

Markland Hill Primary School

Data Protection Complaints Policy



Version 1

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1 Definitions

Term	Definition
Data	which is stored electronically, on a computer, or in certain paper-based filing systems.
Data Processing	Any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Processing also includes transferring personal data to third parties.
DPA	Data Protection Act 2018 – this data protection law sits alongside the UK GDPR to control how organisations use personal information.
Data Protection Policy	School policy outlining our compliance with data protection laws.
Personal Data	Any information relating to an identified or identifiable living natural person (a data subject); an identifiable living natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.
UK GDPR	UK General Data Protection Regulations – data protection law that controls how your personal information is used by organisations
Individual Rights of a Data Subject	Under GDPR there are 8 individual rights (https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/individual-rights/individual-rights/): • Right to be informed • Right of access • Right to rectification • Right to erasure • Right to restrict processing • Right to data portability • Right to object
Information Commissioner (IC)/Information Commissioner's Office (ICO)	The Information Commissioner/Information Commissioner's Office is the legal authority who managed GDPR and Data Protection.
Privacy Notices	A Privacy Notice can also be known as a "fair processing notice" and is a document that informs data subjects about how their personal data is collected, used and protected. It offers transparency in data processing and helps individuals understand their rights and the risks associated with data collection.

2 Policy Statement

2.1 At Markland Hill School we take our legal obligations under the UK General Data Protection Act (UK GDPR) and Data Protection Act 2018 (DPA) very seriously. We are committed to providing a professional and compliant approach to all data processing activities and strive to investigate complaints in a prompt and effective manner and in accordance with Data Protection laws.

2.2 Section 164A of the Data Protection Act 2018 creates a distinct statutory right for data subjects to complain directly to a school or trust where they consider there has been an infringement of the UK General Data Protection Regulation (UK GDPR) or the Data Protection Act 2018 (DPA 2018).

3 Purpose

3.1 This policy sets out how you may raise a data protection complaint and how we will deal with and respond to these.

4 Aims

4.1 Markland Hill School will address all data protection complaints and concerns quickly and in line with guidance from the Information Commissioner. This policy aims to:

- 4.1.1 make the complaints procedure easy and accessible
- 4.1.2 deal with complaints and concerns quickly and efficiently
- 4.1.3 advise how we will keep individuals informed
- 4.1.4 provide a clear and timely response to concerns.

5 Scope

5.1 A data protection complaint is an expression of dissatisfaction (whether justified or not) about how we have handled your personal data or any of your data protection rights, including, for example, occasions where you:

- 5.1.1 feel your personal data is not being processed in line with our Privacy Notice(s) or Data Protection Policy or Data Protection Laws;
- 5.1.2 feel we have not dealt with a request to exercise your data protection rights correctly;
- 5.1.3 feel we have not provided a timely response to a previously submitted query or concern;
- 5.1.4 have been adversely affected by a Personal Data Security Breach caused by or involving Markland Hill School.

5.2 This policy does **not** cover general complaints which are not related directly to Data Protection matters. These concerns will be dealt with in line with Markland Hill Complaints Policy which can be found on the Markland Hill website or by requesting a copy from the school.

5.3 Where data protection concerns form part of a wider complaint, we will coordinate our response with the relevant complaints process to ensure you receive a coherent outcome.

6 How to make a complaint

6.1 We hope to facilitate data protection complaints and aim to make raising concerns straightforward. You can complain using our Data Protection Complaints Form (see Appendix 1) by email or post or by contact Markland Hill School directly. If you need an alternative format or reasonable adjustments, please let us know and we will assist.

6.2 You do not have to use a specific form or process to raise a data protection complaint.

6.3 Our contact details are:

- 6.3.1 Post: Markland Hill School, Bolton, BL1 5EJ
- 6.3.2 Email: office@markland-hill.bolton.sch.uk
- 6.3.3 Phone: 01204 332626

7 What happens when we receive a complaint

- 7.1 We will log your complaint, confirm we have received it, and identify the appropriate person to investigate. We may contact you to clarify the issues or request further information. We will then provide our findings and any actions we are taking and explain how to raise further concerns if you remain dissatisfied.
- 7.2 When investigating complaints, we may need to verify identity and request further information. We will respond as fully as we can, but we must also protect confidentiality, legal professional privilege, and the rights of other individuals. This may mean we cannot disclose certain information.

8 Timescales

- 8.1 We will acknowledge receipt promptly and in any event within 30 days of receiving your complaint. We will begin making appropriate enquiries as soon as we receive it and we will keep you informed of progress. We will provide you with the outcome without undue delay.

9 Escalation to the Regulator

- 9.1 If you are unhappy with how we have handled your complaint, you can contact the Information Commissioner (IC) for advice or to raise concerns. We will include information about next steps and the IC in our outcome communication to you. You can find further details on the ICO's website at www.ico.org.uk or contact them for advice or to raise concerns.

10 Record keeping

- 10.1 We maintain records of data protection complaints and outcomes to demonstrate compliance and support reporting obligations where required by law.

APPENDIX 1

Markland Hill Primary School

Data Protection Complaints Form

A Data Protection complaint is a concern about how your personal data or data protection rights have been handled. As a School we take UK GDPR and DPA 2018 obligations seriously and aim to resolve issues promptly. It would be appreciated if you could use this form to submit your complaint or alternatively you can contact Mrs J Kavanagh (Head Teacher) at Markland Hill School, 01204 332626, office@markland-hill.bolton.sch.uk

This form is for data protection matters only. For general School complaints, please refer to the School's Complaints Policy.

Process and timescales

- We will provide a response to your complaint within 30 days, investigate promptly, and keep you updated.
- We may need to verify your identity or request further information. Some details may be withheld to protect confidentiality and legal privilege.
- For more information see our Data Protection Complaints Policy.

Personal Data Collection

- Your personal data will be used only for processing this complaint and not shared with third parties unless legally required.
- The personal information that you provide will be processed in line with the School privacy policy and privacy notices for the purposes of investigating this complaint. These can be found on the website www.markland-hill.bolton.sch.uk/GDPR

If you are not satisfied

If you are not satisfied with our response, you can escalate the matter to the UK Information Commissioner:

Website link: <https://ico.org.uk/make-a-complaint>

Telephone: 0303 123 1113.

Address: Information Commissioner's Office Wycliffe House, Water Lane Wilmslow, Cheshire, SK9 5AF.

1. Full name		
2. What is the name of the person the complaint refers to (if different from above)?		
3. Contact details (email address, postal address, etc)		
4. What is the main subject of your complaint? (please tick)	Subject Access Request	
	Individual rights	
	Privacy notice	
	Sharing/disclosure of data	
	Retention	
	General personal data handling	
	Personal data breach	
	Not keeping information secure	
Inaccurate/incomplete information		

	Other (please specify)	
5. Please summarise your concern(s) including relevant dates, details, communications and/or individuals involved		
6. Supporting evidence (please tick)	I have attached relevant documents/emails/screenshots	
	There are no relevant documents/evidence to attach	
7. What outcome or resolution are you looking for (e.g. correction of data, explanation, apology, assurance of future compliance) (optional)?		

Please send this completed form to: office@markland-hill.bolton.sch.uk FAO Mrs J Kavanagh (Head Teacher)