St Mary's R.C. High School

PER MARIAM

DATA PROTECTION COMPLAINTS POLICY

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DATA PROTECTION COMPLAINTS POLICY

1. Introduction

a. This is the Data Protection Complaints Policy for St Mary's RC High School.
b. We are committed to processing Personal Information fairly and lawfully in according with the UK General Data Protection Regulations ('UK GDPR'), the Data Protection Act 2018 (DPA) and other applicable data protection legislation.
c. We recognise that individuals have the right to raise concerns about how their Personal Information is handled. This Policy explains how complaints relating to data protection matters can be made and how they will be managed by the school as Data Controller.
d. This Policy applies to all individuals whose Personal Information is processed by the school including pupils, parents and carers, staff, governors, volunteers, contractors and other individuals.
e. This Policy applies to complaints relating to the processing of Personal Information by the school and does not replace the school's general complaints procedure.
f. This Policy should be read alongside the school's Data Protection Policy and Privacy Notices.
g. The Policy will be reviewed and updated in accordance with documented review dates, although the school reserves the right to amend this Policy at any time where necessary due to legislative changes, regulatory guidance or operational requirements.

2. Definitions

In this Policy:

a. **Data Subject**: Means an identified or identifiable individual whose Personal Information is processed by the school.
b. **Personal Information**: Means any information relating to an identified or identifiable individual.
c. **Data Controller**: Means the organisation that determines the purposes and means of processing Personal Information. The School / Trust is the Data Controller.
d. **Data Protection Officer ("DPO")**: Means the individual or organisation appointed by the school to provide independent advice and support regarding data protection compliance.

3. Making a complaint

a. Under section 164A of the Data Protection Act 2018, individuals have the right to make a complaint if they believe that the school has not complied with data protection legislation when processing their Personal Information.
b. Complaints may relate to matters including:
    I. inaccurate or incomplete Personal Information;
    II. inappropriate disclosure or sharing of Personal Information;
    III. failure to respond appropriately to a data protection rights request;
    IV. excessive retention of Personal Information;
    V. concerns regarding the security of Personal Information; or
    VI. any other alleged breach of data protection legislation.

c. The school will take reasonable steps to make it easy for individuals to raise concerns. Complaints may be submitted:
    I. using the school's Data Protection Complaint Form;
    II. by email;
    III. by post;
    IV. by telephone; or

V. in person.

d. The school will make a Data Protection Complaint Form available via this policy (*Appendix 1*). Alternative formats of the complaint form will be made available upon request where reasonably required.
e. Individuals should provide sufficient information to enable the school to understand and investigate the complaint. Where necessary, further information may be requested.
f. Where a complaint is submitted on behalf of another individual, the school may request evidence of authority to act on that person's behalf.

4. Acknowledging complaints

a. The school will acknowledge receipt of a complaint within 30 days beginning on the day after the complaint is received. Where the final day of the acknowledgement period falls on a weekend or public holiday, the acknowledgement may be provided on the next working day.
b. The acknowledgement will normally
   I. confirm receipt of the complaint;
   II. explain the next steps in the process; and
   III. provide details of who is managing the complaint.

5. Investigating complaints

a. The school is responsible for investigating complaints made under this Policy.
b. Complaints will be investigated by an appropriate member of staff. Advice may be sought from the DPO where necessary.
c. The school will make appropriate enquiries into the subject matter of the complaint and take reasonable steps to investigate the concerns raised. This may include:
   I. reviewing relevant records and documentation;
   II. speaking with relevant members of staff;
   III. considering any information provided by the complainant; and
   IV. obtaining advice from the Data Protection Officer.
d. Where necessary, the school may request proof of identity before progressing a complaint.
e. If a complaint concerns the Personal Information of a child, the school will take account of the child's age, understanding and any relevant safeguarding considerations.
f. The school will keep the complainant informed about the progress of their complaint where appropriate, particularly where an investigation is likely to take an extended period of time.

6. Outcome of complaints

a. The school will respond to complaints and inform the complainant of the outcome without undue delay.
b. Once the investigation has been completed, the complainant will be informed of the outcome.
c. The outcome will normally include:
   I. a summary of the complaint;
   II. the findings of the investigation;
   III. any action taken or proposed by the school; and
   IV. information about further options available to the complainant.
d. Where the school identifies improvements that can be made to its processes, procedures or practices, appropriate action will be taken.

7. The role of the Data Protection Officer (DPO)

a. The school has appointed a Data Protection Officer ("DPO") in accordance with the requirements of the UK GDPR.
b. The DPO provides independent advice and support regarding data protection compliance.
c. The DPO may assist the school in the handling of complaints but does not replace the school's responsibilities as Data Controller in responding to a complaint.
d. The school's appointed DPO is HY Education. The DPO can be contacted by telephone on 0161 543 8884 or by email at DPO@wearehy.com.

8. Complaints to the Information Commissioner's Office

a. Individuals are encouraged to raise concerns with the school in the first instance so that they can be investigated and resolved where possible.
b. Individuals also have the right to complain to the Information Commissioner's Office ("ICO") if they believe their Personal Information has been handled unlawfully or if they are dissatisfied with the outcome of their complaint.
c. Information about the ICO's complaints process can be found at: www.ico.org.uk

9. Record keeping

a. The school will maintain appropriate records of complaints received, investigations undertaken and outcomes reached.
b. Records will be retained in accordance with the school's records retention arrangements.

10. Review of this policy

a. This Policy will be reviewed annually or sooner where required by changes in legislation, regulatory guidance or operational requirements.
b. The school reserves the right to amend this Policy at any time and notification of any changes will be communicated accordingly.

APPENDIX 1

DATA PROTECTION COMPLAINT FORM		
Full name		
Address		
Telephone contact		
Email address		
Preferred method of contact		
Who is the complaint about	My own personal information	
	My child's personal information	
	Someone else's personal information	
	Name of individual:	
	Relationship to individual:	
Details of your complaint Please tell us what happened and why you are concerned		
When approximately did the issue occur		
What would you like us to look into?	Accuracy of personal information	
	Sharing or disclosure of personal information	
	Failure to respond to a rights request	
	Security or confidentiality of personal information	
	Use of personal information	
	Retention of personal information	
	Other	
	Unsure	
Supporting information Please list any documents or information you have attached		
Declaration I confirm that the information provided in this form is accurate to the best of my knowledge	Name: Signature: Date:	
What happens next? • The school will acknowledge receipt of your complaint within 30 days; • Investigate the matter(s) raised; • Keep you informed about progress where appropriate and • Inform you of the outcome without undue delay.		