

# SMITH'S WOOD PRIMARY ACADEMY

## Complaints Policy

2026/27



### STATUTORY ACADEMY COMPLAINTS PROCEDURE | PUBLISHED POLICY

| Item                   | Detail                                                                                                                 |
|------------------------|------------------------------------------------------------------------------------------------------------------------|
| Policy owner           | Nick Hobbis                                                                                                            |
| Complaints Coordinator | Nick Hobbis                                                                                                            |
| Approval body          | Governing Body                                                                                                         |
| Approved               | TBC                                                                                                                    |
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## 1. Purpose and statutory basis

Smith's Wood Primary Academy is committed to resolving concerns and complaints fairly, promptly and as close to their source as possible. Complaints are also an important source of organisational learning.

As a standalone academy, Smith's Wood Primary Academy must have and effectively implement a written complaints procedure meeting Schedule 1, Part 7 of the Education (Independent School Standards) Regulations 2014. This procedure provides an informal stage, a formal written stage and, where the complainant remains dissatisfied, a hearing before a panel of at least three people who were not directly involved in the matters complained about, including at least one person independent of the management and running of the academy.

The 2025/26 policy used five stages. This 2026/27 policy adopts the clearer three-stage model recommended in current Department for Education academy complaints guidance while retaining early opportunities for local resolution.

## 2. Core principles

Complaints will be handled impartially, non-adversarially and with a focus on resolution. Complainants will be given a fair opportunity to state their case and identify the outcome sought. Nobody with a conflict of interest or material prior involvement will determine the complaint.

Timescales will be clear. Where a deadline cannot reasonably be met, the academy will explain the delay and provide a revised date. Reasonable adjustments will be made under the Equality Act 2010. Confidentiality will be respected subject to safeguarding, legal, regulatory and inspection requirements.

### 2.1 Named responsibilities at Smith's Wood

Mrs Damms - Headteacher: Ordinarily the decision-maker at the formal complaint stage, unless she is the subject of the complaint or has prior involvement that prevents impartial consideration.

Mr Hobbs - Complaints Coordinator: central point for logging, acknowledging, administering and tracking complaints; maintaining the complaints record; coordinating documentation and timescales; and supporting panel administration. He does not determine a complaint where he is the subject of it or where his prior involvement creates a conflict.

Governing Body / Chair of Governors: provides governance oversight and the appropriate route for complaints about the Headteacher or governors and for Stage 3 panel arrangements. Current office-holder names are maintained in the Academy's published governance information so that the policy does not become inaccurate when governance roles change.

## 3. Scope and who may complain

The statutory procedure applies to complaints from parents or carers of pupils attending Smith's Wood Primary Academy about matters relating to their child. Concerns from other people will be handled respectfully and expediently, although the academy is not required to apply every statutory stage to non-parental complainants.

Complaints about community facilities or services provided directly by the academy are covered unless another statutory or contractual procedure applies. Third-party providers using academy premises should maintain their own complaints arrangements.

## 4. Matters outside this procedure

Separate statutory or specialist procedures apply to admissions and admission appeals; local-authority statutory SEND assessment decisions; suspension and permanent exclusion review routes; child-protection investigations; allegations about adults working with children; staff grievances; whistleblowing; and statutory information-rights requests. Complaints about the academy's application of its Behaviour Policy or its own SEND provision may fall within this procedure.

Where another process applies, the academy will explain the appropriate route. A complaints investigation may be paused or adapted where necessary to avoid prejudicing safeguarding, police, LADO, employment or legal proceedings.

## 5. Concern and complaint

A concern is an expression of worry or dissatisfaction where clarification, reassurance, explanation or local resolution is sought. A complaint is an expression of dissatisfaction about an action, failure to act, decision, service or conduct where a response is sought under this procedure.

The academy will consider substance rather than terminology. A parent does not need to use the word 'complaint' for correspondence to be treated as one.

## 6. Accessibility and representation

The academy will make reasonable adjustments to enable complainants to access the procedure. This may include help to put a complaint in writing, alternative formats, translation or interpretation, adjustments to meetings, additional time where justified, or use of an authorised representative.

Where a third party acts for a complainant, written authority will normally be required before personal information is shared. At a panel hearing, a parent may attend and be accompanied.

Where a meeting takes place at Stage 1, the complainant may request to be accompanied by one person for support. The Academy will normally agree to a reasonable request, subject to safeguarding, confidentiality and the need for the meeting to remain constructive. This does not create a right for another person to act as the complainant's representative or to answer questions on their behalf, unless agreed by the Academy or required as a reasonable adjustment.

Stage 2 is ordinarily conducted as a written investigation and does not include a formal complaint meeting.

At Stage 3, the complainant is entitled to attend the Panel Hearing and may be accompanied in accordance with Section 13 of this policy.

## 7. Time limits

A complaint should normally be raised within three months of the incident or, for a series of related incidents, within three months of the last incident. The academy may accept a complaint outside this period where exceptional circumstances explain why it could not reasonably have been raised sooner.

Requests to escalate should normally be made within 10 school days of the relevant response. Complaints received during a school holiday are treated as received on the next school day for procedural timescales.

## 8. Raising a concern or complaint

Concerns should usually be raised with the member of staff best placed to resolve them, commonly the class teacher or relevant senior leader. Parents should use the school office or agreed communication channels rather than pursuing concerns/complaints at the classroom door at the start or end of the school day when pupil supervision is the priority.

Formal complaints should normally be submitted in writing to Mr Hobbis, Complaints Coordinator, and marked 'Formal Complaint'. Email is acceptable. Mr Hobbis will log, acknowledge and administer the complaint on behalf of the Academy. The complaint should identify the key issues, relevant facts and dates, steps already taken and the outcome sought. The Academy will assist a complainant who has a sufficient reason for needing help to put the complaint in writing. Where the complaint concerns Mr Hobbis, it must instead be submitted directly to Mrs Damms, Headteacher, so that he has no administrative or investigative involvement.

The academy may ask for clarification where a complaint is unclear or exceptionally broad. Clarification will not be used to obstruct access to the procedure.

## 9. Artificial intelligence (AI) and complaints

Smith's Wood Primary Academy encourages complainants to describe their concerns clearly, concisely and, wherever possible, in their own words. The Academy recognises that a complainant may use generative artificial intelligence (AI), translation software or another digital tool to assist them in preparing correspondence. The use of AI does not, in itself, prevent a complaint from being considered under this procedure.

The complainant remains responsible for the content submitted in their name. They should ensure that the complaint accurately reflects their own experience and concerns and should verify all dates, quotations, factual assertions, references to Academy policies and references to legislation before submission.

The Academy may ask a complainant to clarify or restate the substantive issues where AI-assisted correspondence is excessively lengthy, repetitive, contains irrelevant or generic material, makes multiple unsupported legal assertions, or makes it difficult to identify precisely what is being complained about and what resolution is sought. The Academy may provide a concise statement of the issues it understands to be in scope and ask the complainant to confirm or correct that statement before the investigation proceeds.

AI-generated statements, reconstructed quotations, legal interpretations or summaries will not be treated as independent evidence merely because they have been included within a complaint. Where necessary and proportionate, the Academy may ask for the underlying source material or clarification of the complainant's first-hand account.

The Academy will not use AI-detection software as a condition of accepting a complaint and will not classify a complaint as serial, persistent, vexatious or unreasonable merely because AI has been used. However, use of AI does not create an entitlement to require the Academy to respond individually to repetitive, duplicated, irrelevant or generic material that does not alter the substance of the complaint.

Complainants are strongly advised not to enter unnecessary personal, safeguarding, medical or other sensitive information concerning children, staff or third parties into publicly available AI systems. The Academy will not input confidential complaint material into unapproved public AI systems.

The Academy will consider the substance of the complaint fairly regardless of whether AI has been used. Complaint findings and outcomes will remain subject to human consideration and decision-making.

## 10. Stage 1 - Informal resolution

Complaints will normally commence at Stage 1 of this procedure. A complainant cannot ordinarily bypass Stage 1 simply by choosing to label their correspondence a "formal complaint". Where a matter has not previously been considered at Stage 1, the Complaints Coordinator may refer it to the appropriate member of staff or leader for initial informal consideration.

The Academy may, however, move a complaint directly to Stage 2 where it considers this appropriate because of the nature or seriousness of the complaint, where informal resolution would be inappropriate, where the substance of the matter has already been considered informally, or where the complaint concerns the Headteacher or another person for whom the normal Stage 1 route would not be appropriate.

Most concerns should be capable of resolution at Stage 1. The relevant member of staff will listen, clarify the issue and seek an appropriate resolution. This may include a conversation, meeting, explanation, correction, apology for poor communication, practical action or referral to a more appropriate colleague.

The academy will normally acknowledge or make initial contact within two school days and aim to provide an informal response within five school days. If enquiries require longer, the academy will explain when a fuller response can reasonably be expected.

If dissatisfied, the complainant may proceed to Stage 2. The academy's permission is not required.

## 11. Stage 2 - Formal complaint

A Stage 2 complaint must normally be in writing and submitted to Mr Hobbis, Complaints Coordinator. Mr Hobbis will log and acknowledge the complaint within two school days and refer it to Mrs Damms, Headteacher, who will determine the

appropriate investigator and/or consider the formal complaint, subject to prior involvement and any conflict of interest. Where the complaint concerns Mr Hobbis, it must be submitted directly to Mrs Damms and Mr Hobbis will take no part in its administration, investigation or determination.

The investigation may include meetings or discussions with the complainant, staff and witnesses and review of relevant records. Findings will be reached fairly on the information available. The investigator will have no conflict of interest or material prior involvement that would reasonably call impartiality into question.

The academy will normally issue the Stage 2 written response within 10 school days. Where this is not achievable, a revised deadline and reason will be provided. The response will identify the issues considered, explain the investigation, set out findings and conclusions, identify appropriate action or learning that can lawfully be disclosed, and explain how to request Stage 3.

## **12. Complaints about senior leaders and governors**

Complaints about Mrs Damms, Headteacher, should be addressed to the Chair of Governors and submitted via the school office. Mr Hobbis, Complaints Coordinator, may administer correspondence only where this does not create a conflict or expose him to information he should not receive; otherwise an alternative clerk/administrator will be appointed. The Chair, or an impartial person appointed by the Chair, will manage Stage 2. Complaints about the Chair should be submitted to the Vice-Chair or another impartial governor. The name of the current Chair/Vice-Chair will be confirmed through the Academy's published governance information rather than hard-coded into this controlled policy where office-holders may change.

Where a complaint concerns the Chair and Vice-Chair, the whole Governing Body, or a majority of governors, arrangements will be made so that no person complained about investigates or determines the complaint. This may include an external investigator and/or suitably independent panel members.

## **13. Stage 3 - Governing Body Complaints Panel**

If the complainant remains dissatisfied after Stage 2, they may request a Stage 3 panel hearing, normally within 10 school days. The request should identify the grounds for dissatisfaction and outcome sought.

The panel will comprise at least three people who were not directly involved in the matters detailed in the complaint. At least one member will be independent of the management and running of Smith's Wood Primary Academy.

The Clerk will aim to acknowledge the request within two school days and convene the hearing within 20 school days where reasonably practicable. The complainant may attend and be accompanied. If reasonable attempts to agree a date have been made and the complainant cannot or will not attend, the panel may proceed on the written evidence.

### **Attendance and representation at the Panel Hearing**

The complainant is entitled to attend the Panel Hearing and may be accompanied by one other person for support. Where a reasonable adjustment is required, or where there are exceptional circumstances, the Panel Chair may agree to additional support. The accompanying person may provide advice and support to the complainant but will not normally answer questions, address the Panel or present the complaint on the complainant's behalf unless this has been agreed in advance by the Panel Chair or is required as a reasonable adjustment. Legal representation will not normally be permitted, as the Panel Hearing is not a legal proceeding, although any exceptional request will be considered by the Panel Chair in advance. The Academy will normally be represented by the person responsible for the Stage 2 response and/or another appropriate senior member of staff. Mr Hobbis, Complaints Coordinator, may attend to support the administration and procedural management of the hearing, provided he has not had substantive involvement in the complaint that would create a conflict of interest. A Clerk will attend to advise on procedure and maintain the formal record. Witnesses may be invited where the Panel Chair considers their evidence necessary and will normally attend only for the relevant part of the hearing. Pupils will not normally attend a Panel Hearing; where a pupil's views are relevant, these will ordinarily be obtained separately through an appropriate pupil-voice or safeguarding process.

## **14. Panel procedure and outcomes**

The panel will review the complaint fairly and impartially. It is not a disciplinary hearing. Relevant papers will normally be shared with both sides in advance, subject to lawful redaction and safeguarding or confidentiality restrictions. Persons with a conflict of interest will not participate.

The panel may uphold, partially uphold or not uphold the complaint and may make recommendations concerning remedy, policy, procedure, communication, training or organisational learning. It will deliberate in private.

The panel's findings and recommendations will normally be issued within five school days. A copy will be provided to the complainant and, where relevant, the person complained about, and will be available for inspection on academy premises by the proprietor and Headteacher as required by the School Standards. Stage 3 is the final academy stage.

## **15. After the academy procedure - Department for Education**

After completing the academy procedure, a complainant who believes the academy did not follow its published procedure or acted unlawfully or unreasonably in exercising education functions may contact the Department for Education.

The DfE does not normally re-investigate the underlying complaint or overturn the panel's decision. Its role is principally to consider whether the academy had a compliant procedure, followed it, allowed it to be completed and acted within the relevant legal framework.

## **16. Safeguarding interface**

Complaints will be triaged for safeguarding information. Where a child may be at risk of harm, the matter will be passed immediately to the DSL/DDSL team and handled under the Child Protection and Safeguarding Policy and KCSIE 2026.

Where a complaint concerns an adult working with children, the Headteacher or Chair, as applicable, will consider the KCSIE allegations and low-level concerns framework and LADO arrangements. Safeguarding and employment confidentiality may limit what can be disclosed to a complainant.

## **17. Recordings and electronic evidence**

The academy does not routinely record complaint meetings or panel hearings. Where recording is proposed, all parties should agree in advance unless it is required as a reasonable adjustment. Complainants should obtain informed consent before recording conversations or meetings.

The academy may refuse to accept covert recordings as complaint evidence unless exceptional circumstances justify consideration. Electronic material will be assessed for relevance, authenticity, context, lawfulness and safeguarding implications.

## **18. Complaint campaigns**

Where a high volume of substantially identical complaints is received about the same subject, including template or AI-generated complaints, the academy may manage them as a complaint campaign. This does not mean the concerns are automatically rejected.

The academy may issue a standard response, publish a single substantive response, or identify a lead issue. Child-specific or personal matters requiring individual investigation will still be considered separately. The applicable escalation route will be explained.

## **19. Serial, persistent and unreasonable complaint behaviour**

The academy will not label a person serial or vexatious simply because they make a complaint, use every stage, contact their MP, ask difficult questions, use AI, seek advice or disagree with the academy.

Once the procedure has been completed, repeated correspondence making substantially the same points may be treated as serial or persistent. Unreasonable behaviour may include abusive or threatening communication, excessive repetition, demands for outcomes outside the academy's powers, or contact so frequent or voluminous that it materially impedes academy operations.

The merits of a complaint and the manner of communication will be considered separately.

## **20. Restricting contact or stopping responses**

A decision to restrict communication will be taken cautiously. Before stopping substantive responses on the same issue, the academy should have taken every reasonable step to address the concern, provided a clear statement of its position and options, and be receiving repeated contact making substantially the same points.

Reasonable measures may include one named contact, one communication channel, limits on frequency, or requiring an appropriate witness at meetings. Restrictions will be reviewed and will not prevent consideration of a genuinely new complaint or interfere with statutory information rights.

## **21. Confidentiality, records and data protection**

The academy will keep a written record of formal complaints, whether resolved at Stage 2 or proceeding to Stage 3, and action taken regardless of outcome. Correspondence, statements and records relating to individual complaints will be kept confidential except where disclosure is lawfully required, including by the Secretary of State or relevant inspection body.

Records will be stored securely and retained in accordance with the academy's records-management schedule and data-protection obligations.

The academy will not input confidential complaint information into unapproved public AI systems. Any approved AI use involving personal data must comply with academy data-protection and AI governance arrangements and remain subject to human oversight.

## **22. Learning and governance assurance**

Complaints are a source of quality assurance. Anonymised or appropriately minimised themes may be reported to SLT and the Governing Body to identify recurring issues, policy gaps, training needs and service improvements.

Governance oversight will not compromise the independence of governors who may later be required to sit on a complaints panel. Governors should not receive unnecessary detail about unresolved individual complaints.

## **23. Staff conduct arising from complaints**

A complaint may identify information requiring consideration under staff conduct, capability, safeguarding or disciplinary procedures. The complainant is entitled to a complaint outcome but is not a party to confidential employment processes and will not normally be told whether disciplinary action was taken against an individual member of staff.

## **24. Publication and review**

This procedure will be published on the academy website and made available on request. Relevant staff will be trained sufficiently to identify concerns, formal complaints, safeguarding matters and escalation routes.

The Governing Body will review the policy at least annually within the academy's controlled-policy framework and sooner where legislation, DfE guidance or academy learning requires amendment.

## Appendix 1 - Complaint form

| Field                          | Information                                                                                                                                              |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Your name                      |                                                                                                                                                          |
| Pupil name / relationship      |                                                                                                                                                          |
| Preferred contact details      |                                                                                                                                                          |
| What happened?                 | Key issues, dates and people involved.                                                                                                                   |
| Steps already taken            |                                                                                                                                                          |
| Outcome sought                 |                                                                                                                                                          |
| Evidence attached              |                                                                                                                                                          |
| Reasonable adjustment required |                                                                                                                                                          |
| Declaration                    | I confirm that this complaint reflects the concerns I wish the academy to consider and that factual information is accurate to the best of my knowledge. |
| Signature / date               |                                                                                                                                                          |

## Appendix 2 - Complaint route matrix

| Complaint                 | Route                                                                                                                  |
|---------------------------|------------------------------------------------------------------------------------------------------------------------|
| Routine concern           | Stage 1: relevant staff member/leader -> Stage 2: Headteacher via Complaints Coordinator -> Stage 3: Complaints Panel. |
| Member of staff           | Stage 1 where appropriate -> Stage 2: Headteacher or impartial investigator/complaints coordinator -> Stage 3: Panel.  |
| Headteacher               | Stage 2: Chair / appointed impartial investigator -> Stage 3: suitably constituted Panel.                              |
| Chair of Governors        | Stage 2: Vice-Chair / impartial governor -> Stage 3: suitably constituted Panel.                                       |
| Whole Governing Body      | Independent arrangements so persons complained about do not investigate or determine the complaint.                    |
| Safeguarding / allegation | KCSIE/safeguarding route first or in parallel; complaints process adapted or paused as necessary.                      |
| After Stage 3             | Department for Education complaints-compliance route.                                                                  |

## Appendix 3 - AI-assisted complaints: quick guidance

- AI may be used to help organise or draft a complaint; this will not count against the complainant.
- Check the final wording reflects the concerns actually being raised.
- Check dates, names, quotations, policy references and legal claims.
- Remove generic or repeated material that is not relevant.
- Do not place unnecessary confidential information about children or other people into external AI services.
- Keep the complaint focused and state the outcome sought.

- If an AI-assisted submission is exceptionally long or unclear, the academy may ask the complainant to confirm a concise list of issues for investigation.

The academy considers the substance of complaints, not whether every word was drafted without assistance.

## Appendix 4 - Policy control and primary guidance

| Control               | Detail                                                                                                                                                                                                                                                                                                        |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Document title</b> | Complaints Policy 2026/27                                                                                                                                                                                                                                                                                     |
| <b>Version</b>        | 1.0                                                                                                                                                                                                                                                                                                           |
| <b>Owner</b>          | Nick Hobbis                                                                                                                                                                                                                                                                                                   |
| <b>Approval body</b>  | Governing Body                                                                                                                                                                                                                                                                                                |
| <b>Approval date</b>  | 01.09.26                                                                                                                                                                                                                                                                                                      |
| <b>Effective date</b> | September 2026                                                                                                                                                                                                                                                                                                |
| <b>Review date</b>    | September 2027 or earlier if required                                                                                                                                                                                                                                                                         |
| <b>Supersedes</b>     | Complaints Policy 2025/26                                                                                                                                                                                                                                                                                     |
| <b>Change summary</b> | Full rewrite: three-stage statutory model; current DfE scope and timescales; senior-leader/governor routes; safeguarding interface; panel arrangements; DfE escalation; recordings; complaint campaigns; serial/unreasonable correspondence; data protection; and substantive AI-assisted complaints section. |

Primary external framework and guidance:

- Education (Independent School Standards) Regulations 2014, Schedule 1, Part 7.
- Department for Education - Best practice guidance for academies complaints procedures.
- Department for Education - How DfE handles complaints about academies.
- Department for Education - What academies and further education colleges must or should publish online.
- Keeping Children Safe in Education 2026.
- Equality Act 2010.
- UK GDPR and Data Protection Act 2018, as amended.
- Information Commissioner's Office - Freedom of Information and Artificial Intelligence (2026), used by analogy for practical principles concerning AI-assisted public correspondence.
- Disclosure and Barring Service - Using AI tools when contacting DBS (2026), used as current government good-practice advice on checking AI-drafted complaints and protecting personal information.