



## GEMS Winchester School, Fujairah

### Complaints Policy

Policy adopted/last reviewed	March 2025
Review cycle	Annually
Policy holder	Principal
Last review	March 2025
Next review	March 2026

It is important that concerns and complaints can be raised and responded to in ways that maintain the professional integrity of the School and protect the needs of everyone. Discussion about the School, its practices and the individual performance of its staff will always take place and this document is intended to outline how specific concerns and complaints may be raised and resolved.

A concern and a complaint are different. A concern may be defined as ‘an expression of worry or doubt over an issue considered to be important for which reassurances are sought’. A complaint may be defined as ‘an expression of dissatisfaction however made, about actions taken or a lack of action’. It is in everyone’s interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. Concerns and complaints are taken seriously at GEMS Winchester School and how we manage them is central to how we are as a school and our endeavours to maintain high levels of openness and transparency in our communication with all stakeholders. We will always make every effort to resolve concerns and complaints as quickly as possible. It is important that all concerns are dealt with at the appropriate level.

In the first instance you should take your concern to the member of staff who you correspond with most commonly but if you have difficulty discussing your concern with that particular member of staff, we will respect this ask that you to correspond with the person who is directly responsible for that particular member of staff. If you are in doubt who to go to you should ask the Head of School who will refer you accordingly. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand that there are occasions when people would like to raise their concerns formally and raise the concern to the level of a complaint following the process below.

### **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 on a complainant, as long as they have appropriate written and signed consent to do so.

Concerns should always be raised with the class teacher, in the first instance, and then it can be escalated up the management line if it remains unresolved in which case the next step is to make a formal complaint.

Written complaints against school staff (except the Principal) should be given to the Vice Principal or Principal. Complaints concerning the Head of School should be made to the Principal and complaints concerning the Principal should be sent to the Cluster Manager for WSF – Mrs Ranju Anand ([ranju.anand@gemseducation.com](mailto:ranju.anand@gemseducation.com)) All formal complaints should be marked Private and Confidential and wherever possible, should have been first raised verbally either as a concern or as a complaint.

Complaints that are anonymous will not normally be investigated and all complaints lodged should be within three months of the incident that provoked the concern.

Complaints and concerns that are considered to also involve or solely involve the direct protection of children will also trigger the engagement of our Designated Safeguarding Officers.

If Complaints are made by members of staff against other members of staff then the GEMS Whistleblowing Policy is also invoked. That policy and procedure document is available on the GEMS Portal and in the staff handbook.

Complaints about external providers should be taken up directly with that provider and the School should be informed of the concern that is being raised. The external providers will have their own complaints procedure that should be followed.

When complaints are made against members of staff which may lead to cautions and disciplinary procedures, the party complaining will not be informed of the details of the disciplinary action that may follow.

The MoE can also receive complaints that may be made against the School and depending on how they judge the complaint will send their compliance teams to work with the School to investigate further and help to resolve the issue.

### **Resolving complaints**

At all stages all parties must share the commitment to finding the best resolution. This can include:

- explanations and evidence to clarify
- understanding how particular situations could have been handled differently or better
- assurances of commitment to ensure the event complained of will not happen again
- 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
- undertakings to review school policies in light of the complaint
- apologies as appropriate and the reestablishment of relationships
- If a complainant wants to withdraw their complaint, they may be asked them to confirm this in writing.

### **Stages in the complaints procedure**

**Stage 1** Many complaints, indeed most complaints, will be dealt with informally when they are made known. The initial point of contact should always be at the base level of the teacher or administrator.

If you are not comfortable with the informal approach then, formal written complaints must be made to the Head of School or Vice Principal (unless they are about the Head of School), who will then delegate the authority to the right level to investigate further.

As soon as a formal complaint is made it will be logged and receipt of the complaint will be acknowledged by email. The investigation will be carried out swiftly and the understanding arising from the investigation including all meetings and interviews will be dated and recorded.

The School will then provide a response detailing the actions taken to investigate the complaint and providing an explanation of any decision made and the outcomes actioned.

If the complaint is about the Head of School it should be addressed to the Principal. If it is about the Principal it should be addressed to the Cluster Lead (please see initial paragraph for details).

Complaints about a member of the school leadership may, at the discretion of the Principal, also require the independent support of a member of the GEMS Corporate Office. An external party to the enquiry (e.g. MoE) may also be brought to investigate complaints that are unlikely to find early resolution.

## Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint. Stage 2 involves a meeting with an external adjudicator, this will be one of: Chair of the Local Advisory Board; Cluster Lead; an appropriate member of the GEMS Corporate Office.

At this stage the external party takes more responsibility to act on the complaint whereas in Stage 1 that party serves to bear impartial witness to the proceedings. Requests to move to Stage 2 should be received in writing within three working days of receipt of the response to a complaint arising in Stage 1. Further meetings and a formal enquiry will then be managed with the enquiry at which the complainant should be present taking place within five days of the request to move to Stage 2.

During this enquiry a further impartial member of the School, or Local Advisory Board or GEMS Corporate Office is invited to attend. The enquiring 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 and at this stage is not encouraged to bring legal representation to the committee meeting.

Representatives from the media may not attend and full confidentiality is expected from all sides.

**Note:** Complaints about staff personal conduct, use of language, dress etc. both in or out of school will not generally be handled under this complaints procedure and when brought forward complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them. The committee brought for the Stage 2 enquiry will not review any new complaints directly or indirectly related to the case or consider evidence unrelated to the initial complaint to. New complaints must be dealt with from Stage 1 of the procedure.

The committee will consider the complaint and all the evidence presented and may then either uphold the complaint in whole or in part or dismiss the complaint in whole or in part. If the complaint is upheld in whole or in part, the committee will then decide on the appropriate action to be taken to resolve the complaint. Where appropriate it may also recommend changes to the school's systems or procedures to prevent similar issues in the future. It will provide a full explanation of the decision in writing.

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 the School will take to resolve the complaint including advise to the complainant of how to escalate their complaint (Stage 3) should they remain dissatisfied.

### **Stage 3**

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law they may contact first the compliance unit of the MoE and then also the appropriate member of the GEMS Leadership Team who will review the investigation and in exceptional cases reinvestigate the substance of the complaint, how it was investigated and even overturn any decisions that were made.

### **Complainant responsibilities**

The complainant will receive the most effective response to the complaint when they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

### **Investigator responsibilities**

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

### **The investigator should:**

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

### **Complaints Co-ordinator (Head of School, Vice Principal or Principal)**

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- ensure the smooth running of the complaints procedure
- be aware of issues pertaining to confidentiality and the sharing of third party information as well as all matters pertaining to child protection
- ensure that thorough dated records are maintained throughout
- ensure that the remit of the committee is explained to the complainant
- ensure that both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting.

If children are brought into the investigation careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated. The investigation should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.