



<b>Policy Area:</b>	Complaints policy		
<b>Date:</b>	September 2016	<b>Policy code:</b>	C1
<b>Last reviewed:</b>	March 2023	<b>Reviewed by:</b>	Esma Izzidien
<b>Next review:</b>	January 2024	<i>(For all review dates see end of document)</i>	

**Concerns vs Complaints**

A ‘concern’ may be treated as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’. A complaint may be generally recognised as ‘an expression or statement of dissatisfaction however made, about actions taken or a lack of action’.

It’s in everyone’s interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to follow formal procedures. We take informal concerns seriously and make every effort to resolve the matter as quickly as possible. However, there will be occasions when complainants want to raise their concerns formally. In those cases, this complaint procedure should be followed.

**Introduction to complaints procedure**

We believe that our school provides a broad and balanced education for all our children, and that the Headteacher, Lead Teachers and other staff work very hard to build positive relationships with all parents and the community. However, the school is obliged to have procedures in place in the event of possible complaints. This policy sets out the procedure that the school follows in such cases. If any parent is unhappy with the care or education that their child is receiving, or has any concern relating to the school, we encourage that person to talk to the child’s class teacher in the first instance. Teachers are always available at the end of the day to discuss any such concerns but can also meet at other times. Parents can ask for a meeting via the school administrator. This policy sets out the procedure for making and dealing with a complaint.

**Aims and Objectives**

Our school aims to be fair, open and honest when dealing with any complaint. We give careful consideration to all complaints and deal with them as swiftly as possible. We aim to resolve any complaint through dialogue and mutual understanding and, in all cases, we put the interests of the child above all other issues. We provide sufficient opportunity for any complaint to be fully discussed, and then resolved.

**Legal Requirements**

The Education Act 2002 Section 29 requires governing bodies to establish procedures for dealing with complaints. The Welsh Assembly Government Guidelines (Circular 3/2004) should be considered when drawing up procedures.

### **How to raise a concern or make a complaint:**

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf of a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or deputy head, **Abigail Eynon**. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should avoid approaching individuals not set out in the procedure to raise concerns or complaints. They have no power to act on concerns and complaints and it may also prevent them from considering complaints at stages of the procedure.

Complaints against school staff (except the headteacher) should be made in the first instance, to **Esma Izzidien** (the headteacher) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to Sally Bashir (Legal and accounts Manager), via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

### **Anonymous complaints**

We will not normally investigate anonymous complaints. However, the headteacher or deputy head, if appropriate, will determine whether the complaint warrants an investigation.

### **Time scales**

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

### **Complaints received outside of term time**

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

### **Scope of this Complaints Procedure**

This procedure covers all complaints about any provision of community facilities or services by Cardiff Montessori School, other than complaints that are dealt with under other statutory procedures, including: Statutory assessments of Special Educational Needs, Matters likely to require a Child Protection Investigation, Whistleblowing, Staff grievances, Complaints about services provided by other providers who may use school premises or facilities, complaints about public spaces, Staff conduct (Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.)

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against Cardiff Montessori School Ltd in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

### **Resolving complaints**

At each stage in the procedure, Cardiff Montessori wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

### **Withdrawal of a Complaint**

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

## **THE COMPLAINT PROCESS**

**All correspondence concerning complaints will be retained by the school and kept confidential.**

Our complaints process is based on the guidelines below:

### **Raising a concern: Pre-complaints**

If a parent is concerned about anything to do with the education or care provided by our school they should, in the first instance, discuss the matter with the class lead teacher or administrator if the issue is an operational / logistical one. Most concerns can be resolved informally in this way.

### **Stage 1: Formal complaint**

If a parent is concerned about anything to do with the education or care provided by our school and they feel unable to resolve it informally they should make a formal complaint to the head of department or deputy head of school via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The head of department or deputy head will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

Within this response, they will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The deputy head can consider whether a face to face meeting is the most appropriate way of doing this.

During the investigation, the deputy head will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the deputy head will provide a formal written response within 7 school days of the date of receipt of the complaint. If unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Cardiff Montessori will take to resolve the complaint. The complainant will also advise of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

*For the purpose of clarification these persons are: Abigail Eynon (Deputy head teacher) Esma Izzidien (Headteacher)*

If the complaint is related to the person due to deal with the complaint and the complainant feels unable to discuss it with them they can approach persons outlined in stage 2 of the procedure.

*Complaint NOT Satisfied move onto next stage*

## **Stage 2: Formal complaint**

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with the head teacher. (If the complaint is about the headteacher the stage 2 complaint should be dealt with by the legal and account manager Sally Bashir)

A request to escalate to Stage 2 must be made to the administrator, via the school office, within 3 school days of receipt of the Stage 1 response.

The administrator will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The administrator will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, the administrator will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the administrator will inform them of the date the headteacher will review all evidence and proceed in the complainant's absence on the basis of written submissions from both parties to make a decision.

Prior to this meeting the headteacher will review the nature of the complaint and may ask what remains unresolved and what outcome the complainant would like to see. They may:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the headteacher will provide a formal written response within

14 school days of the date of receipt of the stage 2 complaint.

If the headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions Cardiff Montessori will take to resolve the complaint.

The headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

*Complaint NOT Satisfied move onto next stage*

### **Stage 3**

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a hearing before a panel appointed by the proprietor of three people- two members from Cardiff Montessori Schools who have not been directly involved in matters related to the complaint and one person independent to the school. The school will enlist the services of an independent solicitor to act as the third person on the panel.

A request to escalate to Stage 3 must be made to the administrator, via the school office, within 3 school days of receipt of the Stage 2 response.

The administrator will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 3 school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The administrator will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 10 school days of receipt of the Stage 2 request. If this is not possible, the administrator will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the administrator will inform them of the date. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

One person of the panel must be independent of the management and running of the school. The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate. Representatives from the media are not permitted to attend.

At least 7 school days before the meeting, the administrator will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible

- request copies of any further written material to be submitted to the committee at least 5 school days before the meeting.

Any written material will be circulated to all parties at least 3 school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and Cardiff Montessori with a full explanation of their decision and the reason(s) for it, in writing, within 14 school days.

The letter to the complainant will include details of how to contact the Welsh government if they are dissatisfied with the way their complaint has been handled by Cardiff Montessori School.

### **Recording complaints**

A record of complaints will be kept in the school. The record will include the name of the complainant, the nature of the complaint, date and time complaint received, action(s) taken, result of any investigations and any information given to the complainant including a dated response.

Parents will be able to access this record if they wish to and appropriate, however, all personal details relating to any complaint will be stored confidentially and will be only accessible by the parties involved. Estyn inspectors will have access to this record at any time during visits to ensure actions have been met appropriately.

## Monitoring and Review

The Senior leadership team and the headteacher monitor the complaints procedure, in order to ensure that all complaints are handled properly.

The Administrator logs all complaints received by school and records how they were resolved.

The headteacher takes into account any local or national decisions that affect the complaints process, and makes any modifications necessary to this policy. This policy is made available to all parents on request, so that they can be properly informed about the complaints process.

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### *Review of policy dates:*

<b>Date of review</b>	<b>Reviewed by</b>	<b>Notes</b>
08/2017	Esma Izzidien	
08/2018	Esma Izzidien	
08/2019	Esma Izzidien	
11/2019	Esma Izzidien	
09/2020	Esma Izzidien	Change only to name of deputy
09/2021	Esma Izzidien	No change
01/2022	Esma Izzidien	
January 2023	Abigail Eynon	Change of roles, and name of deputy.
March 2023	Esma Izzidien	Change to independent panel stage 3. Stage 4 removed.

## Complaint Form

Please complete and return to the school administrator, Michelle Thompson, who will acknowledge receipt and explain what action will be taken.

**Page 1:** Complainant details

**Page 2 and 3:** Complaint details

<b>Your name:</b>
<b>Pupil's name (if relevant):</b>
<b>Your relationship to the pupil (if relevant):</b>
<b>Address:</b>  <b>Postcode:</b>  <b>Day time telephone number:</b>  <b>Evening telephone number:</b>



**Please give details of your complaint, including whether you have spoken to anybody at the school about it.**

**What actions do you feel might resolve the problem at this stage?**

**Are you attaching any paperwork? If so, please give details.**

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**