



Data Protection Complaints Policy

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1. Purpose

The Enquire Learning Trust is committed to protecting the personal information of pupils, parents and carers, employees, volunteers, trustees, governors and others whose personal data it processes.

This policy explains how an individual can raise a complaint where they believe the Trust or one of its academies has not handled their personal information appropriately, and how the Trust will investigate and respond.

The policy reflects the requirements of the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018, Data (Use and Access) Act 2025, and current guidance issued by the Information Commissioner's Office (ICO).

Since 19 June 2026, organisations handling personal information have a legal duty to provide individuals with a way to make a data protection complaint, acknowledge complaints within 30 days, investigate appropriately, keep complainants informed and communicate the outcome.

This policy should be read alongside the Trust's Information Governance Policy and relevant privacy notices. Enquire Learning Trust is the Data Controller.

2. What is a data protection complaint?

A data protection complaint is an expression of dissatisfaction about how the Trust or one of its academies has collected, used, stored, accessed, shared, retained, secured or otherwise processed an individual's personal information.

Examples include concerns that personal information has been disclosed to the wrong person; information held about an individual is inaccurate; personal information has been used for an unexpected or inappropriate purpose; information is being retained for longer than necessary; appropriate security has not been applied; an individual's data protection rights have not been handled appropriately; a Subject Access Request has not been handled appropriately; the Trust has failed to explain adequately how or why personal information is being processed; or there has otherwise been an infringement of data protection law involving the individual's personal information.

3. Complaints involving other matters

A complaint may include both a data protection concern and other matters, for example safeguarding, SEND, behaviour or the actions of an employee. Where this occurs, the Trust may separate the different elements. The data protection element will be dealt with under this policy. Other matters may be dealt with under the appropriate Trust or academy policy. The complainant will be told if this happens and, wherever possible, the Trust will coordinate its responses to avoid unnecessary duplication.

4. Who can make a complaint?

A complaint may be made by an individual about the processing of their own personal information. A parent, carer, representative or other person may also make a complaint on someone's behalf where they have appropriate authority to do so.

Where appropriate, the Trust may need to verify the complainant's identity, the identity of the person whose data is concerned and/or the authority of a person acting on somebody else's behalf. The Trust will only request information reasonably necessary to establish identity or authority. Complaints involving children will be handled carefully and in accordance with the child's data protection rights, age and understanding.

5. How to make a complaint

The Trust will make it easy for individuals to raise a data protection complaint. A complaint does not need to use particular wording or quote data protection legislation.

Complaints may be submitted by email to the Data Protection Officer at [insert data protection email address], or by post to: Data Protection Officer, Enquire Learning Trust, Unit 18, Appleton Court, Wakefield, WF2 7AR.

A person may also raise a complaint verbally or through another reasonable communication route. Staff who receive a complaint concerning the handling of personal information must refer it promptly to the Data Protection Officer or designated data protection team. The Trust will not refuse to consider a complaint merely because the complainant has not completed a particular form.

6. Information that will help us investigate

Where possible, a complainant should provide their name and contact details; the academy or Trust service concerned; details of what happened and approximately when; why they believe their personal information was not handled appropriately; copies of relevant correspondence or documents; and what they would like the Trust to do to resolve their concern. The Trust will assist a complainant where reasonable clarification is needed.

7. Complaints procedure and timescales

Stage 1: Receipt and identification

Any employee receiving what appears to be a data protection complaint must forward it to the Data Protection Officer/data protection team promptly. The Trust will record the date received, complainant, academy or Trust function concerned, nature of the complaint and relevant statutory deadline. The statutory 30-day acknowledgement period begins from receipt of the complaint.

Stage 2: Acknowledgement

Trust target: within 5 working days. Statutory maximum: within 30 days of receipt.

The Trust will normally acknowledge a complaint within 5 working days. The acknowledgement will confirm receipt; provide a reference number where appropriate; identify who will manage or investigate it; summarise the issues being considered; request essential additional information where needed; provide an indicative date for the substantive response; and explain that the complainant will be updated if the investigation takes longer. Irrespective of the Trust's service target, complaints must be acknowledged within 30 days of receipt.

8. Investigation

Investigation commences without undue delay. The Trust will take appropriate steps to investigate the complaint. Depending on the circumstances, this may include reviewing correspondence and records; examining system information; speaking to relevant employees; considering relevant privacy information, policies and procedures; considering the lawful basis for processing; considering the handling of any data protection rights request; identifying whether a personal data breach occurred; and identifying corrective action already taken or required. The investigation will be fair, proportionate and appropriately independent from the matter complained about.

9. Providing an outcome

Trust service standard: normally within 30 calendar days of receipt.

Although the statutory framework requires an outcome without undue delay rather than setting a universal 30-day completion deadline, Enquire Learning Trust adopts a service standard of aiming to provide its full written response within 30 calendar days of receiving the complaint. This is a Trust service commitment and should not be confused with the statutory 30-day deadline for acknowledging a complaint.

The response will normally explain the complaint considered; enquiries undertaken; relevant evidence considered, insofar as it can appropriately be disclosed; findings; whether the complaint is upheld, partially upheld or not upheld; reasons for the conclusion; action already taken; further action to be taken; and the complainant's right to raise concerns with the ICO.

10. Where an investigation takes longer

Some complaints may be complex, involve significant quantities of information, require enquiries across several academies or systems, or overlap with other statutory or safeguarding processes. Where the Trust cannot reasonably complete its investigation within its 30-calendar-day service standard, it will contact the complainant before the expected response date, explain why further time is required and what remains outstanding, provide a revised indicative response date, and continue to provide proportionate progress updates.

Any complaint remaining open after 60 calendar days must be reviewed by the DPO/Director of Governance and Development, with the reasons for the continuing investigation recorded on the complaints log. This is an ELT governance control, not an ICO statutory deadline.

11. Outcomes and remedies

Where a complaint is upheld or partially upheld, appropriate measures may include correcting inaccurate information; restricting, deleting or otherwise correcting processing where legally appropriate; correcting information sent to another organisation; improving security; updating privacy notices; changing procedures; providing staff guidance or training; addressing systems or supplier issues; reviewing retention arrangements; recording and managing a personal data breach where applicable; and/or providing an explanation or apology.

12. Complaints concerning Subject Access Requests

A complaint about the handling of a Subject Access Request may be considered under this policy, including complaints about delay, scope of searches, information believed to be missing, redactions or withheld information, identity or authority checks, or the format in which information was supplied.

A complaint about a SAR does not restart or replace the statutory timescale applicable to the underlying Subject Access Request. The complaint and SAR should therefore be recorded separately where appropriate, with both deadlines monitored.

13. Personal data breaches

Where a complaint indicates that a personal data breach may have occurred, the matter must also be considered under the Trust's personal data breach procedure. The breach assessment and complaint investigation are related but separate processes. Where applicable, consideration will be given to whether notification to affected individuals or the ICO is required under data protection legislation.

14. Right to complain to the Information Commissioner's Office

If an individual remains dissatisfied with the Trust's handling of their personal information or response to their complaint, they have the right to raise their concerns with the Information Commissioner's Office (ICO). Information is available at ico.org.uk/make-a-complaint/. The Trust encourages individuals to raise concerns directly with us first so we have an opportunity to investigate and, where appropriate, put matters right. Nothing in this policy removes or restricts an individual's right to approach the ICO.

15. One-stage data protection complaints process

A data protection complaint will normally be dealt with through one investigation and one substantive Trust response. It will not normally progress through the stages of the Trust's general Concerns and Complaints Policy simply because the complainant disagrees with the data protection outcome. Once the Trust has completed its investigation and provided its outcome, the individual will be informed of their right to take their concern to the ICO. Where material new evidence is provided that was not reasonably available during the investigation, the DPO may decide that further consideration is appropriate before closing the matter.

16. Independence and conflicts of interest

A person should not normally investigate a data protection complaint where they are personally the subject of the complaint and this would create an actual or perceived conflict of interest. Where necessary, the Trust may appoint another suitably senior person or obtain appropriate specialist advice.

17. Accessibility and reasonable adjustments

The Trust will make reasonable adjustments to enable individuals to access this procedure. This may include accepting complaints verbally, providing documents in an alternative format, allowing an authorised representative to assist, providing appropriate communication support, and using clear, accessible and age-appropriate language when communicating with children.

18. Unreasonable or repeated contact

The fact that a person contacts the Trust repeatedly does not, of itself, mean their data protection complaint is unreasonable. The underlying complaint will still be considered fairly and in accordance with data protection law. Where the Trust needs to manage the manner or frequency of communication, this will not prevent compliance with statutory obligations.

19. Record keeping

The Trust will maintain an appropriate record of data protection complaints, including date received; acknowledgement date; complainant; academy/service concerned; category; investigator; relevant deadlines; progress updates; outcome; date closed; remedial actions; lessons learned; and whether the matter was subsequently referred to the ICO, where known. Personal information within complaint records will be retained in accordance with the Trust's retention arrangements.

20. Monitoring and organisational learning

The DPO will monitor data protection complaints to identify recurring issues, risks and opportunities for improvement. Relevant themes may inform policy revisions, staff training, Data Champion development, information governance controls, DPIAs, supplier management, system configuration, privacy notices, and reports to senior leadership and trustees.