

## TCIS Data Protection Complaints Procedure (Mandatory from 19 June 2026)

This procedure implements the new legally binding obligation under Section 164A of the Data Protection Act 2018, effective 19 June 2026, requiring organisations to have a clear internal complaints process for data protection issues.

Effective date: 19 June 2026

Responsible person: Data Protection Officer (DPO) / Designated Senior Leader for Data Protection

Applies to: Any individual (pupil, parent, staff, volunteer, visitor, governor, proprietor) who has a concern about how the school handles their personal data

**Monitoring and Review:** The text of this policy is necessary and proportionate to meet the needs of The Roche School supporting those who work with our pupils, making clearer the responsibilities of school staff, volunteers, proprietor and the Advisory Board.

The Headteacher and Proprietors are committed to regularly reviewing and updating our policies to ensure they remain relevant and effective in supporting our school's mission and values, inclusive of its implementation and the efficiency with which the related duties have been implemented. Any amendments, where appropriate, will be made in consultation with staff, the Proprietor, and/or the wider school community to reflect our ongoing commitment to excellence in education. This review will be formally documented in writing. Any deficiencies or weaknesses recognised in arrangements or procedures will be remedied immediately and without delay. All staff will be informed of the updated/reviewed arrangements, and it will be made available to them in writing or electronically

Signed: Charlotte Doherty (Headteacher)

James Roche (Proprietor)

Policy Updated and Agreed: June 2026

Date Published: June 2026

Next Review: September 2027

### Purpose

To provide a clear, accessible, and fair process for individuals to:

- Raise concerns about data protection
- Submit formal data protection complaints
- Receive timely responses and outcomes
- Know their right to escalate to the **Information Commissioner's Office (ICO)** if unresolved

### Informal Resolution (Stage 1)

**We encourage individuals to first raise concerns informally.**

- Contact the **school office** or the relevant **GDPR Lead staff member** / senior leader.
- Many issues can be resolved through clarification.
- Informal contact options:
  - In person at the school office
  - By email: [school office email]
  - By phone: [school phone number]

The school will:

- Listen to the concern
- Provide clarification if miscommunication
- Take quick corrective action if a simple error is found

### Formal Complaint Submission (Stage 2)

If informal resolution is not possible or inappropriate, a **formal complaint** must be submitted.

#### How to submit:

*The Cornwall Independent School (UK) Ltd is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. It is our aim that all pupils fulfil their potential.*

- In writing (letter) or by email to:
  - Email: [data-protection-complaints@school.edu] or office email if no separate address
  - Address: [School Name], Data Protection Complaints, [Full Address]

**The complaint must include:**

1. Full **name** and **contact details** of the complainant.
2. If made on behalf of someone else:
  - Name of the person on behalf of whom the complaint is made
  - **Proof of authority** to act (e.g. power of attorney, signed letter of authority)
  - This includes complaints on behalf of a child who is competent to understand their own data rights
3. A **clear description** of the complaint:
  - What happened
  - When it happened
  - Who was involved
4. Description of the **data involved** and how it was used or accessed inappropriately.
5. Any relevant **dates, times, or evidence** (e.g. emails, letters).
6. Details of any **informal steps** already taken.
7. The **desired outcome**.

A **Personal Data Misuse Complaint Form** may be provided to standardise submissions.

**Acknowledgment (Stage 3)**

- The school will **acknowledge receipt** of the formal complaint within **5 working days**.
- A fuller acknowledgment, confirming the complaint is being recorded and assigned, will be issued within **30 days** of receipt.

The acknowledgment will include:

- Confirmation that the complaint is received
- Name of the **responsible person** (DPO or designated senior leader)
- Expected timeline for investigation and response
- How the complainant can contact the responsible person

**Investigation (Stage 4)**

The **DPO or designated senior leader** will investigate:

- Review logs, policies, and records
- Interview relevant staff
- Assess whether data was processed lawfully, fairly, and securely
- Consider safeguarding and children's data protections

**Timeline:**

- Investigation to be completed within **20 school days** from acknowledgment of the complaint.

**Response (Stage 5)**

A **formal written response** will be issued outlining:

- Findings of the investigation
- Whether the complaint is upheld, partially upheld, or not upheld
- Any **remedial action** taken or planned
- Explanation of the legal and policy basis for the decision

**Timeline:**

- Response issued within **40 school days** from acknowledgment of the complaint.

**Appeal (Stage 6)**

If the complainant remains dissatisfied:

*The Cornwall Independent School (UK) Ltd is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. It is our aim that all pupils fulfil their potential.*

- They may **appeal in writing** to the **Headteacher** or **Chair of the Advisory Board**.
- Appeal must be submitted within **15 school days** from the date of the school's response.

The appeal will:

- Be reviewed by the Headteacher or Chair of the Advisory Board (or both, as appropriate)
- Consider the original complaint, investigation, and response
- Provide a final internal decision

A final written response will be issued within a reasonable timeframe (typically within 20 school days of the appeal).

### **Right to Complain to the ICO**

If the complainant is still not satisfied after the school's internal procedure:

- They have the **statutory right** to complain to the **Information Commissioner's Office (ICO)**.

ICO contact details:

- Website: <https://ico.org.uk>
- Address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- Phone: 0303 123 1113 (UK)

The school will include ICO contact details in all final responses.

### **Recording and Monitoring**

The school will:

- Maintain a **logging system** for tracking all data protection complaints and outcomes
- Keep an **audit trail** demonstrating compliance
- Use complaint data to identify systemic issues and improve policies and training

### **Staff Training**

- All staff will be trained to **recognise data protection complaints**
- Key staff (DPO, DSLs, office managers) will understand the procedure and timelines.