



Supporting  
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## **West Cornwall Women's Aid Data Protection Complaints Handling Process**

### **1. Purpose**

The purpose of this Data Protection Complaints Handling Process ("Process") is to provide a fair, transparent, and effective mechanism for individuals to raise concerns regarding the processing of their personal data and to ensure compliance with:

- UK General Data Protection Regulation (UK GDPR);
- Data Protection Act 2018 (DPA 2018);
- Data (Use and Access) Act 2025 (DUAA);
- Information Commissioner's Office (ICO) guidance on data protection complaints.

This Process applies to all complaints received on or after 19 June 2026.

### **2. Scope**

This Process applies to complaints relating to:

- Collection of personal data;
- Use of personal data;
- Disclosure or sharing of personal data;
- Data retention practices;
- Data security measures;
- Direct marketing activities;
- Automated decision-making;
- International transfers of personal data;
- Handling of data subject rights requests;
- Personal data breaches;
- Any alleged infringement of UK data protection legislation.

This Process applies to complaints from:

- Customers;
- Employees;
- Job applicants;
- Contractors;
- Suppliers;
- Website users;
- Any individual whose personal data is processed by the Organisation.



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### **3. Definitions**

#### **Data Protection Complaint**

A complaint made by or on behalf of an individual alleging that the Organisation has failed to comply with UK data protection legislation in relation to personal data.

A complaint does not need to:

- Refer to legislation;
- Use legal terminology;
- Be labelled as a "data protection complaint."

Any expression of dissatisfaction relating to the handling of personal data must be considered for assessment under this Process.

#### **Complainant**

The individual making the complaint or their authorised representative.

### **4. Complaints Principles**

The Organisation will ensure that all data protection complaints are:

- Handled fairly and impartially;
- Investigated objectively;
- Managed without undue delay;
- Documented appropriately;
- Resolved at the earliest opportunity;
- Escalated where necessary;
- Used as a source of organisational learning.

### **5. Making a Complaint**

The Organisation shall facilitate the making of data protection complaints through multiple accessible channels.

Complaints may be submitted via:

- Email;
- Online complaint form;
- Website contact form;
- Post;
- Telephone;
- In person;
- Live chat services;
- Social media channels;
- Any employee of the Organisation.

Individuals shall not be required to use a specific complaint channel.

Where a complaint is received by an employee, the employee must immediately forward the complaint to the Data Protection Team.

## **6. Information Provided to Individuals**

The Organisation shall inform individuals:

- Of their right to complain to the Organisation;
- How complaints can be submitted;
- Of their right to complain to the Information Commissioner's Office (ICO);
- How the complaint will be handled.

This information shall be included within:

- Privacy Notices;
- Data Subject Rights correspondence;
- Complaint acknowledgement letters;
- The Organisation's website.

## **7. Complaint Receipt and Logging**

Upon receipt of a complaint, the Organisation shall:

1. Create a complaint record.
2. Assign a unique reference number.
3. Record:
  - Date received;
  - Complainant details;
  - Nature of complaint;
  - Relevant processing activities;
  - Assigned investigator;
  - Deadlines and actions.

All complaints shall be entered into the Data Protection Complaints Register.

## **8. Acknowledgement**

The Organisation shall acknowledge receipt of the complaint within thirty (30) calendar days of receipt.

The acknowledgement shall include:

- Complaint reference number;
- Name or role of investigator;
- Summary of the complaint;



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- Expected next steps;
- Contact details for further enquiries;
- Information regarding the complainant's rights.

## **9. Initial Assessment**

Within ten (10) working days of allocation, the investigator shall determine:

- Whether the matter constitutes a data protection complaint;
- Whether additional information is required;
- Whether immediate remedial action is necessary;
- Whether the complaint indicates a personal data breach;
- Whether escalation is required.

Where clarification is needed, the investigator shall contact the complainant promptly.

## **10. Investigation**

The investigator shall conduct an appropriate and proportionate investigation.

Activities may include:

- Reviewing relevant records;
- Interviewing personnel;
- Examining technical logs;
- Reviewing policies and procedures;
- Assessing legal obligations;
- Consulting the Data Protection Officer (DPO);
- Consulting Legal Counsel where required.

The Organisation shall make appropriate enquiries and keep the complainant informed of progress where investigations are ongoing.

## **11. Escalation Criteria**

The complaint shall be escalated to the Data Protection Officer immediately if:

- Special category data is involved;
- Criminal offence data is involved;
- A personal data breach is suspected;
- Significant regulatory risk exists;
- Multiple individuals are affected;
- Legal proceedings are threatened;
- The complaint raises systemic compliance concerns.



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## 12. Complaint Outcomes

Following investigation, the Organisation may determine that:

### **Complaint Upheld**

The Organisation accepts that a breach of data protection requirements has occurred.

Actions may include:

- Apology;
- Corrective action;
- Rectification of personal data;
- Erasure of personal data;
- Restriction of processing;
- Additional staff training;
- Process improvements.

### **Complaint Partially Upheld**

The Organisation accepts some aspects of the complaint but not all.

### **Complaint Not Upheld**

The Organisation concludes that data protection obligations were met.

## 13. Response to the Complainant

The Organisation shall provide the outcome of the complaint without undue delay.

The final response shall include:

- Summary of the complaint;
- Investigation undertaken;
- Findings;
- Actions taken or proposed;
- Explanation of decisions made;
- Information regarding escalation rights.

The response shall also explain the individual's right to complain to the Information Commissioner's Office if dissatisfied.

## 14. ICO Escalation Information

The Organisation shall inform complainants that they may contact:

### **Information Commissioner's Office (ICO)**

Website: <https://www.ico.org.uk>

The Organisation shall cooperate fully with any subsequent ICO investigation.



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## **15. Personal Data Breach Identification**

Where a complaint reveals a potential personal data breach, the matter shall immediately be referred to the Organisation's Personal Data Breach Response Procedure.

The complaint investigation and breach investigation may proceed in parallel.

## **16. Record Keeping**

The Organisation shall maintain records of:

- Complaints received;
- Acknowledgements issued;
- Investigation activities;
- Communications with complainants;
- Outcomes;
- Corrective actions;
- Lessons learned.

Records shall be retained in accordance with the Organisation's Retention Schedule.

## **17. Monitoring and Reporting**

The Data Protection Officer shall review complaint data at least quarterly.

Reports shall include:

- Number of complaints received;
- Categories of complaints;
- Response times;
- Outcomes;
- Root causes;
- Trends and recurring issues;
- Corrective actions implemented.

Management shall review reports to identify opportunities for improvement.

## **18. Training**

All employees shall receive training covering:

- Recognition of data protection complaints;
- Escalation procedures;
- Complaint handling obligations;
- UK GDPR requirements;



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- ICO expectations.

Training shall be refreshed at least annually.

## **19. Continuous Improvement**

The Organisation shall periodically review:

- Complaint trends;
- Root causes;
- Policy effectiveness;
- Regulatory developments;
- ICO guidance.

Processes shall be updated where necessary to maintain compliance and improve customer outcomes.

## **20. Review**

This Process shall be reviewed:

- Annually;
- Following significant complaints;
- Following regulatory changes;
- Following ICO enforcement action or guidance updates.

## **21. Document Control**

Document Owner: Data Protection Officer

Approved By: Interim Chief Executive Officer

Review Frequency: Annual

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