Suckley School

Data Protection Complaint Handling Procedure

1. Purpose

This procedure explains how the school will handle complaints relating to the use of personal data, in line with:

- The Data Use and Access Act 2025
- UK GDPR
- Data Protection Act 2018

It ensures individuals can exercise their right to complain, and that complaints are handled fairly, promptly, and transparently.

2. Scope

This procedure applies to:

- Parents, pupils, staff, governors, and other individuals
- Complaints about how personal data is collected, used, shared, stored, or retained by the school

This procedure does not replace the school's general complaints procedure but operates alongside it where a complaint concerns data protection.

3. How Individuals can Make a Complaint

Complaints can be made verbally or in writing. However, to help us understand your concern fully and to allow us to deal with your complaint promptly and effectively, we would encourage complaints to be made in writing by completing our standard complaints form.

When making a complaint, please include:

- your name and contact details
- details of your concern or complaint
- any relevant dates or correspondence
- details of any actions you feel would resolve your complaint

Complaints should be sent to the school's Data Protection Lead at head@suckley.worcs.sch.uk or our Data Protection Officer at schooldpo@warwickshire.gov.uk.

4. Roles and Responsibilities

All Staff

- Must recognise data protection concerns
- Must immediately pass any data protection complaint or concern to the Data Protection Lead- Helen Field

Data Protection Lead (DPL)

- Logs and assesses complaints
- Leads investigations
- Coordinates responses
- Liaises with the Data Protection Officer (DPO), where applicable

Data Protection Officer (DPO)

- Provides advice and oversight
- Supports complex cases
- Advises on ICO escalation risks

5. What Is a Data Protection Complaint?

A complaint may include concerns about:

- Inaccurate personal data
- Unlawful or unfair processing
- Excessive data collection or retention
- Inappropriate data sharing
- Failure to respond properly to data protection requests
- Breaches of confidentiality

Complaints do not need to be labelled as “data protection complaints” to fall under this procedure.

6. Procedure Overview

Step 1 – Receipt of Complaint

- Any staff member receiving a data protection concern must:
    - Listen and acknowledge politely
    - If required, ask the individual to complete a complaint form and put their complaint in writing
    - Notify the Data Protection Lead without delay
    - Avoid offering opinions or assurances

Step 2 – Logging and Initial Assessment

- The DPL will:

- Log the complaint in the data protection complaints log
- If required, ask the individual to complete a complaint form and put their complaint in writing
- Confirm whether the issue relates to data protection
- Identify any immediate risks (e.g. breach, safeguarding implications).
- If any doubts over the complainant's identity, request proof of ID.

Step 3 – Acknowledgement

- The school will:
  - Acknowledge receipt within 30 calendar days
  - Confirm the complaint is being investigated
  - Explain what will happen next and expected timescales

If the investigation cannot be completed within the agreed timeframe, the complainant will:

- Be informed of the delay
- Be given a revised response timeframe
- Receive updates as appropriate

Step 4 – Investigation

The DPL (with DPO support where needed) will:

- Review relevant records, systems, and policies
- Speak to staff involved
- Assess compliance with UK Data Protection legislation
- Identify whether remedial action is required

If it is deemed inappropriate for the DPL to manage a complaint relating to data protection, an alternative member of staff will be appointed to do so.

Step 5 – Outcome and Response

The school will issue a formal written response that:

- Explains the outcome clearly and respectfully
- Sets out any actions taken or planned
- Confirms whether the complaint is upheld, partially upheld, or not upheld
- Provides information about next steps and escalation routes

Step 6 – Right to Escalate

If the complainant remains dissatisfied, the response will clearly explain:

- How to escalate the matter internally (if applicable)
- Their right to complain to the Information Commissioner's Office (ICO)
- How to contact the ICO

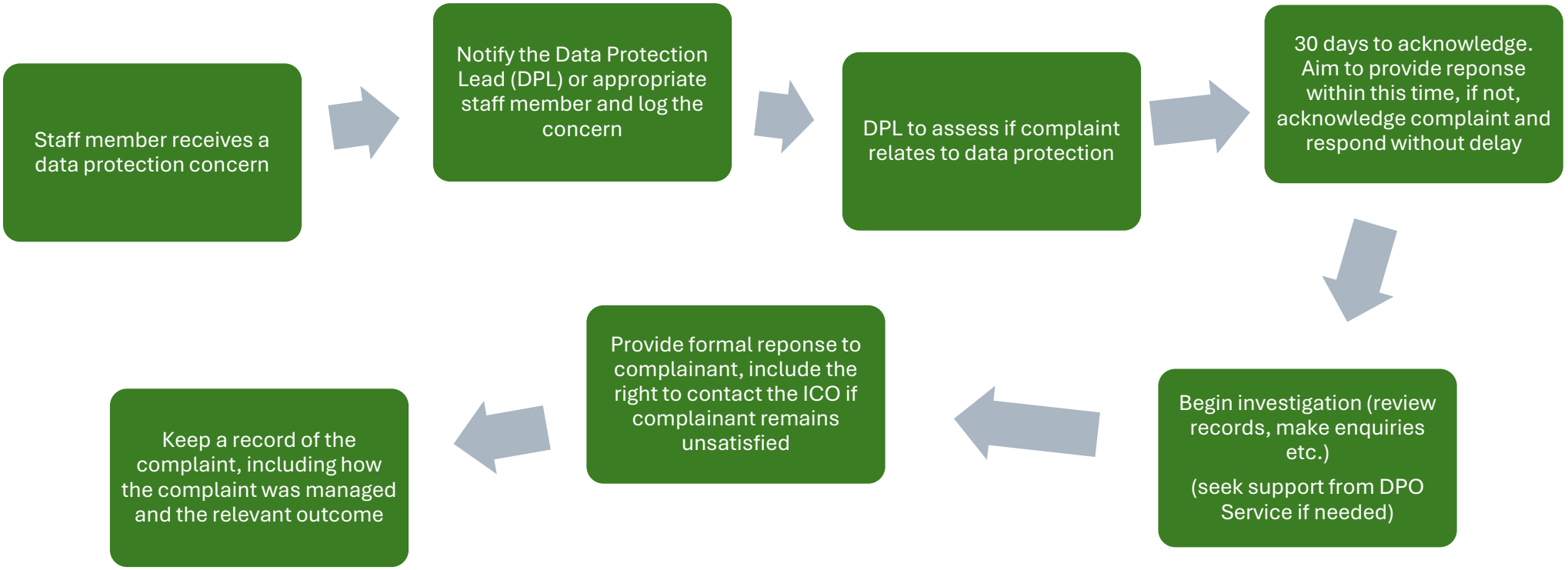
7. Record Keeping

- All data protection complaints and outcomes will be:
    - Logged securely
    - Retained in line with the school's retention schedule
    - Used to identify trends and training needs

8. Review and Monitoring

- This procedure will be reviewed:
    - Annually
    - Following relevant legislative or ICO guidance changes
    - Lessons learned will inform staff training and policy updates.

Data Protection Complaints Procedure.



Data Protection Complaint Form

Please complete and return to [Name and email address] (*DPL/Headteacher/DPO Service/relevant job role*).

Your name:
Pupil's name (if relevant):
Your relationship to the pupil (if relevant):
Address: **Postcode:** **Day time telephone number:** **Evening telephone number:**
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:
Date: