

Data Protection Complaints Policy

1. Purpose

This policy explains how students, parents, staff, and third parties can raise concerns about how the school handles personal information.

The school is committed to handling all data protection concerns fairly, transparently, and in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and the Data (Use and Access) Act 2025. We aim to resolve concerns promptly and effectively before escalation to the Information Commissioner's Office (ICO), although individuals have the right to contact the ICO at any time.

2. Scope

This policy applies to complaints regarding:

- Responses to Subject Access Requests (SARs) and other data protection rights requests
- Concerns about data security incidents or personal data breaches
- The collection, storage, sharing, or use of personal information (including CCTV, educational technology platforms, artificial intelligence tools, biometric systems, and marketing communications)
- Concerns regarding the lawful basis for processing personal data
- Withdrawal of consent or objections to processing under Article 21 UK GDPR
- Concerns regarding automated decision-making or profiling
- Inaccurate, incomplete, or outdated personal records
- Concerns about restrictions on access to records where disclosure may affect safeguarding or legal obligations

3. How to Make a Complaint

Submission Methods

Complaints may be submitted using any of the following methods:

- **Email:** admin@stnicholas.sefton.org.uk
- **Post:** St Nicholas CE Primary School, Nicholas Road, Blundellsands, Liverpool, L23 6TS
- **Telephone:** 0151 924 1204

- **In Person:** At the school office during normal opening hours

A specific form is not required. Complaints may be submitted in writing, verbally, or via any reasonable communication method.

Verbal Complaints

Complaints made verbally (by telephone or in person) will be recorded in writing by the receiving staff member and confirmed with the complainant. The written record will be treated as the formal complaint.

Information to Include

To help us investigate efficiently, please provide:

- Full name
- Contact details
- Details of the concern
- Relevant dates, correspondence, or supporting information where available

Complaints Made on Behalf of Others

If acting on behalf of another person (for example, as a solicitor or family member), written authority to act must be provided.

For children, the school will assess whether the child is competent to exercise their own rights, taking account of age, maturity, and understanding, in accordance with the Gillick competency framework.

Accessibility

This policy is available in alternative formats upon request. Translation or communication support can also be arranged where required.

4. Confidentiality

Complaints will be handled confidentially and information will only be shared with those who need access in order to investigate and resolve the matter.

Information relating to safeguarding concerns may be lawfully restricted where disclosure could place a child or another individual at risk, prejudice safeguarding functions, or conflict with legal obligations.

5. Acknowledgement and Response Timeframes

The school will:

- Acknowledge complaints within **5 working days** of receipt
- Log complaints within **2 working days** and assign responsibility for investigation

Where a complaint relates to the exercise of a statutory data protection right, the school will respond within the timescales required by UK GDPR.

For general data protection complaints, the school aims to provide a full written response within **one calendar month**.

Where a matter is complex, this period may be extended by up to two additional months where permitted by law. If this applies, we will explain the reason for the extension within the first month and provide a revised response date.

If further investigation is required, we will provide progress updates and estimated completion times.

School Closure Periods

During school closure periods, the Data Protection Lead (or designated deputy) will monitor complaint channels at least twice weekly to ensure statutory timescales are maintained.

6. Complaints Handling Responsibilities

Complaints Handler

The **Data Protection Lead** is responsible for receiving, logging, and coordinating the investigation of all data protection complaints.

Data Protection Lead: Mrs R Woods
Email: admin@stnicholas.sefton.org.uk
Telephone: 0151 924 1204

Initial Review

The complaint will be reviewed by the Data Protection Lead and, where appropriate, referred to the Headteacher.

Data Protection Officer (DPO)

The school's Data Protection Officer provides independent expert advice on compliance with data protection law. The DPO is not involved in day-to-day complaints handling but will advise on complex matters, legal interpretation, and regulatory compliance.

DPO: Peter Rafferty

Email: peter@row7education.co.uk.

Telephone: 07824995148

Identity or Authority Verification

Proof of identity or authority to act will only be requested where necessary and proportionate, and where reasonable doubt exists regarding identity or authority.

Outcome

The complainant will receive a written response explaining:

- The findings of the investigation
- Any action taken or proposed
- Reasons where the school declines a request or complaint outcome
- Information about escalation rights to the ICO

Remedial action may include:

- Correcting records
- Staff training
- Policy or procedure improvements
- Security enhancements
- Formal apology where appropriate

7. Internal Review

If dissatisfied with the initial response, a complainant may request an internal review within **20 working days** of receiving the outcome.

The review will be conducted by a senior leader not directly involved in the original decision, with advice from the DPO where required.

A final written response will normally be issued within **15 working days**.

8. Escalation to the ICO

Individuals have the right to complain directly to the Information Commissioner's Office at any stage.

The school encourages complainants to allow internal resolution first where possible, but this is not required.

ICO Website: <https://ico.org.uk/make-a-complaint/>

ICO Helpline: 0303 123 1113

9. Record Keeping

The school maintains a secure record of all data protection complaints in accordance with the accountability principle of UK GDPR.

Records include:

- Date received
- Nature of concern
- Investigation actions taken
- Outcome and resolution date

Complaint records will normally be retained for **3 years** from closure and securely deleted thereafter unless retention is required for legal proceedings or safeguarding purposes.

Document Control

Field	Details
Policy Owner	Data Protection Lead: Mrs R Woods
Approved By	Governing Body
Version	3.0
Last Reviewed	July 2026
Next Review Date	November 2027 (or sooner if legislation changes)

