



**St Gabriel**  
the Archangel

Catholic Multi-Academy Trust

# Data Protection Complaints Policy

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POLICY TO BE REVIEWED ANNUALLY OR EARLIER DUE TO ANY LEGISLATIVE CHANGES

FOR ALL ACADEMIES PART OF ST GABRIEL THE ARCHANGEL CATHOLIC MULTI-ACADEMY TRUST

Approved by Audit and Risk Committee: 23rd April 2026

Next Review: April 2028

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## 1. Introduction

This policy has been developed in response to the Data (Use and Access) Act 2025 (DUAA), which makes changes to the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. The DUAA introduces additional safeguards to help people complain to an organisation about how their data is used.

Under the DUAA, we must take steps to help people make complaints about how we use their data. We must acknowledge complaints within 30 days and advise the complainant of the outcome without undue delay. In the meantime, we must also take appropriate steps, such as investigating the complaint and keeping the complainant informed about progress.

The Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR) place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure.

This policy sets out how St Gabriel the Archangel Catholic Multi Academy Trust (Trust) will handle complaints related to data protection and ensures we meet our legal obligations under the DUAA, which comes into force on **19 June 2026**.

## 2. Scope

This policy applies to all complaints regarding:

- How the Trust collects, uses, stores, or shares personal data
- Requests for access to personal information
- Concerns about data security or potential data breaches
- Alleged breaches of data protection principles
- Exercise of data subject rights (access, rectification, erasure, restriction, portability, objection)

This policy should be read alongside our:

- Data Protection Policy
- Privacy Notices
- General Complaints Procedure
- Information Security Policy

## 3. Who can make a Data Protection Complaint?

Any individual whose personal data we process can make a data protection complaint, including:

- Current and former pupils
- Parents and carers
- Staff members (current and former)
- Governors
- Volunteers
- Contractors
- Visitors

- Any other individual whose data we hold

## **4. How to raise a Data Protection Complaint**

### **4.1 Making your complaint accessible**

We will take steps to help people make complaints about how we use their data. Steps we can take include providing contact details and an electronic complaints form.

#### **You can make a complaint by:**

- Completing our data protection complaints form (See Annex A)
- Emailing our Data Protection Officer at: [DPO@sgacmat.co.uk](mailto:DPO@sgacmat.co.uk)
- Calling our Data Protection Officer on: 01782 307510 or 01902 553550
- Writing to:  
Data Protection Officer  
St Gabriel the Archangel Catholic Multi Academy Trust  
c/o Painsley Catholic College  
Station Road  
Cheadle  
Staffordshire  
ST10 1LH
- Speaking to a member of the academy senior leadership team in person

### **4.2 What to include in your complaint**

To help us investigate your complaint effectively, please provide:

- Your name and contact details
- A clear description of your complaint
- Details of what personal data is involved
- What you believe has gone wrong
- What outcome you are seeking
- Any relevant dates, documents, or evidence
- Details of any previous discussions about this matter

### **4.3 Support for making a complaint**

We will make reasonable adjustments for individuals who:

- Have learning difficulties
- Have disabilities
- Speak English as an additional language
- Are children or young people

If you require support to make a complaint, you may:

- Call the school to discuss your concern
- Arrange an appointment with the DPO or a senior leader
- Raise the complaint through a third party acting on your behalf (with your consent)

## **5. How we will handle your complaint**

### **5.1 Acknowledgement**

We must acknowledge complaints within 30 days.

We will acknowledge receipt of your complaint within **5 working days**. Our acknowledgement will:

- Confirm we have received your complaint
- Provide the name and contact details of the person handling your complaint
- Explain the next steps
- Give an indicative timeframe for our response

### **5.2 Investigation process**

We must take appropriate steps, such as investigating the complaint and keeping the complainant informed about progress. Our investigation will be:

#### **Fair and Impartial:**

- The investigator will not have prior involvement in the matter
- Both you and any staff members involved will be given the opportunity to provide information

**Thorough:** We will examine all relevant evidence, including:

- Relevant policies and procedures
- Records of data processing activities
- Privacy notices
- Consent records
- Data sharing agreements
- Staff training records
- System logs and audit trails
- Any other relevant documentation

**Proportionate:** The scope and scale of the investigation will be appropriate to the nature and seriousness of the complaint.

**Transparent:** We will keep the complainant informed about progress. We will provide regular updates at least every **15 working days** during the investigation.

**Well-Documented:** All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Information should be kept confidential and stored securely.

### **5.3 Timeframes**

We must advise the complainant of the outcome without undue delay.

We aim to complete investigations and provide our response within **one calendar month** of receiving your complaint.

If your complaint is particularly complex, we may extend this by a further **two months**. If we need to extend the timeframe, we will:

- Inform you within the first month
- Explain the reasons for the extension
- Provide a revised timeframe
- Continue to keep you updated on progress

## 5.4 Our Response

We will provide you with a written response that includes:

- A summary of your complaint
- Details of our investigation
- Our findings on each aspect of your complaint
- Whether we uphold your complaint (in full or in part)
- An explanation of our decision-making
- Any action we will take as a result
- Timescales for implementing any changes
- Your right to escalate the complaint (see section 6)
- Information about your right to complain to the ICO (see section 7)

## 6. If you are not satisfied with our response

### 6.1 Request for review

If you are not satisfied with our response, you may request a review. You should submit your request within **15 working days** of receiving our response.

Your request should:

- Be made in writing to the Principal (or Chair of Governors if the complaint involves the Principal)
- Explain clearly why you are dissatisfied with our response
- State what outcome you are seeking
- Provide any additional information you believe is relevant

The review will be conducted by a senior leader who was not involved in the original investigation. We will provide our response within **20 working days**.

### 6.2 Escalation to Governors

If you remain dissatisfied following the review, you may escalate your complaint to the governing body.

A panel of at least **three governors** who have had no prior involvement will:

- Review all documentation
- Consider whether our procedures were followed correctly
- Determine whether our response was reasonable
- Consider any new evidence or information
- Make recommendations

You will be invited to submit a written statement and may be invited to attend a panel hearing. You will be notified of the outcome in writing within **15 working days** of the panel meeting.

This represents the final stage of our internal complaints process.

## **7. Your right to complain to the Information Commissioner's Office (ICO)**

**You have the right to lodge a complaint with the Information Commissioner's Office at any stage** if you believe we have not handled your personal data in accordance with data protection law.

You do not need to exhaust our internal complaints procedure before contacting the ICO, although the ICO encourages individuals to raise concerns with the organisation first.

### **Contact details for the ICO:**

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

**Helpline:** 0303 123 1113

**Website:** [www.ico.org.uk](http://www.ico.org.uk)

**Live chat:** Available on the ICO website

**Email:** [casework@ico.org.uk](mailto:casework@ico.org.uk)

The ICO will consider your complaint and may:

- Provide advice and guidance
- Investigate the matter
- Take enforcement action if appropriate
- Issue formal decisions and penalties

## **8. Confidentiality and information sharing**

Information should be kept confidential and stored securely.

We will maintain confidentiality throughout the complaints process. Information about your complaint will only be shared with:

- Those directly involved in investigating and resolving the complaint
- External advisors where necessary (under appropriate confidentiality agreements)
- Regulatory bodies where required by law (such as the ICO)
- Safeguarding partners if the complaint raises safeguarding concerns

The Data Protection Act 2018 and UK GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare of children.

## **9. Record keeping**

Records should include:

- a clear and comprehensive summary of the concern
- details of how the concern was followed up and resolved, and
- a note of any action taken, decisions reached and the outcome. We will maintain detailed records of all data protection complaints, including:
  - o The date the complaint was received
  - o The nature of the complaint
  - o How the complaint was investigated
  - o The outcome and reasons for decisions
  - o Any actions taken as a result
  - o Correspondence with the complainant
  - o Details of any escalation or ICO involvement

Records will be stored securely in accordance with our data retention schedule. We will retain complaint records for **6 years** from the date of resolution, in line with our general record retention requirements.

## **10. Data Protection principles in handling complaints**

In handling your complaint, we will ensure that we continue to comply with data protection principles. We will:

- Process your personal data fairly, lawfully, and transparently
- Collect only the information necessary to investigate your complaint
- Keep your information accurate and up to date
- Retain records only for as long as necessary
- Keep your information secure
- Respect your rights as a data subject

The Data Protection Act 2018 and UK GDPR place duties on organisations and individuals to process personal information fairly and lawfully and to keep the information they hold safe and secure.

## **11. Persistent or vexatious complaints**

We are committed to dealing with all complaints fairly and impartially. However, we recognise that in some cases, complainant behaviour may become unreasonable. Once our Trust has followed all the stages of its complaint procedure, the chair of governors can tell the complainant that the matter is closed. If the complainant tries to re-open the same issue, this can be classed as a persistent or 'serial' complaint.

We should only take this decision when:



- We have taken every reasonable step to address the complainant's needs
- The complainant has been given a clear statement of our school's position and what their options are
- The complainant is contacting us repeatedly, but making the same points each time

We may determine that a complaint is persistent or unreasonable if:

- The same issue has been raised repeatedly after being fully investigated
- It is obsessive or makes unreasonable demands on school resources
- It involves abusive, threatening, or aggressive behaviour
- The complainant refuses to accept our final decision
- New complaints are raised immediately after previous complaints are resolved, creating a pattern of serial complaining

Once we have decided it's appropriate to stop responding, we must let the complainant know in writing.

If we close a persistent complaint, we may:

- Restrict the complainant to a single point of contact
- Limit the frequency of communications
- Require all contact to be in writing
- Inform the complainant that further correspondence on the same matter will not be acknowledged

However, if the complainant raises a new issue, we must begin the complaints procedure again.

### **11.1 Managing aggressive or abusive behaviour**

We will try and separate the complaint and the complainant. If the complainant is behaving aggressively or with other unacceptable conduct, we will send any communication about their conduct separately to any communication about the complaint.

Staff (including the Principal) should not be placed in upsetting or dangerous situations or expected to respond to abusive communications, or to attend meetings where someone is behaving aggressively.

We will make it clear that meetings will be stopped or cancelled if visitors do not follow our code of conduct.

## **12. Learning from complaints**

We view complaints as an opportunity to improve our data protection practices. Following the resolution of complaints, we will:

### **Review and Improve:**

- Analyse complaint trends and patterns
- Review and update policies and procedures where necessary
- Identify systemic issues that need addressing
- Implement changes to prevent similar issues

**Training and Development:**

- Identify staff training needs
- Provide targeted training on data protection issues
- Share learning with relevant staff (while maintaining confidentiality)
- Update staff induction and ongoing training programmes

**Governance and Oversight:**

- Report complaint statistics and trends to Directors termly
- Include data protection complaints in our annual data protection report
- Ensure senior leaders are aware of recurring issues
- Monitor the effectiveness of actions taken

**Communication:**

- Update privacy notices where necessary
- Improve transparency about data processing activities
- Enhance communication with data subjects
- Make it easier for people to exercise their rights

**13. Roles and responsibilities****Data Protection Officer (DPO)**

- Receive and acknowledge data protection complaints
- Oversee investigations and ensure they are thorough and timely
- Provide expert advice on data protection compliance
- Liaise with the ICO where necessary
- Maintain records of all complaints
- Report on complaint trends to senior leaders and Directors
- Ensure staff receive appropriate training

**Principal**

- Ensure this policy is implemented effectively
- Conduct reviews of complaints where appropriate
- Make decisions on persistent or vexatious complaints
- Report significant complaints to governors and the DPO
- Ensure appropriate resources are allocated to handle complaints
- Support staff involved in complaint investigations

**Directors**

- Approve this policy and review it every 2 years.
- Receive reports on complaint trends and outcomes
- Ensure the Trust complies with data protection law
- Hear escalated complaints through a complaints panel (this may be delegated to the Local Governing Body)
- Monitor the effectiveness of the complaints process
- Ensure appropriate resources and training are in place

**Governors**

- Ensure the school complies with data protection law
- Hear escalated complaints through a complaints panel
- Ensure appropriate resources and training are in place
- Support staff involved in complaint investigations

**All Staff**

- Cooperate fully with complaint investigations
- Provide accurate information and evidence when requested

- Maintain confidentiality throughout the process
- Learn from complaints to improve practice
- Follow data protection policies and procedures
- Report any concerns about data protection to the DPO

### **Complainants**

- Provide clear information about their complaint
- Cooperate with the investigation process
- Treat staff with respect and courtesy
- Follow the complaints procedure
- Inform us if they have also complained to the ICO

## **14. Monitoring and review**

This policy will be reviewed every 2 years by the Board of Directors, or sooner if:

- There are changes to data protection legislation or ICO guidance
- Complaint trends indicate policy changes are needed
- The ICO issues recommendations following an investigation
- There are significant changes to our data processing activities
- Feedback from complainants suggests improvements are needed

The DPO will prepare an annual report on data protection complaints for the Board of Directors, including:

- Number and types of complaints received
- Outcomes of complaints
- Trends and patterns
- Actions taken to improve data protection practices
- Recommendations for policy or procedure changes

## **15. Related policies and documents**

- Data Protection Policy
- Privacy Notices (pupils, staff, parents, visitors)
- General Complaints Procedure
- Information Security Policy
- Records Management and Retention Policy
- Freedom of Information Policy
- Subject Access Request Procedure
- Safeguarding and Child Protection Policy
- Code of Conduct for Parents/Visitors

## **16. Contact information**

### **Data Protection Officer:**

Mrs B Raj

[DPO@sgacmat.co.uk](mailto:DPO@sgacmat.co.uk)

01782 307510 or 01902 553550

**Information Commissioner's Office:**

Helpline: 0303 123 1113

Website: [www.ico.org.uk](http://www.ico.org.uk)Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)**17. Review of this policy**

We may update this policy from time to time. Any changes will be posted on our website and will be effective from the date of posting.

| Version | Approval Date | Action/Notes                       | Signature of the Chair of Committee/Board |
|---------|---------------|------------------------------------|-------------------------------------------|
| 1       | 23/04/2026    | Approved by Audit & Risk Committee | <i>P Rushworth</i>                        |
| 2       |               |                                    |                                           |

## Annex A

### **Data Protection Complaint Form** (once complete, please return to: [DPO@sgacmat.co.uk](mailto:DPO@sgacmat.co.uk))

*This form is for complaints specifically relating to how we handle your personal data (UK GDPR/Data Protection Act 2018/Data (Use and Access) Act 2025). For general school concerns, please use our General Complaints Form.*

| <b>Section 1: Your Details</b>               |                                                                                                  |
|----------------------------------------------|--------------------------------------------------------------------------------------------------|
| Your Name:                                   |                                                                                                  |
| Child's Name (if applicable):                |                                                                                                  |
| Your relationship to the Trust/Academy:      | Parent/Carer*<br>Current/Former Staff Member*<br>Pupil (if over 12)*<br>Other* (please specify): |
| Address:                                     |                                                                                                  |
| Postcode:                                    |                                                                                                  |
| Telephone Number(s):                         |                                                                                                  |
| Email Address:                               |                                                                                                  |
| <b>Section 2: The Complaint</b>              |                                                                                                  |
| Details of your complaint                    |                                                                                                  |
| Which Academy does this complaint relate to: | [Insert Academy name and address]                                                                |
|                                              | The Central Trust Team*                                                                          |

| What is the nature of your data protection concern? (Select all that apply)                                                                                                     |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| Delay or issue with a Subject Access Request (SAR)                                                                                                                              | [ ] |
| Concern about a Data Breach (loss or unauthorised sharing of personal information)                                                                                              | [ ] |
| Incorrect/Inaccurate data being held                                                                                                                                            | [ ] |
| Objection to how data is being processed/shared                                                                                                                                 | [ ] |
| Other:                                                                                                                                                                          |     |
| <p><b>Please provide details of your complaint:</b></p> <p><i>Include dates, names of staff involved, and any specific documents or emails where possible</i></p>               |     |
| <p><b>What outcome are you seeking?</b></p>                                                                                                                                     |     |
| <p><b>Section 3: Evidence</b></p>                                                                                                                                               |     |
| <p>Please provide any copies of correspondence or evidence relating to your complaint when submitting this form to <a href="mailto:DPO@sgacmat.co.uk">DPO@sgacmat.co.uk</a></p> |     |

| <b>Section 4: Declaration &amp; Consent</b>                                                                                                                                                        |       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|
| <b>I confirm that the information provided is accurate to the best of my knowledge</b><br>(please tick).                                                                                           | [ ]   |
| <b>I understand that the Data Protection Officer (DPO) will process this information in accordance with the Trust's Data Protection Complaints Policy to investigate my concern</b> (please tick). | [ ]   |
| Signature:                                                                                                                                                                                         | Date: |

| <b><u>For Office Use Only</u></b> |  |
|-----------------------------------|--|
| Date acknowledgement sent:        |  |
| By who:                           |  |
| Complaint referred to:            |  |
| Date complaint referred:          |  |