

Data Protection Complaints Policy

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1 Definitions

Term	Definition
Data	which is stored electronically, on a computer, or in certain paper-based filing systems.
Data Processing	Any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Processing also includes transferring personal data to third parties.
DPA	Data Protection Act 2018 – this data protection law sits alongside the UK GDPR to control how organisations use personal information.
Data Protection Policy	School/Trust policy outlining our compliance with data protection laws.
Personal Data	Any information relating to an identified or identifiable living natural person (a data subject); an identifiable living natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
UK GDPR	UK General Data Protection Regulations – data protection law that controls how your personal information is used by organisations
Individual Rights of a Data Subject	Under GDPR there are 8 individual rights (https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/individual-rights/): • Right to be informed • Right of access • Right to rectification • Right to erasure • Right to restrict processing • Right to data portability • Right to object
Information Commissioner (IC)/Information Commissioner's Office (ICO)	The Information Commissioner/Information Commissioner's Office is the legal authority who managed GDPR and Data Protection.
Privacy Notices	A Privacy Notice can also be known as a "fair processing notice" and is a document that informs data subjects about how their personal data is collected, used and protected. It offers transparency in data processing and helps individuals understand their rights and the risks associated with data collection.

2 Policy Statement

2.1 At St Marys RC Primary School we take our legal obligations under the UK General Data Protection Act (UK GDPR) and Data Protection Act 2018 (DPA) very seriously. We are committed to providing a professional and compliant approach to all data processing activities and strive to investigate complaints in a prompt and effective manner and in accordance with Data Protection laws.

2.2 Section 164A of the Data Protection Act 2018 creates a distinct statutory right for data subjects to complain directly to a school or trust where they consider there has been an infringement of the UK General Data Protection Regulation (**UK GDPR**) or the Data Protection Act 2018 (**DPA 2018**).

3 Purpose

3.1 This policy sets out how you may raise a data protection complaint and how we will deal with and respond to these.

4 Aims

4.1 St Marys RC Primary School will address all data protection complaints and concerns quickly and in line with guidance from the Information Commissioner. This policy aims to:

- 4.1.1 make the complaints procedure easy and accessible
- 4.1.2 deal with complaints and concerns quickly and efficiently
- 4.1.3 advise how we will keep individuals informed
- 4.1.4 provide a clear and timely response to concerns.

5 Scope

5.1 A data protection complaint is an expression of dissatisfaction (whether justified or not) about how we have handled your personal data or any of your data protection rights, including, for example, occasions where you:

- 5.1.1 feel your personal data is not being processed in line with our Privacy Notice(s) or Data Protection Policy or Data Protection Laws;
- 5.1.2 feel we have not dealt with a request to exercise your data protection rights correctly;
- 5.1.3 feel we have not provided a timely response to a previously submitted query or concern;
- 5.1.4 have been adversely affected by a Personal Data Security Breach caused by or involving St Marys RC Primary School

5.2 This policy does **not** cover general complaints which are not related directly to Data Protection matters. These concerns will be dealt with in line with St Marys RC Primary School Complaints Policy <https://www.st-marys-horwich.bolton.sch.uk/>

5.3 Where data protection concerns form part of a wider complaint, we will coordinate our response with the relevant complaints process to ensure you receive a coherent outcome.

6 How to make a complaint

6.1 We hope to facilitate data protection complaints and aim to make raising concerns straightforward. You can complain using our Data Protection Complaints Form by email or post or by contact St Marys RC Primary School directly. If you need an alternative format or reasonable adjustments, please let us know and we will assist.

6.2 You do not have to use a specific form or process to raise a data protection complaint.

6.3 Our contact details are:

- 6.3.1 Post: St Marys RC Primary School, Victoria Road, Horwich, BL6 6EP
- 6.3.2 Email: office@st-marys-horwich.bolton.sch.uk
- 6.3.3 Phone: 01204 336625

7 What happens when we receive a complaint

7.1 We will log your complaint, confirm we have received it, and identify the appropriate person to investigate. We may contact you to clarify the issues or request further information. We will then

provide our findings and any actions we are taking and explain how to raise further concerns if you remain dissatisfied.

7.2 When investigating complaints, we may need to verify identity and request further information. We will respond as fully as we can, but we must also protect confidentiality, legal professional privilege, and the rights of other individuals. This may mean we cannot disclose certain information.

8 Timescales

8.1 We will acknowledge receipt promptly and in any event within 30 days of receiving your complaint. We will begin making appropriate enquiries as soon as we receive it and we will keep you informed of progress. We will provide you with the outcome without undue delay.

9 Escalation to the Regulator

9.1 If you are unhappy with how we have handled your complaint, you can contact the Information Commissioner (IC) for advice or to raise concerns. We will include information about next steps and the IC in our outcome communication to you. You can find further details on the ICO's website at www.ico.org.uk or contact them for advice or to raise concerns.

10 Record keeping

10.1 We maintain records of data protection complaints and outcomes to demonstrate compliance and support reporting obligations where required by law.