



Data Protection Complaints Procedure

Version:	v1.0
Policy Type:	Operations – Statutory
Approval date:	18 May 2026
Approved by:	Trust Board
Next review:	Summer 2028

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Contents

1. Purpose of this Procedure	2
2. What Is a Data Protection Complaint?	2
3. Matters Not Covered by This Procedure.....	2
4. Who Can Make a Data Protection Complaint?	3
5. How to Make a Data Protection Complaint	3
6. Acknowledgement of Complaints.....	3
7. Investigation and Handling of Complaints.....	3
8. Outcome of the Complaint	4
9. Timescales	4
10. Escalation to the Information Commissioner’s Office (ICO)	4
11. Record-Keeping and Confidentiality	4
12. Review of This Procedure	5

1. Purpose of this Procedure

- 1.1 Exceed Academies Trust (“the Trust”) is committed to handling personal data lawfully, fairly and transparently, in accordance with UK data protection legislation.
- 1.2 This procedure sets out how individuals may raise complaints about how the Trust has handled their personal data, and how such complaints will be acknowledged, investigated and concluded.
- 1.3 This procedure has been established to meet the Trust’s legal obligations under:
 - The UK GDPR
 - The Data Protection Act 2018
 - The Data (Use and Access) Act 2025
 - Guidance issued by the Information Commissioner’s Office (ICO)
- 1.4 This procedure is separate from the Trust’s general Complaints Policy, which covers complaints about education services, operational decisions and complaint handling more broadly.

2. What Is a Data Protection Complaint?

- 2.1 A data protection complaint is an expression of dissatisfaction where an individual believes that the Trust has infringed data protection law in the way it has processed their personal data.
- 2.2 Examples of data protection complaints may include concerns about:
 - How the Trust has collected, used, shared or stored personal data
 - Delays or issues in responding to a subject access request (SAR) or other data rights request
 - Inaccurate, incomplete or excessive personal data
 - How long the Trust retains personal data
 - The security of personal data, including following a data breach
 - How personal data has been disclosed or accessed
- 2.3 Individuals do not need to use legal terminology or reference specific legislation for an issue to be treated as a data protection complaint. The Trust will assess the substance of the concern.

3. Matters Not Covered by This Procedure

- 3.1 This procedure does not cover:
 - General complaints about education provision, school management or staff conduct (these are handled under the Trust’s Complaints Policy)
 - Employment grievances (handled under HR policies)
 - Freedom of Information requests (handled under FOI legislation)
 - Safeguarding concerns.
- 3.2 Where an issue raises both a service complaint and a data protection issue, the Trust will explain clearly how each aspect will be handled and under which procedure.

4. Who Can Make a Data Protection Complaint?

- 4.1 Anyone whose personal data is processed by the Trust may raise a data protection complaint, including:
- Parents and carers
 - Pupils and former pupils
 - Staff and former staff
 - Members of the public
 - Other individuals whose data the Trust processes

5. How to Make a Data Protection Complaint

- 5.1 A data protection complaint may be raised in any reasonable form, including:
- By email
 - In writing
 - Verbally (e.g. by telephone or in person).
- 5.2 Complaints do not need to be submitted using a specific form. However, to help the Trust respond effectively, complainants are encouraged to include:
- Their name and contact details
 - A description of the concern
 - Any relevant dates or correspondence
 - The outcome they are seeking, where known.
- 5.3 Complaints should normally be directed to the Trust's Data Protection Officer or Governance Manager via info@exceedacademiestrust.co.uk.
- 5.4 The Trust will make reasonable adjustments to support individuals who may have difficulty raising a complaint due to disability, language barriers or other needs.

6. Acknowledgement of Complaints

- 6.1 The Trust will acknowledge receipt of a data protection complaint without undue delay and in any event within 30 calendar days of receiving it.
- 6.2 Acknowledgement may be provided electronically and will confirm that the complaint is being considered under this procedure.

7. Investigation and Handling of Complaints

- 7.1 The Trust will take appropriate steps, without undue delay, to consider and investigate a data protection complaint. This may include:
- Reviewing relevant records and systems
 - Making enquiries with staff or data processors
 - Seeking specialist or legal advice where appropriate

7.2 The Trust will keep the complainant reasonably informed of progress, particularly where the matter is complex or requires additional time.

7.3 The extent of the investigation will be proportionate to the nature and seriousness of the issues raised.

8. Outcome of the Complaint

8.1 Once the Trust has concluded its consideration of the complaint, it will inform the complainant without undue delay of the outcome.

8.2 The outcome will normally be provided in writing and will include:

- A summary of the complaint
- An explanation of the Trust's findings
- Any actions taken or proposed (where appropriate)
- Information about further escalation options.

8.3 Where the Trust identifies shortcomings, it will take appropriate steps to address them and reduce the risk of recurrence.

9. Timescales

9.1 Data protection complaints do not have a fixed statutory completion deadline. However, the Trust aims to resolve complaints within three months wherever reasonably possible, depending on the nature and complexity of the issues raised.

9.2 Where it is not possible to conclude a complaint within this timeframe due to complexity or other exceptional factors, the Trust will explain the reasons and keep the complainant informed.

10. Escalation to the Information Commissioner's Office (ICO)

10.1 The Trust expects that data protection complaints will normally be raised with the Trust **before** being referred to the ICO.

10.2 Once the Trust has provided its final response, if the complainant remains dissatisfied, they may raise the matter with the Information Commissioner's Office.

10.3 ICO contact details:

- Website: <https://ico.org.uk>
- Telephone: 0303 123 1113

11. Record-Keeping and Confidentiality

11.1 The Trust will maintain appropriate records of data protection complaints and how they have been handled.

11.2 Information will be shared only on a need-to-know basis and handled in accordance with the Trust's data protection and records management policies.

12. Review of This Procedure

12.1 This procedure will be reviewed regularly and at least every two years, or sooner where required by changes in legislation or ICO guidance.