

# GICLM COMPLIANCE AND COMPLAINTS POLICY

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1  
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Policy drawn up by Head of School and SLT, DP Coordinator in line with guidance from Examination Boards and IBO. Reviewed, edited and approved by Senior Leadership Team and staff annually.

## GICLM Compliance and Complaints Policy: Contents

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### **Title and Name Index** (as referenced in main body)

CEO	Mr Nishant Garodia
Head of School	Mr Ian Davies
Secondary Headteacher	Mr Patrick Moore
Primary Headteacher	Mrs Mahalakshmi Anand

**Rider:** Please note that this Policy is intended for use by the GICLM community. Any issues or complaints concerning the Examination Boards followed at the school (Cambridge and International Baccalaureate Organization) would be dealt with using the Boards own stated policy documents that stipulate the role of the School in this process.

## Outline of Policy

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An effective Compliance Policy provides clear direction to the **community** (students, parents, teachers and others<sup>1</sup>) about expected behaviours and guides responses to both internal and external questions about practices. GICLM is committed to inclusion across race, gender, faith, identity and abilities. We believe that diversity helps us to fulfil our purpose, realise our vision and exemplify our values.

GICLM will operate within the relevant legislation of the Indian authorities and advisory bodies.

GICLM is committed to protecting individual's personal data, and aims to remain at all times fully compliant with data protection laws and guidance from the relevant regulators. GICLM further commits to ensuring that the planning and writing of all policies and procedures that involve the handling of personal data are guided by the principle of privacy by design, and that individuals' rights to have their data safeguarded are a paramount consideration in GICLM's pursuit of all its operational and strategic practices.

## The difference between a concern and a complaint

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. GICLM takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, the Head of School, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, the Head of School, will refer you to another staff member. 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 however, that there are occasions when people would like to raise their concerns formally. In this case, GICLM will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

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<sup>1</sup> This policy applies to ALL the community as defined for its use

## How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing, email 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 initially with either the class teacher, headteacher. GICLM has an Open Door Policy and welcomes a positive relationship between the community and School. Therefore, community members are encouraged to approach teachers and senior leaders personally to raise and resolve concerns in a collaborative and respectful manner. We expect the majority of all concerns to be dealt with in this manner.

If the issue remains unresolved, the next step is to make a formal **complaint**. In such circumstances the Head of School and subsequently the School Board may be involved at a later stage if further considerations and decisions are required or escalation to this level is needed (see Stages)

Complainants should not approach individual Board members to raise concerns or complaints. They should not act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure if subsequently a personal involvement is declared.

Complaints against school staff (except the headteacher of Primary or Secondary) should be made in the first instance, to the Headteacher of the relevant sections (Primary or Secondary) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the headteacher should be addressed to the Head of School. Complaints that involve or are about the Head of School should be addressed to the CEO of Garodia Education. 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 for our community we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, holding meetings in accessible locations.

## Anonymous complaints

We will not normally investigate anonymous complaints. However, the Head of School or CEO 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 GICLM other than complaints that are dealt with under other statutory procedures, including those listed below.

Internal	Who to contact
<ul style="list-style-type: none"> <li>Admissions to schools</li> <li>Assessments of Special Educational Needs</li> </ul>	Concerns about admissions, assessments of Special Educational Needs, are dealt with in the Admissions Policy
<ul style="list-style-type: none"> <li>Matters likely to require a Child Protection Investigation</li> </ul>	<p>Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance.</p> <p>If you have serious concerns, you may wish to contact the School designated officer who has responsibility for safeguarding</p>
<ul style="list-style-type: none"> <li>Exclusion of children from school</li> </ul>	This is detailed in the School Handbook.
<ul style="list-style-type: none"> <li>Staff grievances</li> </ul>	Complaints from staff will be dealt with under the school's internal grievance procedures as outlined in the Staff Handbook as issued by HR.
<ul style="list-style-type: none"> <li>Staff conduct</li> </ul>	<p>Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate.</p> <p>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.</p>
<ul style="list-style-type: none"> <li>Complaints about services provided by other providers who may use school premises or facilities</li> </ul>	This will be dealt with by school leadership
External	Who to contact
<ul style="list-style-type: none"> <li>Complaints about external providers for school activities</li> </ul>	This will be dealt with by school leadership
<ul style="list-style-type: none"> <li>Complaints about external examination Boards (eg. Cambridge, International Baccalaureate)</li> </ul>	This will be dealt with by school exam officers and school leadership. The regulations and procedures of said exam board will be followed in such instances. The school will advise and represent students/ parents as necessary.

If other bodies are investigating aspects of the complaint, for example the police, local authority 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 GICLM 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 Internal complaints

At each stage in the procedure, GICLM 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.

## Resolving External complaints

The School will undertake any such action in accordance with the published procedures of the relevant external party (eg. Exam Board). If the external provider has no such procedures in place, the school will construct a formal letter/ process to support the community complainant.

## Withdrawal of a Complaint

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

### Stage I

Formal complaints must be made to the Head of School (unless they are about the head of school), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

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

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

*Note: The head of school may delegate the investigation and subsequent report writing to another member of the school's senior leadership team, but not the decision to be taken. The Head of School would be signator to all final documents.*

During the investigation, the head of school (or investigator) 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 head of school will provide a formal written response within 14 school days of the date of receipt of the complaint.

If the head of school 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 GICLM will take to resolve the complaint.

The head of school will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

Complaints about the head of school must be made to the CEO, via the school office.

## 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 to Stage 2 – a meeting with members of the School Board. This is the final stage of the complaints procedure and will only be activated in exceptional circumstances. Stage 1 is intended to deal with the majority of complaints.

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

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

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

If the CEO deems that a meeting is required, they will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within seven school days of receipt of the Stage 2 request. If this is not possible, the CEO will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the CEO will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints members will consist of the Board who have had no prior involvement or knowledge of the complaint.

The Board 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 but not legal representatives.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by a colleague.

*Note: Complaints about staff conduct will not generally be handled under this complaints procedure. 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. Representatives from the media are not permitted to attend.*

At least two school days before the meeting, the CEO 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 five school days before the meeting.

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

The Board 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 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 Board will consider the complaint and all the evidence presented. The Board 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 Board 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 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 GICLM will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

## Complaint Form

Please complete and return to GICLM (*either head of school / CEO / HR*) who will acknowledge receipt and explain what action will be taken. Please note that for complaints concerning external parties, then their published procedures will commence.

<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>

DRAFT GICLM Compliance Policy.

**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?**

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

**Signature:**

**Date:**

**Official use**

**Date acknowledgement sent:**

**By who:**

**Complaint referred to:**

**Date:**

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## Roles and Responsibilities

### Complainant

The complainant will receive a more effective response to the complaint if 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

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 aware of issues regarding:
  - sharing third party information
  - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- 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.
- ensure that the complainant is fully updated at each stage of the procedure
- keep records.

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

## Meeting Chair

The meeting chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the meeting is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- 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
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the meeting has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted

## Meeting Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting

Parents/carers often feel emotional when discussing an issue that affects their child.

- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The meeting 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 meeting 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.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the meeting considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.

## BIBLIOGRAPHY

Acknowledgement is given to the Model Complaints Procedure (2023) document as provided by the UK Department of Education on its public website from which the structure and content has been amended.