

PEPONI SCHOOLS

Parental Complaints Policy

To be reviewed by:	Headmaster, Peponi School Head, Peponi House Head of Peponi House Kabete Kindergarten
Date of Policy:	January 2025
Review Frequency:	Annually
Review Date:	September 2027

Introduction

At Peponi Schools (the 'School)', we pride ourselves on the quality of the teaching and pastoral care provided to our pupils. However, if parents do have a complaint, they can expect it to be treated by the School in accordance with this procedure.

This policy applies to complaints from parents of current pupils and to parents of former pupils if the complaint was raised when their child was registered as a pupil at the School.

Separate procedures apply in the event of a child protection issue, or if the Head excludes or requires the removal of a pupil from the School and the parent/s seek a review of that decision.

Requests for financial awards, such as claims for compensation, damages or fee refunds, are beyond the scope of the complaint's procedures.

Guiding Principles

The Complaints Policy and Procedures (this Policy) is written with regard to Part 7 of the Education (Independent School Standards) Regulations 2014 and is made available on the School's website and in hard copy on request from the relevant school office.

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the School. The School aims to ensure that any complaint is managed sympathetically, efficiently, quickly and at the appropriate level and resolved as soon as possible.

The School aims to resolve any complaints efficiently and promptly and parents are encouraged to bring any complaints to the School's attention as soon as possible. Timescales for each stage are set out below in the relevant paragraphs. When we refer to working days, we mean Monday to Friday, when the Schools are in full operation during term time. The dates of terms are published on the School's website. Where there are exceptional circumstances resulting in a delay to the timescales for a stage of the complaints procedure, the School will notify the parents and inform them of the new timescales as soon as possible.

All parents should be aware that, regardless of the nature of a complaint and whether or not it is upheld, parents are not entitled to details of any related sanctions imposed on staff, pupils or parents.

USE OF ARTIFICIAL INTELLIGENCE (AI) IN COMPLAINTS AND CORRESPONDENCE

The School recognises that parents may use Artificial Intelligence (AI) tools to assist in drafting correspondence, organising information, or preparing concerns and complaints.

The School welcomes all concerns and complaints that are raised respectfully and constructively. However, parents should be aware that AI-generated content may occasionally contain inaccurate information, incorrect references to legislation or school policies, or conclusions that do not reflect the specific circumstances of a matter. The use of AI does not alter a parent's responsibility for the accuracy and relevance of the information submitted to the School.

The use of AI does not replace the requirement for human judgement, accountability, or compliance with applicable laws and organizational policies. Complainants are expected to review and verify any AI-generated content before submission.

Where a complaint contains extensive legal, procedural, or AI-generated content, the School may seek clarification of the specific concern being raised before progressing the complaint through the relevant stage of this procedure.

Consistent with the principles outlined in the Parent Guide to School Complaints, the School encourages parents to:

- identify the specific concern, complaint, or feedback they wish to raise;
- present information factually and clearly;
- focus on the actions, decisions, or processes giving rise to the concern;
- suggest the outcome they are seeking;
- follow the appropriate stages of the School's Complaints Procedure; and
- Maintain constructive communication focused on supporting the child's education.

The school shall not reject, disregard, or disadvantage a complaint solely because AI was used in its preparation. However, where School believes that the key issue may have become obscured by lengthy, technical, legalistic, or AI-generated correspondence, the School may invite the parent(s) to a meeting, either in person or online, to clarify concerns, establish the facts, and seek an early resolution. Such meetings are intended to promote open communication and ensure that the matter is understood accurately by all parties.

The School's aim will always be to resolve concerns through respectful dialogue, mutual understanding, and a shared commitment to the best interests of the child.

Stage 1 – Informal Resolution

We expect that most complaints can be resolved informally.

Where appropriate, complaints should initially be raised as follows:

Educational issues: if the matter relates to the classroom, the curriculum or special educational needs and disabilities, please speak or write to the pupil's tutor/subject teacher in the first instance.

Pastoral care: for complaints relating to matters outside the classroom, please speak or write to the pupils tutor/Housemaster/Housemistress in the first instance.

Disciplinary matters: a problem over any disciplinary action taken or a sanction imposed (save for exclusion/removal) should be raised first of all with the member of staff who imposed the sanction.

Boarding issues: if the matter relates specifically to the School's boarding provision, please speak or write the Housemaster/Housemistress.

Staff issues: for complaints relating to members of staff, please speak or write to the either the Deputy Head Academic or Deputy Head Pastoral, or the Head. The complaint may be passed to another senior member of staff if appropriate.

Complaints made directly to the Head or a Member of the Senior Leadership Team will usually be referred to the relevant Tutor unless one of the aforementioned deems it appropriate for him/her to deal with the matter personally.

A complaint against the Head should be put in writing to the Board of Directors who will follow the procedure set out in Stage 2.

An informal complaint provided in writing will be acknowledged by telephone, email or letter within three working days of receipt during term time and as soon as practicable during the holidays. A matter raised orally will not necessarily be acknowledged in writing but a record of the matter will be made.

The member of staff dealing with the complaint will make a written record of all complaints and the date on which each was received. The member of staff dealing with the complaint will inform the Head or member of the Senior Leadership Team as appropriate.

The parents will receive a response to the complaint within 15 working days.

If the parent is dissatisfied with the response to the informal complaint or in the event that the complaint cannot be resolved by informal means, the parent may make a formal complaint under Stage 2 in accordance with this procedure.

Stage 2 – Formal Resolution

Complaints will usually only progress to Stage 2 after first being considered at the informal stage and only then if the parent indicates that they wish to escalate a matter to the formal stage.

If a parent is dissatisfied with the response to the complaint under Stage 1, or the complaint requires investigation or involves dissatisfaction with some aspect of the School's policies or management, the complaint should be made under Stage 2.

The full details of the complaint should be set out in writing and sent with all relevant documents and full contact details to the Head.

If the complaint is about the Head, full details should be sent to the Board of Directors. The complaint will be acknowledged by telephone, email or letter within three working days during term time, and as soon as practicable during the holidays, indicating the action that is being taken and the likely time scale.

Investigation

The Head will ask a member of the Senior Leadership Team to act as Investigator.

Where a complaint has been made against the Head, the Board of Directors will appoint an independent Investigator.

The Investigator may request additional information from the parents and may wish to speak to the parents personally, and to others who have knowledge of the circumstances.

Written records will be kept of all meetings and interviews held in relation to the complaint.

The Investigator will prepare a report on the investigation which will be considered by the Head (Board of Directors in the case of the complaint being against the Head). Personal data may be redacted and names anonymised in line with data protection principles.

Decision

The Head (Board of Directors in the case of the complaint being against the Head) will then notify the parent by email or letter of their Stage 2 decision and the reasons for it within 28 working days from the receipt of the formal complaint. Where there are exceptional circumstances resulting in a delay, the parent/s will be notified of this and informed of the new timescales as soon as possible.

Please note that any complaint received within one month prior to the end of a term or half term is likely to take longer to resolve owing to the presence of school holidays and the unavailability of personnel required for the investigation to be undertaken properly.

Stage 3 - Complaints Panel

If parents seek to invoke Stage 3 (following a failure to reach an earlier resolution), they may ask the Head to take this matter to the Directors, on the understanding that the Head is the conduit through which all

communications to the Directors should be made. If the complaint is against the Head an alternative and confidential contact will be provided by the Directors to the parents.

The complaint will be taken to a nominated Director in writing who will convene a Complaints Panel Hearing.

A Complaints Panel Hearing (Hearing) is a hearing to consider those elements of the Stage 2 response to the parent's formal complaint with which the parent remains dissatisfied. The Panel is not obliged to consider any new areas of complaint which have not been previously raised as part of the complaints procedure.

The role of the Complaints Panel is to establish the facts surrounding the complaints that have been made by considering:

i). the documents provided by both parties; and
ii). any representations made by the parents and the Head (or Board of Directors),
iii). and to reach a decision, on the balance of probabilities, as to whether or not to uphold each complaint.

It is not within the powers of the Complaints Panel to make any financial award, nor to impose sanctions on staff, pupils or parents. The Complaints Panel may make recommendations to the School on these matters or any other issues as appropriate.

How to request a Hearing

A request for a Hearing must be put in writing to the Bursar who will pass it to the Convener who has been appointed by the Directors to call hearings of the Complaints Panel. Such a request will usually only be considered if the procedure at Stage 2 has been completed.

The written request should include:

i). a copy of all relevant documents and full contact details;
ii). details of all the grounds of the complaint and the outcome desired;
iii). a list of the documents which the parents believe to be in the School's possession and wish the Complaints Panel to consider; and
iv). whether parents propose to be accompanied to the hearing by someone who is legally qualified.

The Bursar will acknowledge the request for a Hearing in writing within three working days of receipt during term time and as soon as practicable during the holidays.

Every effort will be made to enable the Hearing to take place within 15 working days of receipt of the request. However, parents should note that the Complaints Panel will not normally sit during half terms or holidays.

Parents may withdraw their request for a Hearing at any point up to and including the intended date of the Hearing.

Planning the Hearing

As soon as reasonably practicable, and in any event at least ten working days before the Hearing, the Bursar will send written notification to each party of the date, time and place of the hearing.

Copies of any additional documents for the Complaints Panel to consider should be sent to the Bursar to be received at least seven working days prior to the Hearing.

The Bursar will circulate a copy of the bundle of documents to be considered by the Complaints Panel to all parties at least three working days prior to the Hearing.

Parents may be accompanied to the Hearing by another person, for example a relative or friend. The Hearing is an internal proceeding, not legal proceedings, and so legal representation is not necessary. The role to be played by any legal representative will be at the discretion of the Panel Chair.

If parents do wish to be accompanied by someone who is legally qualified, parents should have notified the Bursar of this in the initial request for a Hearing. If parents did not do so and subsequently wish to be accompanied by a legally qualified person, parents must inform the Bursar of this at least five working days prior to the Hearing.

The parents should note that the Complaints Panel will wish to speak to the parents directly. The legally qualified person will not be permitted to act as an advocate or to address the Hearing unless invited to do so by the Chair of the Panel.

A person will be appointed to take minutes of the Hearing.

Composition of the Complaints Panel

The Complaints Panel will comprise at least three individuals selected by the Convenor who have no detailed prior knowledge of the circumstances of the complaint and will include at least one independent member who has no connection with the management or running of the School. A Head of one other of the Peponi Schools may be a member of the panel if they are independent of the complaint.

The parents may ask the Bursar to inform them who has been appointed to sit on the Complaints Panel ahead of the Hearing.

The Complaints Panel members will appoint one of themselves to be the Chair of the Panel throughout the proceedings. Fair consideration will be given to any reasonable objection to a particular member of the Panel.

The Hearing

The Hearing will proceed notwithstanding that the parent may decide not to attend. In these circumstances, the Panel should consider the parents' complaint in their absence and make findings on the substance of the complaint.

The Hearing will be conducted in an informal manner.

The parties shall have the opportunity to ask questions and make comments in an appropriate manner. The Hearing is not a legal proceeding and the Complaints Panel shall be under no obligation to hear oral evidence from witnesses but may do so and / or may take written statements into account.

All statements made at the Hearing will be unsworn. All present will be entitled, should they wish, to write their own notes for reference purposes but recording of the Hearing will not be permitted.

All those attending the Hearing are expected to show courtesy, restraint and good manners or, after due warning, the Hearing may be adjourned or terminated at the discretion of the Chair. Any person who is dissatisfied with any aspect of the way the Hearing is conducted must say so before the proceedings go any further and their comments will be minuted.

The Chair may, at their discretion, adjourn the Hearing for further investigation of any relevant issue. This may include an adjournment to take legal advice.

A Hearing before the Complaints Panel is a private proceeding. No notes or other records or oral statements about any matter discussed in or arising from the proceeding shall be made available directly or indirectly to the press or other media.

When the Chair of the Panel considers that all the issues have been sufficiently discussed, they will conclude the Hearing.

The Decision

The Panel will make findings about each complaint on the balance of probabilities and may make recommendations to the School. The decision made by the panel is final.

The decision, findings and any recommendations will be confirmed in writing to the parents and, where relevant, the person complained about, within seven working days of the Hearing. The decisions, findings and any recommendations will also be available for inspection on the School premises by the Board of Directors and the Head.

The completion of Stage 3 represents the conclusion of the Complaints Procedure.

Record Keeping

Record keeping and confidentiality

All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

A written record will be kept of all complaints, including whether they relate to boarding provision; whether they were resolved at Stage 1, Stage 2 or Stage 3; and the action taken by the School as a result of the complaint/s (regardless of whether it is /they are upheld).

Information regarding the number of complaints registered under the formal procedure of this Policy during the preceding school year is available to parents of pupils and parents of prospective pupils and, on request, to the Chief Inspector, or an independent inspectorate. There was 1 complaint registered under the formal procedure of this Policy during the 2022-23 school year.

Correspondence, statements and records relating to individual complaints will be kept confidential except where access is requested where disclosure is required in the course of an inspection or under other legal authority or court order.

In accordance with data protection principles, details of individual complaints will be kept only for as long as is considered to be reasonably necessary in the circumstances.

A written record of all complaints is kept and an account of their resolution and/or progress is recorded. Whilst the regulations require that a record of complaints is limited to all those made in writing under a formal part of the procedure, the school will also keep a record of informal complaints. These are kept for management purposes by the Head and SLT to enable patterns of concern to be monitored.

DATA PROTECTION COMPLAINTS HANDLING PROCEDURE AND ODPC REQUIREMENTS

Peponi Schools is committed to protecting personal data and ensuring that all complaints relating to the collection, use, disclosure, storage, retention, or disposal of personal data are handled fairly, promptly, and transparently in accordance with the Data Protection Act, 2019.

Reporting a Data Protection Complaint

A data subject who is dissatisfied with the processing of their personal data may lodge a complaint with the schools for investigation and resolution.

Email the Data Protection Officer (DPO) at dpo@peponihouse.sc.ke or report in person.

URGENT DATA PROTECTION COMPLAINTS AND BREACHES

Where a complaint relates to a suspected personal data breach or any incident likely to pose a high risk to the rights and freedoms of a data subject, the data subject shall be encouraged to report the matter immediately to the Schools.

Such complaints shall be treated as urgent, escalated to the Data Protection Officer without delay, and investigated on a priority basis.

Where the incident constitutes a notifiable personal data breach, the schools shall notify the Office of the Data Protection Commissioner (ODPC) within seventy-two (72) hours of becoming aware of the breach, in accordance with applicable data protection requirements.

All complaints shall be logged in the Data Protection Complaints Register and the complainant shall receive an acknowledgement and next steps within 2 working days.

The complaint shall be reviewed to determine its nature and scope.

Where a complaint is submitted by a third party on behalf of a data subject, the schools shall verify the individual's authority to act on behalf of the data subject and may require written authorization or other lawful proof before processing the complaint or disclosing personal data. This will be done within 5 days of receipt.

The schools will conduct a fair, impartial, and confidential investigation. Records, systems, personnel, and processing activities may be reviewed to establish the facts and determine whether there has been a breach of data protection requirements.

Investigation to commence within 5 working days of the assessment and be completed within 20 working days.

Appropriate corrective, preventive, or remedial actions shall be implemented where necessary.

The complainant shall be informed in writing within 30 calendar days of receipt of the complaint.

- The outcome of the investigation;
- Any actions taken;
- Available avenues for escalation.

Where the complaint cannot be resolved within 30 calendar days, a delay notification is issued within 5 working days of identifying the delay and updated every 10 working days thereafter.

- The complainant shall be notified of the delay;
- Reasons for the delay shall be provided;
- A revised timeline shall be communicated; and
- Progress updates shall be provided regularly.

Where a data subject is dissatisfied with the outcome of the internal complaint-handling procedure, they may escalate the matter by lodging a complaint with the Office of the Data Protection Commissioner (ODPC) pursuant to the Data Protection Act, 2019.

Using the link below;

FILE/LODGE A COMPLAINT