



Audit, Finance and Risk Committee

Data Protection Complaints Policy

September 2026

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1. Policy Statement

The Mountbatten School is committed to protecting the privacy and personal data of students, parents, staff, governors, volunteers and all other individuals whose personal data we process.

We recognise the rights of individuals under the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the Data (Use and Access) Act 2025.

Individuals have the right to raise concerns or complaints about the way in which the school handles their personal data.

The school will ensure that all data protection complaints are:

- taken seriously;
- recorded appropriately;
- acknowledged promptly;
- investigated fairly and impartially;
- responded to without undue delay; and
- concluded with a clear outcome.

This policy establishes a separate procedure for handling data protection complaints and operates independently from the school's Complaints Policy.

2. About this Policy

This policy applies to complaints relating to the school's processing of personal data. It applies to all personal data held by the school relating to:

- students;
- parents and carers;
- employees;
- volunteers;
- governors and trustees;
- contractors; and
- any other individuals whose personal data is processed by the school.

The policy does not form part of any employee's contract of employment and may be amended at any time.

Nothing within this policy removes an individual's right to complain directly to the Information Commissioner's Office (ICO).

3. What is a Data Protection Complaint?

A data protection complaint is an expression of dissatisfaction about how the school has handled personal data or complied with data protection law.

A complaint may be made verbally or in writing.

Examples include, but are not limited to:

a) Subject Access Requests (SARs)

Complaints regarding the handling, delay or outcome of a Subject Access Request.

b) Data Sharing

Concerns regarding disclosure of personal data to another person or organisation.

c) CCTV

Complaints regarding the use, disclosure, retention or access to CCTV footage.

d) Safeguarding Records

Concerns relating to access, amendment, disclosure or retention of safeguarding records.

e) Data Accuracy

Concerns that personal data held by the school is inaccurate, incomplete or misleading.

f) Data Retention

Complaints regarding how long personal information has been retained.

g) Security Incidents and Data Breaches

Concerns arising from the loss, disclosure, unauthorised access to, or compromise of personal data.

h) Information Rights

Complaints relating to:

- the right of access;
- rectification;
- erasure;

- restriction of processing;
- data portability; or
- objections to processing.

General concerns about teaching, behaviour, admissions, SEND provision, exclusions or other matters unrelated to personal data will be dealt with under the school's Complaints Policy or other relevant procedures.

4. Roles and Responsibilities

The Data Protection Officer (DPO) is responsible for overseeing compliance with this policy and coordinating investigations of data protection complaints.

The school's DPO can be contacted via email: **dpo@mountbatten.school**

The DPO will:

- receive and record complaints;
- acknowledge complaints;
- coordinate investigations;
- communicate with complainants;
- maintain complaint records; and
- identify lessons learned.

The Senior Leadership Team (SLT) will support investigations where required and ensure that appropriate corrective actions are implemented.

All staff are required to:

- recognise potential data protection complaints;
- refer complaints promptly to the DPO;
- cooperate with investigations; and
- implement any agreed corrective measures.

5. Making a Data Protection Complaint

Complaints may be submitted:

- by email;
- in writing;

- by telephone; or
- in person.

Complaints should be directed to:

Data Protection Officer

The Mountbatten School
Whitenap Lane
Romsey
SO51 5SY

Email: **dpo@mountbatten.school**

Where a complaint is received by another member of staff, it must be referred to the DPO as soon as possible.

Individuals should provide as much relevant information as possible, including:

- the nature of their concern;
- relevant dates and correspondence;
- the outcome sought; and
- any supporting evidence.

6. Receiving and Logging Complaints

All data protection complaints will be recorded in the school's Data Protection Complaints Register.

The register will record:

- the date received;
- the complainant's details;
- the nature of the complaint;
- actions taken;
- outcomes; and
- closure date.

The school will acknowledge receipt of a complaint within **30 calendar days**.

The acknowledgement will:

- confirm receipt;
- provide contact details for the investigation;

- explain the next steps; and
- provide an estimated timescale where possible.

7. Investigation Process

The school will investigate complaints without undue delay.

The investigation may include:

- reviewing records and correspondence;
- interviewing relevant staff;
- reviewing policies and procedures;
- examining relevant systems and audit trails; and
- seeking further information from the complainant.

The school may request clarification where further information is required.

The complainant will be kept informed of progress where investigations are likely to take longer than anticipated.

The investigation will be conducted fairly and proportionately.

8. Complaint Outcomes

Following investigation, the school will provide a written outcome to the complainant.

The outcome will normally include:

- a summary of the complaint;
- findings of the investigation;
- any action taken;
- any proposed improvements; and
- details of further options available to the complainant.

Where a complaint is upheld, actions may include:

- correction of personal data;
- amendment of procedures;
- additional staff training;

- enhanced security measures;
- changes to retention arrangements; or
- other remedial action considered appropriate.

Where the complaint is not upheld, the school will explain the reasons for its decision.

9. Escalation to the Information Commissioner's Office

If a complainant remains dissatisfied following the conclusion of the school's process, they may raise their concerns with the Information Commissioner's Office.

The ICO can be contacted at:

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

Website: www.ico.org.uk

The school will cooperate fully with any investigation conducted by the ICO.

10. Record Keeping and Monitoring

Records of complaints will be retained in accordance with the school's Records Retention Policy.

Complaint records will be stored securely and access restricted to authorised personnel.

The DPO will review complaints periodically to:

- identify trends;
- assess compliance;
- identify training needs; and
- recommend improvements to policies and procedures.

Significant issues or emerging risks may be reported to the Audit, Finance and Risk Committee.

11. Relationship with Other School Procedures

This policy applies only to complaints concerning data protection matters.

The following matters are covered by separate procedures:

- General school complaints – Complaints Policy;
- Freedom of Information requests – Freedom of Information Policy;
- Subject Access Requests – Subject Access Request Procedure;
- Safeguarding concerns – Child Protection and Safeguarding Policy;
- Whistleblowing concerns – Protected Disclosures (Whistleblowing) Policy.

Where a complaint includes both data protection issues and other concerns, the school may manage the issues under separate procedures where appropriate.

12. Policy Review

This policy will be reviewed every three years or sooner if there are changes in legislation, guidance or school practice.

Any significant amendments will be approved by the Audit, Finance and Risk Committee.

Policy Agreed by the Audit and Finance and Risk Committee

Signed by: Date:

Chair of Audit and Finance and Risk Committee

Signed by: Date:

Chair of Trustees