



DATA PROTECTION POLICY

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GOVERNOR RESPONSIBLE	DAN ALEXANDER
DATE APPROVED AT GOVERNING BODY	31/05/2026
FREQUENCY OF POLICY REVIEW	EVERY 2 YEARS
DATE NEXT REVIEW DUE	31/05/2028

DOCUMENT VERSION CONTROL

VERSION	ISSUE DATE	SUMMARY OF CHANGES
	BY 1 ST JUNE 2026	NEW MANDATORY POLICY UNDER THE DUAA

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1 Policy Statement

- 1.1 Lyneham Primary School is committed to protecting the personal data of pupils, parents/carers, staff, and other individuals in accordance with the Data Protection Act 2018, UK GDPR, and the Data Use and Accountability Act (DUAA).
- 1.2 From **1 June 2026**, all schools are required to have a clear, accessible and robust **Data Protection Complaints Policy and Procedure**.
- 1.3 We aim to handle any concerns or complaints relating to personal data promptly, fairly, and transparently.

2 Purpose of this Policy

- 2.1 This policy:
 - Sets out how individuals can raise a complaint relating to data protection.
 - Defines how the school will respond, investigate, and resolve complaints.
 - Outlines rights of escalation, including to the Data Protection Officer (DPO) and the Information Commissioner’s Office (ICO).
 - Supports the school’s obligations under the DUAA to maintain clear accountability and transparency.

3 Scope

- 3.1 This policy covers complaints relating to:
 - The collection, use, storage, sharing or disposal of personal data.
 - Subject access requests or other data rights requests.
 - Alleged unlawful processing or improper handling of data.
 - Data breaches or concerns about data security.
 - Failure to follow statutory requirements or internal policies.

*Note: Complaints about **general school matters** are covered by the main School Complaints Policy.*

4 Definitions

- **Personal Data:** Any information relating to an identified or identifiable individual.
- **Data Subject:** The individual to whom the personal data relates.

- **Processing:** Any action involving personal data (collection, storage, use, deletion, sharing etc.).
- **DPO:** The Data Protection Officer responsible for overseeing compliance and advising the school.

5 Responsibilities

- **Headteacher:** Overall operational responsibility for complaint handling.
- **DPO:** Independent oversight, ensuring compliance, supporting investigations, and acting as an escalation point.
- **All Staff:** Required to report concerns immediately and cooperate with investigations.

6 How to Raise a Complaint

6.1 Complaints should be submitted using one of the following:

- By email to: admin@lynehamprimary.wilts.sch.uk
- By post to: Lyneham Primary School, Preston Lane, SN15 4QJ marked “Data Protection Complaint”
- Directly to the DPO: dpo@jeremyshatford.co.uk

6.2 Complainants should include:

- Their name and contact details
- Details of the issue
- Relevant dates and supporting information
- What outcome they are seeking

6.3 Anonymous complaints will be considered where sufficient detail allows investigation.

7 Timescales

- **Acknowledgement:** Within 5 school days
- **Full response:** Within 30 school days (may be extended for complex complaints; the complainant will be informed)

8 Investigation Process

8.1 The school will:

- Record the complaint
- Assess the nature and severity
- Establish the facts through proportionate investigation
- Consult with the DPO
- Provide a clear written outcome with reasons

8.2 Where a personal data breach is identified, the school will follow its Data Breach Procedure.

9 Possible Outcomes

- Confirmation that data was handled correctly
- Recommendations for improvement
- Corrective actions (e.g., updating records, revising processes)
- Formal apology
- Notification to affected individuals (if relevant)
- Notification to the ICO (if required)

10 Escalation Routes

10.1 If dissatisfied with the outcome, individuals may escalate to:

1. **The DPO** – Mr Jeremy Shatford dpo@jeremyshatford.co.uk
2. **Governing Body / Trust Board** – via the Clerk
3. **Information Commissioner’s Office (ICO)**
Website: <https://ico.org.uk/>
Phone: 0303 123 1113

11 Monitoring and Review

- All complaints will be logged and monitored.
- An annual report will be provided to the governing body/trust board.
- This policy will be reviewed annually or upon relevant legislative changes.

12 Data Protection Complaints Procedures

1 Receiving a Complaint

- Complaint is received via email, post, in person, or via DPO.
- Staff must forward any complaint immediately to the Headteacher and DPO.

2 Logging the Complaint

- Record the complaint in the school's Data Protection Complaints Log.
- Note date received, complainant details, nature of complaint, and staff assigned.

3 Acknowledgement

- Acknowledge within 5 school days.
- Provide the expected timeline and named contact handling the complaint.

4 Initial Assessment

4.1 The Headteacher and/or DPO will:

- Determine if the complaint relates to personal data.
- Identify whether urgent action is required (e.g., if involving a potential data breach).
- Decide whether immediate containment or risk-mitigation steps are necessary.

5 Investigation Steps

- Review relevant data systems, records, and policies.
- Interview staff involved, if required.
- Consult technical teams (ICT provider) if systems or security issues are involved.
- Refer to existing school Data Protection Policies.

6 Determining an Outcome

6.1 The decision should:

- Address each element of the complaint.
- Confirm whether the school has complied with legislation and school policies.
- Detail corrective actions or improvements.

7 Communicating the Outcome

- Provide a written response within 30 school days (or explain any delay).
- Include: findings, decisions, actions taken, right of escalation, and contact details for the DPO and ICO.

8 Escalation Handling

8.1 If the complainant is unhappy:

1. The DPO reviews the case independently.
2. If still unresolved, the matter can be escalated to the governing body/trust board.
3. Final external escalation is to the ICO.

9 Recording and Learning

- All complaints and outcomes must be logged.
- Annual analysis of themes to inform improvements.
- Any systemic failings must be corrected, and staff retrained if necessary.

10 Retention

- 10.1 Complaint records must be retained according to the school's retention schedule and the principles in its Data Protection Policy

28th January 2026