

RLT GDPR Complaints Policy

Adopted: Summer Term 2026

Review period: Annually

Statutory: Yes

Required on website: Yes

Policy Document Version Control

Version 1

Responsibility for Policy:	Data Protection Officer
Policy approval/date:	Summer term 2026
Frequency of Review:	Annual
Next Review date:	Summer term 2027
Full re-write	This policy is new. It is an overarching RLT policy that ensures that our schools are compliant with all relevant related policies and current legislation. All processes will sit at school level.

1. Aims, legal basis and application

i. Purpose of this policy

The Trust is committed to processing personal data lawfully, fairly and transparently, and to upholding the rights of individuals under data protection legislation. This policy sets out the Trust's statutory process for handling data protection complaints, in accordance with the requirements introduced by the Data (Use and Access) Act 2025, which amends the Data Protection Act 2018.

The aims of this policy are to:

- give individuals a clear, accessible and effective route to raise concerns about how the Trust processes personal data
- ensure that data protection complaints are acknowledged, investigated and responded to in a timely, fair and proportionate manner
- support early and effective resolution of concerns, reducing the need for escalation to the Information Commissioner's Office (ICO)
- demonstrate the Trust's accountability and compliance with UK data protection law
- This policy reflects the Trust's legal obligation, as a data controller, to maintain and operate a data protection complaints process

ii. Scope and application

This policy applies to all data protection complaints relating to the processing of personal data by:

- the Trust
- any academy within the Trust
- all employees, workers, volunteers, governors, trustees, and contractors acting on behalf of the Trust

A complaint may be raised by any individual whose personal data is processed by the Trust, including (but not limited to): parents, carers, pupils, staff, former staff, job applicants, contractors, suppliers, and members of the public

This policy applies regardless of how the complaint is made and regardless of whether the complainant explicitly refers to data protection legislation

iii. Relationship to the Trust Complaints Policy

The Trust operates separate procedures for different types of complaints:

- complaints about education provision, staff conduct, governance, or the delivery of services are handled under the RLT Complaints Policy
- complaints specifically concerning the handling of personal data are dealt with under this Data Protection Complaints Policy
- where a complaint raises both data protection and non-data-protection issues, the Trust may manage those elements under separate procedures, running in parallel where appropriate, while ensuring clarity for the complainant

iv. Definitions

For the purposes of this policy:

- personal data has the meaning set out in Article 4 UK GDPR
- processing has the meaning set out in Article 4 UK GDPR
- data protection complaint means an expression of dissatisfaction where an individual believes that the Trust has failed to comply with data protection legislation in the way it has processed their personal data
- controller means the Trust, as defined in Article 4 UK GDPR
- DPO means the Trust's appointed Data Protection Officer
- school days excludes weekends, school holidays, and periods of school closure

2. What constitutes a data protection complaint

A data protection complaint arises where an individual believes that the Trust has infringed data protection law in relation to their personal data. This may include concerns about:

- how the Trust has collected or used personal data
- how personal data has been stored, retained, shared or disposed of
- the accuracy or completeness of personal data held
- data security measures or a suspected or actual data breach
- how the Trust has handled a subject access request or other data protection rights request
- the use of personal data for profiling, monitoring, or automated decision-making
- a failure to respect an individual's rights under UK GDPR

Individuals do not need to use legal language or reference specific legislation for their concern to be treated as a data protection complaint. The Trust recognises that complaints may be raised informally and through a wide range of communication channels

i. Matters that are not data protection complaints

A matter will not usually be treated as a data protection complaint where it is solely:

- a general complaint about the quality of a service or decision, even where personal data is mentioned
- a grievance or employment matter that does not concern compliance with data protection law
- dissatisfaction with an outcome that is not governed by data protection rights
- Where there is uncertainty about whether a concern constitutes a data protection complaint, the Trust will seek clarification where appropriate and will err on the side of protecting individuals' data protection rights

3. Principles governing data protection complaints

The Trust will handle all data protection complaints in accordance with the following principles:

Lawfulness, fairness and transparency: complaints will be handled openly and in line with the principles set out in Article 5 UK GDPR.

Accessibility: the complaints process will be easy to find, easy to understand and available to all individuals.

Proportionality: investigations will be appropriate to the nature and complexity of the complaint.

Timeliness: complaints will be acknowledged, investigated and responded to without undue delay.

Accountability: the Trust will be able to demonstrate how complaints have been handled and decisions reached.

Respect: complainants and staff will be treated with professionalism and courtesy throughout the process.

The Trust will not tolerate abusive, aggressive or unreasonable behaviour towards staff. Where necessary, proportionate contact restrictions may be applied while ensuring that complaints are not disregarded.

4. How to make a data protection complaint

i. Routes for making a complaint

A data protection complaint may be made through any reasonable channel, including:

- email
- written correspondence
- verbal communication (including by telephone or in person)
- any other established communication route used by the Trust
- Individuals are not required to use a specific form, although the Trust may provide one to assist in capturing relevant information

ii. Information to support the complaint

To assist the Trust in investigating the complaint efficiently, individuals are encouraged (where possible) to provide:

- their name and contact details
- a clear description of the concern
- relevant dates, events and circumstances

- copies of any relevant correspondence or documentation
- details of the outcome sought
- If further information is required to clarify the complaint, the Trust will contact the complainant and may pause the investigation until sufficient clarity is obtained

RLT Address: 18 Beecham Court, Wigan. WN3 6PR
 Email: dpo@rlt.education
 Phone: 01942 931022

5. Acknowledgement, timescales and progress updates

i. Acknowledgement

In accordance with statutory requirements, the Trust will acknowledge receipt of a data protection complaint within 30 calendar days of receipt. The acknowledgement will normally:

- confirm that the complaint has been received
- explain the investigation process
- identify a point of contact
- outline expected next steps

ii. Investigation and response timescales

The Trust will take appropriate steps to investigate the complaint without undue delay, including making any necessary enquiries and reviewing relevant records. There is no fixed statutory deadline for providing a final outcome. However, the Trust will aim to resolve data protection complaints as promptly as possible and, in most cases, within three months of receipt, unless:

- the matter is particularly complex
- further information is required from the complainant or third parties; or
- external factors reasonably affect the investigation
- Where an extension is required, the Trust will explain the reasons to the complainant and keep them appropriately informed

6. Investigation and decision-making process

i. Responsibility and oversight

The Trust, as data controller, retains responsibility for ensuring that data protection complaints are handled in accordance with the law.

The Data Protection Officer:

- provides expert advice on compliance with data protection legislation
- supports and oversees investigations as appropriate
- monitors trends and systemic issues arising from complaints

- The DPO does not determine outcomes where this would compromise the requirement for independence under data protection law
- ii. Conduct of investigations
- Investigations may include, where appropriate:
- examination of relevant systems, records and policies
 - consultation with relevant staff or contractors
 - assessment of compliance against UK GDPR and the Data Protection Act 2018
 - consideration of whether remedial or preventative actions are required
 - Investigations will be proportionate, evidence-based and documented

7. Outcomes and remedies

At the conclusion of the investigation, the Trust will provide the complainant with a written outcome which will normally explain:

- how the complaint was investigated
- what facts and evidence were considered
- the findings in relation to data protection compliance
- any actions taken or proposed

Possible outcomes may include (but are not limited to)

- confirmation that no breach has occurred
- clarification or explanation of the Trust's actions
- correction, restriction or erasure of personal data where appropriate
- improvements to systems, procedures or training
- mitigation or remedial action following a data incident
- an apology where appropriate
- Where relevant, the Trust will also consider lessons learned and whether improvements are required to prevent recurrence

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

If the complainant remains dissatisfied after receiving the Trust's outcome, they have the right to raise the matter with the Information Commissioner's Office. The Trust will inform complainants of this right (ICO contact details below).

The ICO may consider both the substance of the complaint and how the Trust handled it when reviewing any referral.

ICO address: Wycliffe House, Water Lane, Cheshire. SK9 5AF
 Website: www.ico.org.uk/makeacomplaint
 Phone: 0303 123 1113

9. Records management

The Trust will maintain appropriate records of data protection complaints, including:

- the nature of the complaint
- the steps taken to investigate it
- decisions reached and actions taken

Records will be retained in accordance with the Trust's retention schedule and data protection obligations.

10. Roles and responsibilities

- i. The Trust (Data Controller)
 - Ensures compliance with data protection legislation
 - Maintains and operates an effective data protection complaints process
 - Ensures appropriate oversight and governance
- ii. Data Protection Officer
 - Advises the Trust on compliance with data protection law
 - Oversees and supports complaint handling
 - Acts as a contact point for individuals and the ICO
- iii. Staff
 - Must be alert to potential data protection complaints
 - Must promptly refer complaints to the appropriate Trust contact or the DPO
 - Must cooperate with investigations where required

11. Review and monitoring

This policy will be reviewed annually, or earlier if required due to changes in legislation, regulatory guidance, or significant learning from complaints.

12. Legal framework

This policy is informed by and operates in accordance with:

- UK General Data Protection Regulation (including Articles 5, 12, 15–22 and 77);
- Data Protection Act 2018;
- Data (Use and Access) Act 2025 (including section 164A of the Data Protection Act 2018);
- Information Commissioner's Office guidance on handling data protection complaints.