Diocese of Norwich
St Benet's
Multi Academy Trust

Data Protection Complaint's Procedure

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Person Responsible:	**Data Protection Officer**

Our Christian Ethos and Values

Our academies are open to all and accepting of all regardless of faith. Our passion and ambition are to see children and young people in all our academies achieve excellent educational outcomes alongside developing and growing into their potential as individuals made in the image of God.

Our culture is one of high aspiration for all. This is rooted in our Christian values as demonstrated in the life and teachings of Jesus Christ. We have a desire to see our academies acknowledged as places of aspiration, high quality learning, achievement and hope making a significant contribution to the communities they serve.

All policies within St Benet's Multi Academy Trust (hereafter referred to as "the Trust"), whether relating to an individual academy or the whole Trust, will be written and implemented in line with our Christian ethos and values.

Overall accountabilities and roles

The Trust has overall accountability for all its academies and staff. Through a Scheme of Delegation it sets out the responsibilities of the Trust, its Executive Officers, the Local Governance Committee and the Headteacher. The Headteacher of each academy is responsible for the implementation of all policies of the Trust.

All employees of the Trust are subject to the Trust's policies.

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1. Purpose Statement

The Data Use and Access Act 2025 requires organisations that process personal data to have a complaint's procedure for individuals who are concerned that the way their information is used breaches the data protection legislation.

Complaints regarding third party suppliers using academy or Trust premises should be addressed to the supplier.

2. Policy statement

It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of this complaint's procedure. The Trust takes all complaints seriously and will make every effort to resolve the matter as quickly as possible.

All complaints will be referred to the earliest appropriate stage in this procedure.

3. Roles and responsibilities

This procedure covers all complaints about the processing and handling of personal data by the Trust and is coordinated by the Data Protection Officer.

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If this happens, we will inform complainants of the delay and a proposed new timescale if possible.

If a complainant commences legal action against the Trust in relation to their complaint, we will consider whether to suspend the complaint's procedure in relation to their complaint until those legal proceedings have concluded.

4. How to make a complaint

It is hoped that most complaints can be expressed and resolved on an informal basis. If this does not work and the issue remains unresolved, the next step is to make a formal complaint.

Formal complaints must be addressed to the Data Protection Officer and made either via this online form or emailed to governance@donesc.org.

If complainants require help in completing either form, they should contact the school office or governance@donesc.org . Complainants can also ask a third-party organisation, to complain on their behalf, in which case we will seek evidence that the third party is authorised to act on their behalf.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

All complainants retain the right to the opportunity to complete the complaint's procedure in full.

5. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Data Protection Officer will determine whether such a complaint warrants investigation.

6. Time scales

Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We may consider complaints made outside of this time frame in exceptional circumstances.

7. Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

8. Resolving complaints

At each stage in the procedure, the Trust wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation.
- an apology.
- an admission that the situation could have been handled differently or better.
- an assurance that we will try to ensure the event complained of will not recur.
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- an undertaking to review academy policies in light of the complaint.
- a self-referral to the Information Commissioner.

Any written response to a complaint will include enough information to explain to the complainant

- What has already been done – steps taken to investigate, consideration of policies etc.
- What, if anything, will happen next.

9. Withdrawal of a complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

10. Stage 1 – Informal complaints

It is hoped that most complaints can be expressed and resolved on an informal basis.

A complainant's first step should be to make an appointment to speak to the Principal / Headteacher about their complaint. The Principal / Headteacher should offer an appointment to discuss the issue as quickly as possible, as this will give both parties time to talk about it calmly and politely without being interrupted. The parties involved should be encouraged to offer their view of what would be a realistic resolution to the problem.

At the conclusion of the discussion, or following any agreed upon investigation, the complainant will

be provided with an informal written response. The response will be provided within 20 school days of the date of receipt of the complaint.

If the issue remains unresolved, the next step is to make a formal complaint.

11. Stage 2 – Formal complaints

Formal complaints must be addressed to the Data Protection Officer and made either via this online form or emailed to governance@donesc.org .

Receipt of the complaint will be recorded and acknowledged in writing by email within 10 school days. Within this response, we may seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant is seeking. Email, a face-to-face meeting or call could be considered as the most appropriate way of doing this.

The complaint will then be referred to a suitable member of Trust staff for investigation. This may be the Principal / Headteacher, a member of the central team or a colleague from the Diocese of Norwich Education Services Company.

During the investigation, the investigator will:

- interview those involved in the matter and/or those complained of.
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the investigator will provide a formal written response within 20 school days of the date of receipt or confirmation of the complaint.

If the Principal / Headteacher or investigator is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions that will be taken to resolve the complaint.

The written outcome will advise the complainant of next steps should they remain dissatisfied with the outcome of Stage 2. This advice should be clear that referral to the Data Protection Officer is a consideration of the process followed to this point, not a reinvestigation.

12. Stage 3 – Review by the Data Protection Officer

If a complainant is dissatisfied with the investigation of their complaint, they may request that the investigation is reviewed by the Data Protection Officer.

Requests for review must be received within 10 school days of receipt of the outcome of the investigation.

On receipt of a request for review the Data Protection Officer will review the actions taken and consider whether, on the basis of the evidence available, anything could have been found differently by the investigation. The Data Protection Officer will provide a response within 20 school days of a request for review.

This is the final stage of the Data Protection Complaint's Procedure.

13. The Information Commissioner

If the complainant believes the Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under Data Protection regulations, they can contact the Information Commissioner after they have completed Stage 3.

Complainants need to complete the Trust's complaints procedure before you complain to the Information Commissioner.

Individuals can contact the Information Commissioner on 0303 123 1113 or use the online form here ico.org.uk/make-a-complaint/data-protection-complaints/

To log a complaint an individual will need:

- an email address for the Trust so they can make contact, please use governance@donesc.org;
- a copy of the complaint made to the Trust about how they have handled your personal information; and
- (for anyone complaining for someone else) a letter of consent from the person the complaint is about.

It's helpful for the Information Commissioner if individuals can also provide:

- the organisation's address;
- a timeline of key events related to their complaint;
- any supporting information about the mishandling of your personal information e.g. a copy of an email where information was shared, a copy of records with inaccurate information, an apology letter from the organisation, or other email exchanges.

14. Monitoring and Review

This Procedure will be reviewed by the Data Protection Officer in line with legislative changes and at least every 3 years.

15. Links to other policies

The consideration of any complaints made in relation to Data protection will give due regard to the following policies and documents as needed:
Data Protection Policy
Safeguarding Policy
IT Acceptable Use