



Cudham CE Primary School

Policy Title:	Complaints Policy
LT Responsibility:	Head of School
Review Body:	Head of School
Date:	January 2021
Review:	January 2022

Together we aim believe and achieve

At Cudham CE Primary School we want the very best for the children in our care so that they flourish in our Christian community and realise their potential. We strive to provide an enriching environment where each child will be happy, thrive and succeed.

1. Introduction

This policy applies to most complaints made to the academy by a parent, pupil or a member of the public in relation to the provision of facilities or services provided by Cudham CE Primary (the Academy). The resolution of a complaint should be seen as a potential opportunity for development. Principles of justice help us to recognise that the individual has a right to state a point of view and those against whom a complaint is made have the right to know as soon as possible. Separate policies exist for specific concerns covered by statutory requirements which include staff discipline and grievance, admissions, exclusions, SEN provision, content of the national curriculum, whistleblowing and child protection issues. In addition, complaints relating to services provided by other providers who may use the school premises should be directed to those providers.

This policy complies with the complaints policy of the Aquinas Church of England Education Trust (the Trust). This policy will be implemented fairly and impartially in accordance with the principles of the public sector equality duty as embodied in the Equality Act 2010 and the principles of natural justice.

All personal data received by the Academy in connection with a complaint will be processed in accordance with data protection principles and the Trust's data protection policy.

All staff are aware of the principles of data protection and will not processes personal data unless necessary. The Trust safeguards the personal data it collects through the operation of the Trust's data protection policy and processes and the IT policy. In addition, the Trust and

the relevant academy has taken steps to ensure that all its contracts that process data have the GDPR compliant provisions.

Concerns

The Academy acknowledges individuals may have a concern, being an expression of worry or doubt, over an issue considered to be important for which reassurances are sought whereas a complaint is generally recognised as being an expression or statement of dissatisfaction, however made, about actions taken or a lack of action. The Academy will seek to resolve all concerns and complaints at the earliest opportunity.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, email the Academy at admin@cupham.bromley.sch.uk explaining the situation and you will be referred to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, you will be referred to a colleague who can deal with your concern. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

However, there are occasions when people would like to raise their concerns formally. In this case, the Trust will attempt to resolve the issue internally, through the stages outlined. This policy details the Academy's procedures in relation to complaints.

2. Principles

- Complaints procedure is readily accessible to parents, pupils and members of the public so that they know how to raise concerns.
- Complainants will be treated fairly and given reasonable opportunities to explain their complaint at all stages.
- Complainants will be kept informed of the handling of a complaint.
- Procedures are as speedy as possible to ensure fairness to all.
- Confidentiality is important and communication will be treated with discretion. However, information must be shared to carry out a thorough investigation.
- All complaints will be recorded and monitored to identify issues.
- If it becomes apparent that a complaint has the potential to lead to a disciplinary issue, then advice will be sought.

3. Aims

- Encourage resolution of problems by informal means wherever possible.
- To ensure openness with regard to procedures for dealing with a complaint.
- To inspire trust and confidence of parents and guardians in the procedures adopted by the school.
- To protect the rights and professional integrity of staff members and other employees of the school.
- To ensure that the process is fair and impartial.

4. Procedure

4.1 The Head of School has responsibility for this policy and its implementation. Certain operational aspects of the policy may be delegated to a member of the senior leadership team. The nature of complaints which fall within the remit of this policy include curriculum/educational, behavioural or relate to staff conduct, but they are not limited to these areas.

4.2 The complaints procedure has four stages:

Stage 1 Informal resolution of a complaint.

Stage 2 Formal complaint to the Head of School.

Stage 3 Informal discussion with decision maker at stage 2 to resolve any outstanding issues.

Stage 4 Hearing before a complaints panel appointed by the Aquinas Advisory Council, unless the decision at stage 2 was made by the CEO in which case it will be a complaints panel appointed by Trustees.

4.3 At each stage, we will be mindful of ways the complaint can be resolved and one or more of the following may be appropriate:

- An apology.
- An explanation.
- An admission that the situation could have been handled differently or better.
- An assurance that the event complained of will not occur again.
- An explanation of the steps that have been taken to ensure that it will not happen again and an indication of the timescales within which any changes will be made.
- An agreement to review school policies or procedures as a result of the complaint.

4.4 The Academy will not normally investigate anonymous complaints. However, Head of School, if appropriate, will determine whether the complaint warrants investigation.

4.5 Complaints must be raised within 3 months of the incident or where there is a series of associated incidents, within 3 months of the last incident. The Academy will consider complaints made outside this time frame in exceptional circumstances.

4.6 Complaints made outside term time will be considered to have been received on the first school day thereafter.

4.7 The policy covers all complaints other than complaints that are dealt with under other statutory procedures:

Exceptions	Who to contact
<ul style="list-style-type: none"> • Admissions to schools 	<p>Complaints about admissions are dealt with through the appeals process or via the Local Authority.</p>
<ul style="list-style-type: none"> • Matters likely to require a Child Protection Investigation 	<p>Complaints about child protection matters are handled under our child protection policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the Local Authority Designated Officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH).</p>
<ul style="list-style-type: none"> • Exclusion of children from school 	<p>Further information about raising concerns about exclusion can be found at: www.gov.uk/school-discipline-exclusions/exclusions.</p> <p>Complaints about the application of the behaviour policy can be made through the Academy's complaints procedure.</p>
<ul style="list-style-type: none"> • Whistleblowing 	<p>We have an internal whistleblowing procedure for all our employees.</p> <p>Volunteer staff who have concerns about our school should complain through the Academy's complaints procedure. You may also be able to complain direct to the LA or the Department for Education.</p>
<ul style="list-style-type: none"> • Staff grievances 	<p>Complaints from staff will be dealt with under the Trust's internal grievance procedures.</p>
<ul style="list-style-type: none"> • Staff conduct 	<p>Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint.</p> <p>However, the complainant will be notified that the matter is being addressed.</p>

- 4.8 If other bodies are investigating aspects of the complaint, this may impact on the Academy's ability to adhere to the timescales detailed in these procedures or may result in the Academy's complaints procedure being suspended until the resolution of the parallel investigation.
- 4.9 If the complainant commences legal action against the Academy in relation to their complaint, the Academy will consider whether to suspend the complaints procedures in relation to their complaint until those proceedings have concluded.
- 4.10 If a complainant withdraws their complaint, the Academy will ask for written confirmation of such withdrawal.
- 4.11 The Academy is conscious that all complainants will not be able to access the complaints process as detailed in this policy due to disability, learning difficulties and/or difficulties using English. In such circumstances, the complainant must advise the Academy and alternative arrangements will be made. In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.
- 4.12 Complaints against school staff (except the Headteacher) should be made in the first instance, to the Headteacher via the school office. Please mark these as Private and Confidential.
- 4.13 Complaints that involve or concern the Headteacher should be addressed to the Chief Executive Officer (CEO) of the Aquinas Church of England Education Trust (the Trust) by emailing info@aquinatrust.org or via the Trust offices at Magpie Hall Lane, Bromley, Kent BR2 8HZ. Please mark these as Private and Confidential.
- 4.14 Complaints about the Chair of the Aquinas Advisory Council (AAC), any individual AAC member or the whole AAC body should be addressed to the CEO as detailed at 4.14 above. Please mark these as Private and Confidential.

5. Stage 1: Informal resolution of a complaint

- 5.1 The initial contact can be made by telephone or in writing to the class teacher, line manager or the school office depending on who or what is the subject of the complaint. A third party, acting on behalf of a complainant, can also raise the complaint as long as the third party has the appropriate consent to do so and a copy of such consent is provided to the Academy.
- 5.2 This member of staff will discuss the nature of the concern, establish what outcome the complainant is seeking and assure the complainant that the Academy is taking the complaint seriously. Name, date and contact details must be recorded.
- 5.3 If the member of staff is unable to deal with this, then he/she must ensure that the complainant is clear who will deal with the issue and when this will happen.
- 5.4 If an interview is arranged, then members of staff may request the presence of a third party (companion). Details of the interview will be recorded during the interview and agreed by all parties at the end of the interview.
- 5.5 The complainant must be clearly informed about what will happen (including if no action is to be taken) and the next steps or outcome should be communicated as soon as possible.
- 5.6 If no satisfactory resolution is obtained at this stage, then the complainant must be advised to put the complaint in writing to the Head of School in order to implement stage 2 of the complaints procedure.
- 5.7 In the case of a complaint against the Head of School parents have the opportunity to refer the matter directly to the Primary Education Director of the Trust at stage 1.
- 5.8 It is anticipated that most complaints will be resolved by this informal stage and the Academy will endeavour to deal with the complaints at this stage within 15 school days of the complainant making the complaint. Where this is not possible the complainant will be advised and a timescale for resolution provided.
- 5.9 The complainant is not required to undertake stage 1 in order to proceed to stage 2 but it is advisable to do so as in many cases the complaint can be resolved.

- 5.10 In certain cases, mediation may be appropriate. The Academy may suggest this as a way forward in order to allow for a full discussion of the concern and help rebuild the relationship between the parties.

6. Stage 2: Formal complaint

- 6.1 If a complaint progresses to this stage the complainant will be asked to put the complaint and their desired outcome in writing to the Head of School. If the complaint concerns the Head of School, the complainant will be asked to put the complaint in writing to the Primary Education Director. Where the complainant is unable to do so, s/he must communicate this to the Academy and alternative arrangements will be made.
- 6.2 In the case of a complaint against the Primary Education Director a member of the Aquinas Advisory Council] the complaint must be made in writing to include the desired outcome to the CEO of the Trust.
- 6.3 On receipt of the complaint, the Head of School or the CEO will acknowledge receipt within 5 school days and outline the procedure with a potential target date for response.
- 6.4 The Head of School, Primary Education Director or, where relevant, the CEO shall endeavour to deal with the complaint within 15 school days of receipt of the written complaint. If the complaint requires detailed collection of information and investigation this period may be extended but the complainant will be kept advised.
- 6.5 The Head of School, Primary Education Director or, where relevant, the CEO will investigate the circumstances of the complaint, seeking clarity where necessary, and in doing so may request statements from members of staff and pupils and all relevant documentation. Evidence and written records of all meetings and telephone calls will be collected. Details of the outcome the complainant is seeking may also be requested. In order to establish some of the information, a meeting with the complainant maybe requested.
- 6.6 The Head of School may appoint a member of the Academy's senior leadership team to collect the necessary information and conduct the investigation.
- 6.7 Where the complaint relates to the Head of School, the CEO may appoint a member of the Trust's Executive team to collect the necessary information and conduct the investigation.
- 6.8 If the complaint concerns a member of staff, that member of staff has a right to be given details of the complaint and the opportunity to make representations in relation to the complaint.
- 6.9 Allegations of abuse regarding a member of staff should be reported to the Head of School immediately and the Trust's Allegations of Abuse against Staff Policy must be followed. Where such allegations involve the Head of School it must be reported to the CEO immediately and the Trust's Allegations of Abuse against Staff Policy must be followed
- 6.10 The Head of School or, where relevant the CEO, is responsible for deciding on the validity of the complaint and the action to be taken.
- 6.11 The Head of School or, where relevant the CEO, will then either write to the complainant or arrange a meeting to resolve the matter within 15 school days of receipt of the formal complaint. If the Head of School or CEO is unable to resolve the complaint within this period, he/she will provide the complainant with an update and revised response date.
- 6.12 The meeting will be followed by a letter summarising the outcome. The response will detail the actions taken to investigate the complaint, details of the decision and the reasons for it. Where appropriate, it will include details of the actions the Academy will take to resolve the complaint. The letter will also inform the complainant that s/he has the right to have the complaint considered by a complaints panel appointed by the Aquinas Advisory Council if the complainant is not satisfied with the outcome at stage 2 and it does not concern a decision of the CEO in relation to the Head of School.
- 6.13 If the complainant is dissatisfied with the outcome of the complaint at this stage and requires the complaint to be heard by a Panel appointed by the Aquinas Advisory Council, the complainant should notify the Head of School and the note taker to the Aquinas Advisory Council within 5 school days of receiving the outcome letter, subject to stage 3. Appeal requests received outside this period will only be considered in exceptional circumstances.

6.14 Where the complaint relates to the Head of School and the complainant is dissatisfied with the CEO's decision at stage 2 and wishes the matter to be considered by a panel of Trustees, the complainant must notify the CEO and the Company Secretary within 5 school days of receiving the outcome letter, subject to stage 3. Appeal requests received outside this period will only be considered in exceptional circumstances.

7. Stage 3: Informal discussion with decision maker at stage 2 to resolve any outstanding issues

7.1 Where the complainant is dissatisfied with the outcome at stage 2 and has notified the decision maker and the note taker to the AAC or the company secretary, where appropriate, that the complainant wishes the unresolved matters to be considered by a panel as detailed in stage 4, the decision maker is at liberty to instigate a further informal stage to consider and informally resolve the outstanding elements of the complaint.

7.2 The decision maker will advise the complainant of the implementation of stage 3 within 3 school days of receipt of the complainant's notification of dissatisfaction and wish to move to stage 4.

7.3 In implementing 7.1, the decision maker delegates the implementation of stage 3 to a member of the Executive team. The complainant can be requested to provide written details of why s/he is dissatisfied with the outcome of stage 2 and asked to attend a meeting to explore the reasons.

7.4 Following 7.3, the decision maker or the person delegated by the decision maker should provide a further letter of explanation in order to resolve the outstanding matters together with the details at 7.5 within 15 school days of 7.3.

7.5 Where the complainant remains dissatisfied with the outcome of stage 3 and requires the complaint to be considered under stage 4, the complainant must provide notification of the same in writing to the decision maker and the note taker to the AAC or the Company Secretary, as appropriate, together with written details of why the complainant remains dissatisfied following stage 3.

7.6 In certain cases, mediation may be appropriate. The decision maker may suggest this as a way forward in order to allow for a full discussion of the concern and help rebuild the relationship.

8. Stage 4: Hearing before a panel appointed by the Aquinas Advisory Council

8.1 It is unusual for a complaint to reach this stage but in such circumstances a complaints panel will be appointed to resolve the complaint and achieve reconciliation between the Academy and complainant. This is the final stage of the complaint's procedure. If the complainant believes the Academy and/or the Trust did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Education and Skills Funding Agency (ESFA) after they have completed Stage 4.

8.2 The complaints panel members, consisting of at least 3 people, who will have had no direct involvement in the matters detailed in the complaint, with one member of the panel being independent of the management and running of the Academy. In most cases this will include 2 members of the Academy's AAC and a third panel member independent of the management and running of the Academy. Where the complaint concerns the Head of School and the CEO dealt with stage 2 and 3, the panel will consist of 2 Trustees and a third panel member independent of the management and running of the Academy.

8.3 The written complaint, together with details of why the complainant is dissatisfied with the outcome of stage 2 and where relevant, stage 3, will be sent to the complaints panel together with all other paperwork considered at stage 2 and if relevant stage 3.

8.4 The note taker/Company Secretary will record when the complaint is received and acknowledge receipt of the complaint in writing within 5 school days of receipt of the request and will provide details of when the complaint will be heard, where possible, within 15 school days from receipt of the notification that the complainant requires the complaint to be heard by the complaints panel. However, where stage 3 is instigated by the decision maker,

acknowledgement of the complaint will be within 5 school days of 7.5 and the complaint, where possible, will be dealt with within 15 school days from 7.5.

- 8.5 The complaints panel will convene at a time suited to both complainant and the Academy which may mean that the complaint may not always be considered within 15 school days as detailed at 8.4. If the complainant rejects the offer of three proposed dates, without good reason, the note taker/Company Secretary will decide when to hold the meeting. It will proceed in the complainant's absence on the basis of written submissions from both parties.
- 8.6 All parties, including witnesses, should have at least 5 school days' notice of the time date and venue of the meeting, where possible.
- 8.7 The complainant will be invited to submit additional written evidence and allowed to bring a friend or a relative with him/her. Interpretation facilities will be made available if required. Legal representation is not encouraged except where it is appropriate to do so such as a complaint against a member of staff. Representatives of the press are not permitted to attend.
- 8.8 All documents should be sent to all parties 5 school days before the meeting, where possible. Recordings of conversations obtained covertly and without the informed consent of all parties will not normally be accepted. The complaints panel will also not review any new complaints or consider evidence unrelated to the initial complaint.
- 8.9 The Chair of the complaints panel should ensure full minutes are taken and that the meeting is kept as informal as possible to keep everyone at their ease. Generally, the meeting will not be recorded electronically unless it is requested by a party and all other parties agree. Consent will be recorded in the minutes.
- 8.10 When all evidence and issues have been raised the Chair of the complaints panel will inform all parties that they will receive the decision in writing within 5 school days.
- 8.11 When everyone has left, the complaints panel will remain to consider:
- The validity of the complaint and uphold or dismiss it in whole or in part.
 - Appropriate action to be taken to resolve the complaint.
 - Recommendations to the Academy to ensure similar problems do not arise in the future.
- 8.12 Details of the findings and recommendations are:
- Provided to the complainant. The outcome letter will provide a full explanation of the decision and the reasons and, where appropriate, the action the Academy will take to resolve the complaint. Details of who to contact at the ESFA if the complainant remains dissatisfied with the outcome; and
 - Available for inspection at the Trust's premises by the Trustees, members of the Aquinas Advisory Council and the Head of School.
- 8.13 The Academy will retain all correspondence and notes confidentially. Details of all complaints which reach stage 2 and stage 4 will be notified to the Trust's Company Secretary. There is no further right of appeal at the Academy. If the complainant is dissatisfied with the outcome and wishes to take the matter further the complainant can refer their complaint to the ESFA online at: www.education.gov.uk/contactus by telephone on: 0370 000 2288 or by writing to: Academy Complaints and Customer Insight Unit, Education and Skills Funding Agency, Cheylesmore House, 5 Quinton Road, Coventry, CV1 2WT

9. Recording Complaints

- 9.1 A written record must be kept of all complaints that are made in accordance with the Academy's formal complaints procedure (stage 2 and 4).
- 9.2 The record must include details of whether the complaint was resolved following a formal procedure (stage 2) or proceeded to a hearing before a complaints panel (stage 4) and the action taken by the Academy as a result of those complaints (regardless of whether they are upheld).
- 9.3 Details of the number of formal complaints must also be recorded on the Academy's website and this policy must also be published on the Academy's website.

10. Serial and unreasonable complaints

10.1 Although the Academy is committed to dealing with all complaints fairly and impartially, to providing a high quality service to those who complain and will not normally limit the contact complainants have with our school; we do not expect our staff to tolerate unacceptable behaviour and will take action to protect staff from that behaviour, including that which is abusive, offensive or threatening.

The Academy defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the school, such as, if the complainant:

- Refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- Refuses to co-operate with the complaints investigation process.
- Refuses to accept that certain issues are not within the scope of the complaints procedure.
- Insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice.
- Introduces trivial or irrelevant information which they expect to be taken into account and commented on.
- Raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- Makes unjustified complaints about staff who are trying to deal with the issues, and seeks to have them replaced.
- Changes the basis of the complaint as the investigation proceeds.
- Repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- Refuses to accept the findings of the investigation into that complaint where the Academy's complaint procedure has been fully and properly implemented and completed including referral to the Department for Education.
- Seeks an unrealistic outcome.
- Makes excessive demands on school time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.
- Uses threats to intimidate.
- Uses abusive, offensive or discriminatory language or violence.
- Knowingly provides falsified information.
- Publishes unacceptable information on social media or other public forums.

10.2 Complainants should try to limit their communication with the Academy that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

10.3 Whenever possible, the Head of School will discuss any concerns with the complainant informally before applying an 'unreasonable' marking to the complaint as opposed to the complainant.

10.4 If the behaviour continues, the Head of School will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the Academy causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan. This will be reviewed after six months.

10.5 In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the Academy.

10.6 Complaints may also be considered to be frivolous or vexatious, characteristics of which are:

- Complaints which are obsessive, persistent, harassing, prolific, repetitious.
- Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason.
- Insistence upon pursuing meritorious complaints in an unreasonable manner.
- Complaints which are designed to cause disruption or annoyance.
- Demands for redress that lack any serious purpose or value.

In such cases the Academy may also implement this section.

10.7 The decision to stop responding to a complaint will never be taken lightly but may take place in the circumstances detailed at 10.1.

10.8 If an individual's behaviour is a cause for concern, s/he can be asked to leave the Academy's premises and can be barred from entering the site. In such cases the individual should be given the opportunity to formally express their views on the decision to bar them. A decision to bar will be reviewed with the Chair of the AAC and the representations of the individual concerned will be considered. Where the decision was confirmed, the individual should be notified in writing detailing the length of the bar and when it will be reviewed.

11. Complaint Campaigns

11.1 Where the Academy receives a series or a large volume of complaints based on the same subject from complainants unconnected with the Academy, the Academy will be at liberty to:

- Send a template response to all complainants.
- Publish a single response on the Academy's website.
- Treat all the complaints as one, follow stage 2 of this policy and provide a standard response to all complainants.
- Where the complainants remain dissatisfied with the stage 2 outcome, proceed to treat all complaints as one and implement stages 3 and 4 save that there will be no formal hearing. The clerk will decide when to hold the meeting and it will proceed in the absence of all parties and on the basis of written submissions from all parties. A standard response will be provided to all complainants.

Where the complainants remain dissatisfied, then they are at liberty to forward their complaint to the ESFA, the details of which are found at 8.13.

12. Bias in Proceedings

Complainants are entitled to a fair meeting or review and can request an independent panel if they believe there is likely to be bias in the proceedings. They must provide evidence of bias in support of their request, as it is the Head of School or CEO's decision, where appropriate, whether to agree to it. If the appearance of bias is sufficient to taint the decision reached, then the request should be granted. The appearance of bias may be sufficient to taint a decision even if there is no actual bias.

Persons who have a conflict of interest should not take part in the complaints process. If there is reasonable doubt as to a person's ability to act impartially, they should withdraw from considering the complaint.

13. Monitoring, Evaluation

The Head of School will monitor the level and nature of complaints and the policy will be evaluated in the light of complaints made and their resolution and the necessary changes will be made to this policy.

Where it is considered necessary to deviate from this procedure, the Academy will maintain a record of the deviation and the reasons for doing so.

Number of complaints registered under the formal procedure of the policy for the preceding year

Academic Year	Number of complaints
2019 -2020	Nil
2018-2019	Nil
2017-2018	Nil

DATA PROTECTION

Cudham Church of England Primary School [The Academy] processes personal data in accordance with the data protection principles embodied in the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. The Academy complies with the requirements of the data protection legislation as detailed in the Trust Data Protection Policy.

All staff are aware of the principles of data protection and will not process personal data unless necessary. The Academy safeguards the personal data it collects through the operation of the Trust's data protection policy and processes and the IT policy. In addition, the Academy has taken steps to ensure that all its contracts that process data have the GDPR compliant provisions.