



DATA PROTECTION COMPLAINTS POLICY & PROCEDURE

Version 1.0

Document Date: 6th June 2026

If you require help in the interpretation of this policy, please contact:

Alvin Scott (Data Protection Officer)
Devon Moors Federation
Coplestone Primary School
Bewsley Hill
Coplestone
Crediton
Devon
EX17 5NX

dpo@devonmoorsfederation.devon.sch.uk

If this document has been printed, please note that it may not be the most up-to-date version.

For the current version please contact the Clerk to the Governors.

1. Introduction

1.1 Castle Primary School is committed to processing the personal data of pupils, parents/carers, job applicants, staff, governors, volunteers and other individuals in compliance with the Data Protection Act 2018, UK GDPR and the Data (Use and Access) Act 2025 (DUAA).

1.2 The DUAA introduced an obligation on schools to take steps to facilitate the making of complaints by any data subjects who consider that there has been an infringement of data protection law in relation to the personal data held about them by the school.

1.3 This Data Protection Complaints Policy has been adopted by Castle Primary School to provide clarity and structure to how the school processes data protection complaints.

2. Purpose

2.1 This policy:

- outlines how the school handles concerns and complaints regarding its processing of personal data
- explains how a concern or a complaint can be raised relating to data protection
- describes how the school will investigate and resolve concerns and complaints
- outlines the data subject's right to a review of the school's decision on the complaint by the Data Protection Officer (DPO) and by the Information Commissioner's Office (ICO).

3. Scope

3.1 The majority of complaints made to Castle Primary School should be administered under the school's separate Complaints Policy. This Data Protection Policy and Procedure solely applies to complaints regarding the school's processing of personal data. The personal data may relate to:

- pupils
- parents/carers
- job applicants
- staff
- governors
- volunteers
- third parties.

3.2 A complaint may relate to:

- how the school has handled a request for copy of personal data (e.g. a subject access request)
- processing of a request for rectification of inaccurately recorded or outdated personal data
- sharing of personal data
- a data breach
- a request for erasure (also known as 'the right to be forgotten') or to restrict processing
- unnecessary retention of personal data
- inappropriate use of profiling or of artificial intelligence (AI)
- any other concern relating to the school's processing of personal data.

4. Responsibilities

4.1 All relevant school staff shall assist with investigations into the complaint as required.

4.2 The headteacher will have operational responsibility for the handling of the complaint.

4.3 The school's Data Protection Officer will oversee compliance and advise the school.

5. Definitions

- *Data Subject*: The individual to whom personal data relates
- *Personal Data*: Any information relating to an identified or identifiable living individual
- *Processing*: Any action involving personal data, including its collection, storage, use, sharing and deletion
- *Concern*: an expression of worry or doubt regarding the school's processing of personal data, focused on a potential risk or seeking reassurance. Concerns can generally be resolved to the satisfaction of the data subject informally through discussion
- *Complaint*: a formal expression of dissatisfaction regarding an action taken regarding the processing of personal data which has already caused harm, requires a formal investigation, corrective action and a written response

6. Raising a concern or making a complaint

6.1 Anyone who believes that the school's collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about the school's data processing should raise this with the school.

CONCERNS

6.2 A concern (as defined in section 5 above) should be raised by speaking to the headteacher either in person or by contacting the headteacher via one of the contact methods listed in paragraph 6.3 below. If the concern can be informally resolved to the data subject's satisfaction through discussion or other informal communication, the formal data protection complaints procedure will not be invoked. However, the headteacher will make the school's DPO aware of the data subject's concern.

COMPLAINTS

6.3 A complaint (as defined in section 5 above) should be made to the headteacher via one of the following methods of communication*:

Email: admin@castletiverton.school

Post: Castle Primary School

Barrington Street

Tiverton

Devon

EX16 6QR

Phone: 01884 253398.

*However during the school's summer holidays in July and August each year, the complaint should instead be emailed to the school's Data Protection Officer via his email address:
dpo@devonmoorsfederation.devon.sch.uk.

6.4 If a complaint has initially been made verbally, the school may request that it is put in writing for the sake of clarity.

6.5 A complaint does not need to use legal terms or cite specific legislation.

6.6 When making a complaint, the data subject is requested to provide:

1. Their name
2. Their contact details
3. A description of their concerns
4. Any relevant dates or other supporting information
5. The outcome they are seeking.

6.7 If a complaint is being made on behalf of someone else, such as a solicitor on behalf of a client, proof of authority to act must be provided.

6.8 An anonymous complaint will be considered and acted upon if sufficient information has been provided to enable an investigation to take place.

7. Administration of a Complaint

7.1 The school will administrate all complaints by following its Data Protection Complaints Procedure (Appendix A below).

8. Right to Reviews

8.1 If, upon receipt of the school's response, the data subject informs the school that they remain dissatisfied with how their data was processed, the school will immediately inform the school's DPO who will review the school's response, including the way in which the complaint was handled.

8.2 The DPO will provide the result of his review directly to the data subject within 30 days of being informed of the need for a review, unless this will not be possible due to the complexity of the complaint. Should an extension of the time required to review the complaint be necessary, the DPO will inform the data subject that this is the case within 30 days of being informed of the need for a review and he will provide a revised timeframe in which the result of the review will be provided. That revised timeframe shall not exceed an additional two months.

8.3 If, upon receipt of the school's decision, the data subject remains dissatisfied with the outcome, they may refer their complaint directly to the Information Commissioner's Office by registering their complaint online: <https://ico.org.uk/make-a-complaint/data-protection-complaints/>.

9. Policy History

9.1 This Policy is maintained by the Data Protection Officer and will be reviewed on an annual basis or upon a significant legislative change. For help in interpreting this policy, please contact:

Alvin Scott

Copplestone Primary School

Bewsley Hill

Copplestone

Crediton

EX17 5NX

Email: dpo@devonmoorsfederation.devon.sch.uk

Policy Date	Summary of Change	Contact	Implementation Date
06/06/2026	New policy created by DPO	Alvin Scott (DPO)	

Appendix A: Data Protection Complaint Procedure (Administrative workflow for school staff & DPO)

1. Receipt of the Complaint

- A complaint may be received in person or via email, post or telephone.
- The recipient member of staff shall immediately inform the Headteacher and the Data Protection Officer that the complaint has been received.

6. Assessment of the Complaint

- The Headteacher (acting on the advice of the DPO):
 - establishes if the complaint relates to personal data and thus falls under the scope of the Data Protection Complaints Policy
 - identifies whether urgent action is necessary (e.g. if a potential data breach is involved)
 - decides whether immediate mitigation steps need to be taken and puts these in place.

2. Recording the Complaint

- The DPO records all relevant details in the school's Data Protection Complaints Record.

3. Verification of the Data Subject's Identity and/or Representative's Authority to Act (if necessary)

- The DPO informs the school whether it will be necessary for the school to request verification of the data subject's identity before proceeding with the complaint.
(Acceptable forms of identification include a passport or driving licence.)
- If the complaint was submitted by the data subject's representative, written consent must be provided from the data subject for the school to engage with the representative.

4. Acknowledgement of the Complaint

- The school aims to acknowledge receipt of the complaint within 5 school days but will definitely do so within 30 days (in compliance with the Data (Use and Access) Act 2025).
- The acknowledgement shall provide an indication of the expected timeframe for the school's response to the complaint and a named member of school staff for the data subject to contact regarding the complaint.
- If advised by the DPO as being necessary, the school's acknowledgement should include a request for verification of identity or a request for written consent (ref. point 3 above).

5. Investigation of the Complaint

1. If the DPO has advised that a request for verification of identity or a request for written consent should be made, *an investigation **must not be started** until the appropriate evidence has been received.*
2. The Headteacher arranges the investigation of the complaint. This may involve speaking to school staff involved and/or consulting with IT support if technical or security issues are involved.
3. The data subject is kept informed about the progress of the investigation at appropriate intervals.

6. Response to the Complaint

- The school prepares and provides its response to the complaint "without undue delay".
(N.B. If the complaint was received during the school's summer holidays, this may impact the timeframe in which the school will be able to provide its response to the complaint.)

- The school's response to the complaint shall address:
 - each aspect of the complaint
 - the findings of the school's investigation
 - whether or not the school complied with relevant legislation and school policies
 - any corrective action taken or improvements made
 - the data subject's right to reviews and the contact details of the school's DPO and of the Information Commissioner's Office.

7. The Data Protection Officer's Review of the Complaint

- If, within 30 calendar days of receiving the school's response to the complaint, the data subject informs the school that they are dissatisfied with their response, the school will immediately inform the school's DPO who will review the way the complaint was handled and the school's response.
- The DPO will provide the result of his review directly to the data subject, in line with section 8.2 of the school's Data Protection Complaints Policy.
- The DPO will inform the data subject that, should they remain dissatisfied, they can refer their complaint directly to the Information Commissioner's Office.

8. Record Keeping and Learning

- The DPO will keep a record of any data protection complaints and their outcomes. These records will be retained in accordance with the school's Retention and Disposal Policy.
- The DPO will inform the governing board of any data protection complaints received and what steps have been taken as a result with the intention of preventing any similar future complaints, e.g. changes in processes or additional staff training.