DATA PROTECTION COMPLAINTS POLICY

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1. Purpose

This policy outlines how individuals can raise concerns about the way the school handles their personal data, and how those concerns will be addressed in line with the Data (Use and Access) Act 2025 (DUAA) and the UK General Data Protection Regulation (UK GDPR).

2. Scope

This policy applies to any data subject whose personal data we are processing. This will include:

- Children
- Parents/carers
- Staff
- Third parties

Complaints may relate to:

- Inaccurate or outdated personal data
- Unlawful data sharing
- Failure to respond to a Subject Access Request (SAR) or concern about full compliance with a SAR
- Excessive data retention
- Inappropriate use of profiling or artificial intelligence
- Any breach of data protection rights

3. How to Make a Complaint

Complaints can be submitted via:

- **Complaints form** : Appendix A below
- **Email**: office@avishayes.co.uk
- **Post**: Avishayes Primary School and Early Years Centre,
  Fairway Rise,
  Chard,
  Somerset,
  TA201NS
- **Phone**: 01460 63050

We require the complainant's:

- Full name
- Contact details
- Description of their concerns
- Any supporting evidence

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

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 may seek consent from the child if they are able to control their own privacy rights and will also consider any relevant safeguarding context.

4. Identity verification

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

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

5. Acknowledgement and response times

Complaints will be **acknowledged within 30 calendar days**. This includes complaints received during summer holidays.

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.

6. Investigation process

The Data Protection Officer (DPO) or in-school Data Protection Lead will review the complaint. Relevant staff will also be consulted.

The complainant will be informed of the outcome and any remedial actions taken.

7. Escalation

If the complainant is dissatisfied with the outcome, they may escalate the matter to The Information Commissioner's Office (ICO): https://ico.org.uk

8. Record keeping

All complaints and outcomes will be logged securely and retained in line with the school's existing retention schedule for complaints. This is to comply with the Accountability principle of the UK GDPR.

9. Review

This procedure will be reviewed annually or upon significant legislative change.

Appendix A

Complaints Form for Avishayes Primary School and Early Years Centre

Your Name: **Pupil's name:** **Your relationship to the pupil:** **Address:** **Postcode:** **Daytime telephone number:** **Evening telephone number:**
Please give details of your complaint:
What action, if any, have you already taken to try and resolve your complaint. (who did you speak to and what was the response)?

What actions do you feel might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature: **Date:**
<u>School Use</u> **Date acknowledgement sent:** **By whom:** **Complaint referred to:** **Date:**