Inform the complainant informally or formally that their behaviour is now considered to be unreasonable or unacceptable, and request a changed approach
- Require any personal contact to take place in the presence of an appropriate witness
- Restrict contact to certain methods, such as in writing or through a third party
- Not reply to or acknowledge any further contact from them on the specific topic of that complaint and / or:
 - Ban the individual from entering the premises
 - Report the matter to the police or take legal action

Any restriction that is imposed on the complainant's contact with us will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will be

in place for. PCYM will always be involved with a decision to apply any or all the steps detailed above unless emergency action is required. Legitimate new complaints will always be considered and treated on their merits.