Giles Junior School

Achieving Excellence through Leadership

Data Protection Complaints and Information Rights Procedure

Approval: Full Governing Body | Proposed adoption: December 2026 | Review: December 2027

Internal procedure. Read alongside the Data Protection Policy, Privacy Notice, Subject Access Request process, Data Breach Response Procedure and Complaints Policy.

1. Purpose

The school takes data protection concerns seriously and will consider complaints about the way personal data has been handled.

This procedure explains how the school will manage data protection complaints and concerns, including concerns linked to subject access requests, other information rights requests, personal data handling, retention, accuracy, security and alleged data breaches.

This procedure applies to both primary and secondary schools and should be read alongside the school's Data Protection Policy, Privacy Notice, Subject Access Request process, Data Breach Response Procedure and wider complaints arrangements.

2. What this procedure covers

This procedure covers concerns about the way the school has handled personal data or responded to an information rights request, including a subject access request.

It may include concerns about whether the school has followed the correct process, responded within the relevant statutory timescale, or whether specific personal data has been missed, incorrectly disclosed, wrongly withheld or handled in a way that raises a genuine data protection concern.

This procedure is not intended to reopen wider school complaints, safeguarding concerns, behaviour matters, SEND issues, admissions, exclusions, HR matters, parental disputes or disagreements with school decisions simply because personal data is mentioned within those matters. Where a concern is mainly about another school process, the school will decide the appropriate route for dealing with it. A concern will not automatically become a data protection complaint simply because personal data is referred to within a wider school matter.

3. How to raise a data protection complaint

Data protection complaints may be made verbally or in writing. The school will record verbal complaints and provide reasonable adjustments where required. Complaints should be sent to:

admin@gilesjm.herts.sch.uk

Complaints and information rights requests should be sent to the school through this contact route, not directly to the school's External Data Protection Officer. This ensures the school, as Data Controller, can log the matter, check identity where needed and manage statutory timescales.

The complaint should explain:

- what the concern is
- whose personal data is involved
- what request, incident or decision the complaint relates to

- what outcome is being sought
- any specific information the person believes has been missed, mishandled or wrongly disclosed

The school may ask for clarification where the concern is unclear, where further information is needed, or where the complaint includes broad or general allegations that cannot reasonably be investigated without more detail.

4. Complaints linked to ongoing Subject Access Requests or information rights requests

Where a subject access request or other information rights request is already being processed, the school will normally complete that process before considering a complaint about the eventual disclosure. Concerns about delay, failure to act or other procedural handling may be considered during the ongoing request.

This is because the school cannot fairly assess whether information has been missed, withheld or handled incorrectly until the response has been completed and the requester has had the opportunity to review it.

The school may still consider a genuine procedural concern during an ongoing request where appropriate, for example if the requester believes the school has failed to acknowledge the request, has asked for unnecessary identification, or has refused to process the request. However, complaints about the scope of searches, redactions, exemptions, missing information or dissatisfaction with the eventual disclosure will normally be considered after the response has been issued.

The school will not normally enter into repeated correspondence or debate while a Subject Access Request is still being processed. Relevant correspondence may be acknowledged and considered as part of the ongoing process where appropriate.

5. Clarification, changes and additional requests

Requesters may clarify the scope of a Subject Access Request where this is genuinely needed.

However, repeated changes, new requests, additional search terms, new date ranges, additional named individuals, further systems, or additional categories of information may be treated as a new request. Where clarification is reasonably required and the law permits, the statutory timescale may be paused until clarification is received; routine follow-up correspondence does not itself pause the clock.

If the requester significantly expands the request after it has already been logged and searches have begun, the school may decide whether the new points can reasonably be included within the existing request or whether they should be dealt with separately.

Where the same requester submits more than one request relating to the same person, the same records, the same incident, or substantially the same information, the school may manage those requests together where it is reasonable to do so. The school will not normally duplicate searches or run parallel request processes for the same data, as this would be disproportionate and could create confusion or unnecessary delay.

If a further request is received while an existing request for the same or substantially similar information is still being processed, the school may confirm that the further request will be considered as part of the existing request where appropriate. Alternatively, the school may treat it as a separate request with its own timescale if it raises genuinely new issues or seeks different information.

The school will take a reasonable and proportionate approach, but requesters should not expect a live request to be repeatedly reworked, duplicated or restarted each time further correspondence is sent.

6. Extensions to the response period

Where a request is complex, or where the requester has made a number of requests, the school may extend the response period by up to a further two months, in line with UK GDPR.

The school will inform the requester within the initial one-month period where an extension is being applied and will explain the reason for this.

The decision to apply an extension is made by the school, based on the complexity, volume and circumstances of the request. Requesters do not need to agree to the extension for it to apply. Where the school has notified the requester within the initial one-month period and explained why an extension is needed, the extended statutory timescale will apply. The use of a lawful extension is part of the subject access process and does not mean that the school has failed to comply with the request.

7. Fees for Subject Access Requests

The school will normally respond to Subject Access Requests free of charge. A request for all personal data, or one requiring more than one working day to locate, collate, review or redact, does not in itself justify a charge.

Where a request is broad or likely to require substantial work, the school may invite the requester to narrow or clarify its scope voluntarily. Individuals wishing to narrow their request may do so in writing, for example by specifying dates, incidents, categories of information, records or systems. A requester is not required to narrow an otherwise valid request, and the school will continue to comply with applicable statutory timescales. Any pause for clarification will only be applied where permitted by law.

Only where permitted by data protection legislation, such as for a manifestly unfounded or excessive request or further copies of information already provided, may the school charge a reasonable fee or, where lawful, refuse to act. Any fee must be based on evidenced, reasonable administrative costs and assessed individually; it will not be an automatic hourly charge. Before charging, the school will record its legal justification, calculation and decision, and inform the requester. The school will seek advice from its Data Protection Officer where appropriate.

8. Searches carried out by the school

The school is responsible for deciding what searches are reasonable and proportionate.

In doing so, the school may take into account:

- the wording and scope of the request
- the information likely to be held
- the systems used by the school
- the age and location of the information
- the burden of searching
- whether the search is likely to produce relevant personal data
- the rights and freedoms of other individuals
- safeguarding, confidentiality and legal considerations

Requesters may suggest where they believe relevant information may be held. However, they cannot require the school to search every system, device, email account, staff member, archive or historic record unless this is reasonable and proportionate in the circumstances.

The school will not carry out broad, speculative or repeated searches where it has already taken reasonable steps to locate the personal data falling within the scope of the request.

9. Redactions, exemptions and third-party information

The school may withhold or redact information where required or permitted by law.

This may include information relating to other children, parents/carers, staff, safeguarding concerns, legal advice or ongoing investigations, but no category is automatically exempt: the school must identify and apply an appropriate legal basis for each withholding or redaction decision.

The school will consider exemptions and redactions on a case-by-case basis. The fact that information relates to the requester, or mentions the requester, does not automatically mean it can be disclosed in full.

In school settings, records may often contain mixed information about several people. This is particularly common in safeguarding records, behaviour records, complaints records, CPOMS-style records, emails and staff notes. The school must balance the requester's rights with the rights, safety and confidentiality of others.

Where information has been lawfully withheld or redacted, the school is not required to release it simply because the requester disagrees with the decision or raises a complaint. A complaint or challenge may lead the school to review a specific redaction or withholding decision, but it will not automatically result in the information being disclosed.

Where the school reviews a decision and remains satisfied that the original reason for withholding or redacting the information is sound, the school may confirm that the original decision stands.

10. Use of external advice, template letters or AI-generated correspondence

The school recognises that individuals may seek advice or use template letters, online tools or AI-generated wording when raising data protection concerns or making information rights requests. The school will consider the substance of the correspondence, rather than the form in which it is drafted.

However, correspondence must still be clear, specific and manageable. The use of lengthy, repetitive or generic wording will not require the school to expand the request beyond what has reasonably been asked for, repeat searches already completed, or respond separately to every legal assertion where the school has already addressed the substance of the matter.

Where correspondence introduces new issues, new time periods, new search terms, additional individuals or further categories of information, the school may treat those points as a new request or may ask the requester to clarify what they are asking for.

The school is responsible for deciding how to process a Subject Access Request lawfully and proportionately. Requesters may identify specific information they believe the school holds, but they cannot require the school to adopt a particular search method, search every possible location, disclose exempt information, or disregard the rights and freedoms of other individuals.

Where a requester repeatedly sends further correspondence before the school has completed its response, the school may acknowledge the correspondence and confirm that it will be considered as part of the ongoing process where relevant. The school will not normally provide repeated interim responses or enter into ongoing debate while the request is still being processed.

11. Complaints after a response has been issued

If, after receiving the school's response, the requester believes that specific personal data has been missed or that the request has not been handled correctly, they should explain clearly what they believe is missing or incorrect.

Data protection complaints must be reasonable, specific and capable of being considered by the school. Where a requester believes that a Subject Access Request or other information rights request has not been handled correctly, they should identify the specific information, document, search area, redaction or decision they are concerned about.

A complaint should not simply ask the school to repeat the whole process, carry out all searches again, reconsider every redaction, or provide a different outcome without explaining what specific issue needs to be reviewed.

The school will consider specific and reasonable concerns. However, general dissatisfaction, disagreement with lawful redactions, or a belief that more information must exist will not automatically require the school to repeat searches, reopen the request or re-run the process.

Where the school is satisfied that reasonable searches have already been carried out and the response has been properly handled, it may confirm that no further action will be taken.

12. Timescale for responding to data protection complaints

The school will acknowledge receipt of a data protection complaint within 30 days. It will make appropriate enquiries without undue delay, keep the complainant informed of progress and communicate its outcome without undue delay. As an internal target, the school will aim to provide a substantive response within one calendar month where practicable.

Where a matter is complex, where further enquiries are needed, or where the complaint overlaps with another school process, the school may require additional time. The school will keep the complainant informed where this is the case.

13. Repeated, excessive or unreasonable correspondence

The school will always consider genuine data protection concerns.

However, the school is not required to respond repeatedly to the same point where it has already provided a clear response. The school may manage repeated, excessive or unreasonable correspondence in line with its usual complaints or communications procedures.

Where correspondence becomes unreasonable in volume, frequency or tone, the school may set appropriate communication boundaries while still ensuring that any valid information rights request is handled in line with data protection law.

14. Role of the External Data Protection Officer

The school has an internal contact route for data protection matters, normally through its DPO@ email address, where used, or other nominated internal Data Protection Lead.

The External Data Protection Officer provides advice and support to the school. The External DPO is not normally the school's administrative complaint handler. This does not limit the DPO's statutory independence, monitoring responsibilities or accessibility to data subjects under UK GDPR.

Where a parent, pupil, requester or complainant contacts the External DPO directly, the External DPO may redirect them to the school's nominated contact route. Where appropriate, the External DPO may alert the school that direct contact has been received, but the individual should still be directed to the school's own contact route so the matter can be logged and handled by the school.

The school may seek advice from its External Data Protection Officer when handling data protection complaints, Subject Access Requests or other information rights requests.

The External DPO may advise the school on legal requirements, proportionality, timescales, searches, redactions, exemptions and complaint handling. The school remains responsible for managing correspondence and for decisions about its own records and responses.

15. Information Commissioner's Office

Individuals have the right to raise concerns with the Information Commissioner's Office.

The ICO will usually expect individuals to have raised the matter with the school first and allowed the school a reasonable opportunity to respond.

The ICO can be contacted via its website: www.ico.org.uk

16. Review

This procedure should be reviewed periodically and updated where there are changes to data protection law, ICO guidance or the school's internal processes.

Date adopted: December 2026 (subject to approval)

Review date: December 2027

Approved by: Full Governing Body