



**King's  
Worcester**

## **Data Complaints Procedure**

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## 1. Purpose

This procedure outlines how individuals (data subjects) can raise concerns about how their personal data has been handled by **The King's School Worcester Foundation** (the Foundation) and how the Foundation will respond, in line with the **Data (Use and Access) Act 2025**.

The Foundation is committed to upholding the highest standards of data protection across all its operations. This procedure reflects the Foundation's commitment to transparency, accountability, and the rights of individuals under data protection law.

All complaints submitted under this procedure will be handled confidentially and in accordance with the Foundation's Data Protection Policy. Information will only be shared where necessary to investigate the complaint or to comply with legal obligations.

This procedure is not intended to replace legal advice. Individuals with complex concerns or who are unsure of their rights under data protection law may wish to seek independent legal guidance.

This procedure may be updated from time to time to reflect changes in legislation, regulatory guidance, or internal policy. The most current version will be available on the Foundation's website.

## 2. Accessibility Statement

The King's School, Worcester is committed to making our policies accessible to everyone. If you require this document in an alternative format – such as large print, Braille, audio, or another language – please contact the Compliance Manager at [compliance@ksw.org.uk](mailto:compliance@ksw.org.uk) or by telephone.

We will do our best to provide the information you need in a way that works for you. If you require assistance in submitting a complaint, please contact the Compliance Manager at [compliance@ksw.org.uk](mailto:compliance@ksw.org.uk).

### 3. Scope

This process applies to all data subjects, including pupils, parents/guardians, staff, Governors, and others, who wish to raise a complaint about:

- a data breach affecting them
- a response to a Data Subject Access Request (DSAR)
- data retention practices
- profiling or automated decision-making
- any other data protection-related matter.

### 4. Complaints Involving Broader Issues

While this procedure is specifically designed to address complaints relating to data protection matters – such as data breaches, Subject Access Requests, or concerns about profiling – parents and guardians should be aware that they may also have recourse to the Foundation's general **Complaints Policy and Procedure**. If a complaint relates to broader issues beyond data protection (for example, teaching, pastoral care, or school management), or if the data protection concern is part of a wider issue, the general Complaints Policy may be more appropriate.

Complainants are encouraged to clearly indicate which policy they are submitting their complaint under, either this Data Protection Complaints Procedure or the Foundation's general Complaints Policy, to ensure it is handled through the correct process. Where a complaint spans both areas, the Compliance Manager may liaise with the relevant school leadership to coordinate an appropriate response.

For reference, the Foundation's Complaints Policy is available on the Foundation website or upon request. If you are unsure which procedure applies, please contact the Compliance Manager for guidance before submitting your complaint.

If a complaint raises safeguarding concerns, it may be referred to the Foundation's Designated Safeguarding Lead (DSL) or appropriate safeguarding authority, in line with statutory guidance. This may occur regardless of which complaints procedure is being followed.

Where a complaint includes both data protection and non-data protection elements, the Foundation may split the complaint and address each part under the relevant procedure. Complainants will be informed if this occurs.

## 5. How to Make a Complaint

Complaints can be submitted to the Foundation's Compliance Manager via email at [compliance@ksw.org.uk](mailto:compliance@ksw.org.uk) or by post to The King's School, Worcester, 5 College Green, Worcester, WR1 2LL.

To enable a thorough investigation, complainants should provide:

- their full name and contact details
- a concise summary of the issue
- details of the personal data involved
- the date or time period when the issue occurred
- how the issue came to their attention
- why they believe it constitutes a breach of data protection law
- a description of any impact the issue has had
- the desired outcome (e.g. correction of data, cessation of processing, explanation, apology)
- any supporting evidence, such as relevant documents or screenshots.

If the complaint is submitted on behalf of another individual, evidence of authorisation, such as a signed letter of authority or power of attorney, must be provided.

Anonymous complaints will be considered at the Foundation's discretion. Providing contact details enables a more thorough investigation and response.

## 6. Step-by-Step Process

### 1. Acknowledgement

- Complaints will be acknowledged within **30 calendar days** of receipt.
- Acknowledgement may be sent via email, post, or other appropriate means.
- If the complaint is received on a weekend or bank holiday, the 30-day period begins the next working day.

### 2. Investigation

- The complaint will be investigated **without undue delay**.
- We may request further details or evidence to clarify the issue.
- Investigations may include:
  - reviewing relevant records and policies
  - speaking to staff involved

- comparing the complainant's account with internal data
- ensuring compliance with our own standards and legal obligations.

Where necessary, the Foundation may share information with third parties (e.g. legal advisors, regulators) to investigate or respond to a complaint, in accordance with its Data Protection Policy and legal obligations.

### **3. Updates**

- Complainants will be kept informed of progress.
- If the investigation is expected to take time, we will provide an estimated completion date and a point of contact.

### **4. Outcome**

- A clear outcome will be provided as soon as possible.
- The response will include:
  - actions taken
  - resolution steps
  - explanation of how the conclusion was reached.
- If the complainant is dissatisfied with the outcome, they may escalate the matter to the Information Commissioner's Office via [www.ico.org.uk](http://www.ico.org.uk)

### **5. Record Keeping**

We will maintain records of:

- date of complaint
- acknowledgement
- investigation steps
- outcome
- any actions taken.

Retention of complaint records will follow the Foundation's Data Retention Policy.

## **7. Review**

This procedure will be reviewed by the Compliance Manager and Director of Operations annually or at more frequent intervals if there are relevant legislative changes, and/or the evaluation of the policy highlights the need for a review.

## 8. Version Control

<b>Version No</b>	<b>Date</b>	<b>Summary of changes</b>	<b>Reviewed by</b>
1	07/10/2025	Creation of procedure	Liz Sydenham, Compliance Manager

## 9. Approval

The Foundation Leadership Team will review and approve significant policy changes every two years or at more frequent intervals if there are relevant legislative changes, especially those affecting retention practices, and/or the evaluation of the policy highlights the need for a review.

<b>Version No</b>	<b>Approval Date</b>	<b>Approval Confirmed by</b>
1	03 November 2025	Foundation Leadership Team