

Complaint Handling under the Data (Use and Access) Act 2025

By 19 June 2026 you must have a documented process for dealing with data protection complaints. Below we provide guidance on the complaints process end to end, including what you are expected to do on receipt of a complaint.

Preparation

- Have a process for handling data protection complaints.
- Tell people that they can complain to you (and the ICO).
- Ensure your staff can recognise a complaint and know where to direct it appropriately.
- Include information about handling data protection complaints in the internal data protection training you give to your staff.
- Ensure your relationships with third parties cover how complaints will be handled.
- If there is a chance you will receive requests from children, consider how you will respond in an age appropriate manner.

Receipt and Acknowledgement

- Always acknowledge a complaint within 30 days. The 30 days start the day after you receive the complaint whether it falls on a weekend or public holiday. Yet, if the last day falls on a weekend or public holiday you have until the next working day.
- Ensure you are happy with the identity of the requestor (or have sufficient authority where the complaint is made on someone else's behalf).
- Where a complaint is made about different matters, identify what relates to data protection.
- Keep a record of complaints received.

Investigation

- Investigate without undue delay and carry out appropriate enquiries.
 - Look at all relevant facts and speak to relevant employees;
 - Compare the information you hold with that provided by the complainant; and
 - Check you have upheld your own terms, policies and standards.
- Be able to justify how you handled the complaint.
- Keep the complainant informed of the progress of the complaint.

Outcome

- Inform the complainant of the outcome without undue delay and by an appropriate channel (typically in writing).
- Ensure your outcome is clear, summarises steps taken to investigate and includes the actions you've taken (or will take) as a result.
- Learn from your complaints – ensure you review what happened and consider if there's anything you can do to improve on to prevent future complaints. Take action: is there a need to stop certain processing activities; correct inaccurate personal data; improve policies and training?

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