

Inclusion is at the
heart of our trust



Data Protection Complaints Policy



Document control table

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Document History

Version	Date	Author	Note of revisions
1	December 2025	C Carlon	New Policy



1. Purpose

We are committed to handling personal data lawfully, fairly and transparently. This policy explains how individuals can raise concerns to us about the way we process their personal data and how we will handle those concerns, in line with the Data (Use and Access) Act 2025 (DUAA) and the UK GDPR and Data Protection Act 2018. The DUAA introduces a statutory requirement for organisations to maintain and operate a data protection complaints process, with specific duties to acknowledge and respond to complaints in defined timescales.

2. Scope

This policy covers data protection complaints only. A data protection complaint is an expression of dissatisfaction about how we have handled personal information (e.g., use, sharing, security, accuracy, retention, rights handling, data breach impacts). It is distinct from the exercise of data protection rights (e.g., subject access, rectification) and from general school complaints processes.

All other complaints e.g. admissions, exclusions, safeguarding concerns, staff grievances will be dealt with under our Trust complaints policy and relevant safeguarding/HR procedures.

This policy applies to any data subject whose personal data we are processing. This will include pupils, parents/carers, staff, volunteers, Members, trustees and governors, contractors and third parties.

3. Principles

We will:

- Provide clear routes for making data protection complaints.
- Investigate and take appropriate steps without undue delay, keep the complainant informed, and communicate the outcome promptly.
- Ensure accessibility, particularly for children and vulnerable individuals, using plain, clear language.
- Record complaints and outcomes to demonstrate accountability and facilitate learning.

4. How to Make a Data Protection Complaint

Complaints can be submitted via:

- **Email:** dpo@oaklp.co.uk or dpo@schoolpro.uk
- **Post:** Oak LP Central Office, Blackley Close, Unsworth, Buty. BL9 8LY
- **Phone:** 0161 553 0030

Please include your full name, contact details, description of the concern, relevant dates, any supporting evidence, and (if acting on behalf of someone) proof of authority. We may ask for ID verification when needed to protect personal data or confirm representation.

If the complaint is made on behalf of someone else, e.g. a solicitor on behalf of a client, proof of authority to act must be provided. In the case of parents complaining about the processing of their child's personal data, we will consider any relevant safeguarding context.

If the complaint is unclear, we will ask for further information so that we can investigate appropriately.

5. Identity verification

To protect personal data, the trust/school may request ID verification before investigating a complaint. Acceptable forms include:

- Passport or driving license (for individuals)
- Written consent (for representatives)

6. Acknowledgement and response times

Complaints will be acknowledged within 30 calendar days.

A full response will be provided without undue delay, typically within 60 days, unless complexity requires more time. If there is likely to be any delay, we will inform the complainant about our progress and ensure that we have a clear record of our communication with the complainant.

7. Investigation process

- **Triage & Clarification** – The Data Protection Officer (DPO), Trust Data Protection Lead or in-school Data Protection Lead will review the complaint, they will seek clarification if needed and assess any risks (including safeguarding).
- **Fact-finding** – We will gather any relevant information, interview staff where appropriate, review systems and records, and assess compliance.
- **Assessment & Actions** – We decide on any remedial steps and actions where necessary (e.g., correction, deletion, process change, training, notification) and document our rationale.
- **Outcome** – We provide a clear written response, explaining findings, actions taken, and your right to escalate to the ICO if dissatisfied.

8. Escalation

If you remain dissatisfied after our response, you may escalate to the Information Commissioner's Office (ICO). The ICO generally expects individuals to raise complaints with the organisation first, and under the DUAA has a framework emphasising internal resolution before intervention.

Contact details: Information Commissioner's Office (ICO), Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF; Tel: 0303 123 1113

9. Data Subjects Rights (DSR)

This policy does not prevent individuals from exercising their data subject rights (e.g., access, rectification, erasure, restriction, objection, portability). Where a complaint arises because of a DSR response (e.g., disagreement over a Subject Access Request scope), we will explain DUAA aligned practices (e.g., reasonable and proportionate search; possible 'stop the clock' for clarification) and the route to escalate if needed.

