

DUAA 2025 Complaints Form Guidance

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Data (Use and Access) Act 2025 (DUAA 2025)

The Data (Use and Access) Act 2025 (DUAA) complements the UK Data Protection Act 2018 (DPA) and UK GDPR by refining and modernizing the existing framework rather than replacing it. It received Royal Assent on 19 June 2025.

The changes include clarifications on using personal data for research, lifting restrictions on automated decision-making with appropriate safeguards, and allowing some cookies without consent. The Information Commissioner's Office (ICO) is also restructured as a body corporate called the Information Commission.

Requirements for Schools under the Data (Use and Access) Act 2025

Focussing on the DUAA 2025 and implications for the school this policy highlights the following:

Handling Complaints: The DUAA 2025 mandates that individuals must first complain directly to the school before contacting the ICO regarding data rights. Clause 103 of DUAA inserts a new section 164A into the UK DPA 2018, to introduce requirements for how schools must facilitate and handle complaints under the UK GDPR or DPA 2018, Pt 3. It will be a requirement of [Cradley CE VA Primary](#) to provide an electronic complaints form for individuals who wish to raise concerns about how their personal data is handled.

According to the Information Commission (1) The school must provide a way for individuals to submit complaints electronically (e.g. via a web form) or provide a form electronically that can be downloaded for completion by the complainant and (2) The school must acknowledge complaints within 30 days. The school must respond "without undue delay."

Scope

Section 103 of DUAA amends the UK Data Protection Act 2018 to require all data controllers to maintain and operate a complaints process for data protection concerns.

Individuals must first raise their complaint with the organisation; the ICO will only consider complaints after the internal process is exhausted.

This guidance aims to assist [Cradley CE VA Primary](#) to comply with DUAA 2025 and ensure fair, timely resolution of data protection complaints.

This guidance applies to all complaints relating to personal data processing under DUAA 2025.

Mandatory DUAA requirements

The school will do the following:

1. *Create and publicise a complaints process:*

[Cradley CE VA Primary](#) will ensure that this is transparent, accessible, and easy to locate (e.g. the school has linked this document to its privacy notice).

[Cradley CE VA Primary](#) will provide multiple channels (online form, email, postal options) to receive data protection complaints.

An example of a Complaints Form which may be compliant is found in Appendix 1 DUAA 2025 Complaints Form. This may be subject to amend following further advice from the ICO.

2. *Cradley CE VA Primary will operate the process effectively by:*

- Logging complaints, actions taken, and resolution dates.
- Acknowledging complaints within 30 days.
- Investigating and taking appropriate steps without undue delay.
- Communicate the outcome clearly and promptly to the requestor.
- ICO draft guidance suggests providing outcomes within three months, unless exceptional circumstances apply.
- Aim to resolve within 3 months (unless exceptional circumstances)
- [Cradley CE VA Primary](#) will document all steps taken
- [Cradley CE VA Primary](#) will communicate the outcome with a clear explanation of the decision and any remedial action taken
- [Cradley CE VA Primary](#) will inform the complainant of their right to escalate to the ICO
- [Cradley CE VA Primary](#) will retain records for audit and reporting purposes.

3. *Reporting and Oversight*

- The Secretary of State may introduce regulations requiring organisations to report complaint volumes to the ICO
- [Cradley CE VA Primary](#) will be ready to submit complaint statistics to ICO if required by future regulations
- Failure to comply could breach data protection law and undermine trust in the school.

4. *Practical Implications*

[Cradley CE VA Primary](#) will:

- Use this guidance as a basis for a written complaints procedure. This may or may not include the existing school's complaints procedure
- Train staff on handling complaints.
- Implement systems to track, respond to, and report complaints.
- Ensure clear communication of escalation rights to the ICO.

[Links to other policies and guidance](#)

[Data Protection Policy](#)

[FOI Model Publication Scheme](#)

[Freedom of Information Policy](#)

[Information and Cyber Security Policy](#)

[Further Information](#)

This document defines the DUAA Complaints Form Guidance for schools and is part of the Information Governance suite of policies currently published by [Cradley CE VA Primary](#).

If you require advice and assistance around any Information Governance matters (including for example Data Protection, data security and FOI requests) please contact the school's Data Protection Officer (DPO)].

[Please contact Mrs Warford, Data Protection Officer](#)

YourIG Data Protection Officer Service
Dudley MBC, The Council House, Dudley, DY1 1HF

Email: YourIGDPOService@dudley.gov.uk tel: 01384 815026

Appendix 1 DUAA 2025 Complaints Form

Under the Data Use and Access Act 2025 (DUAA), schools are now required to provide an electronic complaints form for individuals who wish to raise concerns about how their personal data is handled. While the ICO hasn't yet published a standardised form template, they do provide clear guidance and examples that can help you create one.

According to the ICO:

- The school must provide a way for individuals to submit complaints electronically (e.g. via a web form).
- The school must acknowledge complaints within 30 days.

The school must respond "without undue delay."

Form to raise concerns about how your personal data is handled

Complainant Details	Full Name	
	E-mail address	
	Phone number (optional)	
	Postal address (optional)	
Nature of the Complaint	What is your complaint about? (e.g. data breach, inaccurate data, SAR delay)	
	When did the issue occur?	
	Which part of the school is involved?	
Details of the Complaint	Please describe what happened	
	How has this affected you?	
	Have you contacted the school about this before? (Yes/No)	
	If yes, please provide details	

Supporting Documents	Upload any relevant documents (e.g. correspondence, screenshots)	
Preferred Outcome	What would you like us to do to resolve your complaint?	
Declaration	Checkbox: "I confirm that the information provided is accurate to the best of my knowledge"	
Submit Button	[Submit Complaint]	

Appendix 2 DUAA 2025 Complaints Acknowledgement Letter

[insert name of school]
[insert school address]

[School Email/Contact Information]
[Date]

[Complainant Name]
[Complainant Address]

Re: Response to Your Data Protection Complaint under the Data (Use and Access) Act 2025

Dear [Mr/Ms X],

Thank you for your complaint received on [insert date of receipt] regarding our handling of your personal data. This acknowledges receipt of your complaint, as required under Section 103 of the Data (Use and Access) Act 2025.

We will investigate your concerns, in line with Section 164A of the Data Protection Act 2018 (as amended) and ICO guidance.

We aim to conclude and formally respond within three months, unless exceptional circumstances apply. During our investigation, we may contact you for clarification or to request additional documentation.

Unless otherwise requested the information may be provided in paper copy, normal font size. If you require alternative formats, e.g. language, audio, large print, etc. then please let me know.

If you have any queries or concerns then please contact the Headteacher, [insert name of Headteacher]

Yours sincerely

[insert name of Headteacher]

Appendix 3 DUAA 2025 Complaints Response Letter

[insert name of school]
[insert school address]

[School Email/Contact Information]
[Date]

[Complainant Name]
[Complainant Address]

Re: Outcome to Your Data Protection Complaint under the Data (Use and Access) Act 2025

Dear [Mr/Ms X],

We have investigated your complaint received on [insert date] regarding the handling of your personal data.

We have completed a thorough review of the issues you raised, including:

[School to briefly outline what was examined, e.g., access logs, data sharing practices, privacy notices, relevant policies]

Our investigation concluded that:

[School to state whether the complaint was upheld, partially upheld, or not upheld. Providing reasons why referencing UK Data Protection Act 2018 and UK GDPR principles and lawful basis where appropriate]

[insert the following if applicable]. To address the matter, we have:

[School to describe corrective actions, e.g., updated records, implemented additional security measures, staff training]

[insert the following if applicable if no breach found]. We comply with the UK Data Protection Act 2018 and UK GDPR as follows:

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the

school.

The Information Commissioner may be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 0303123 1113

www.ico.org.uk

You are reminded that you do have a right to seek to enforce your rights through the courts.

Yours sincerely

[insert name of Headteacher]

Appendix 4: DUAA Complaints Form Guidance Flowchart

