

Procedure Title:

Data protection Complaints Procedure

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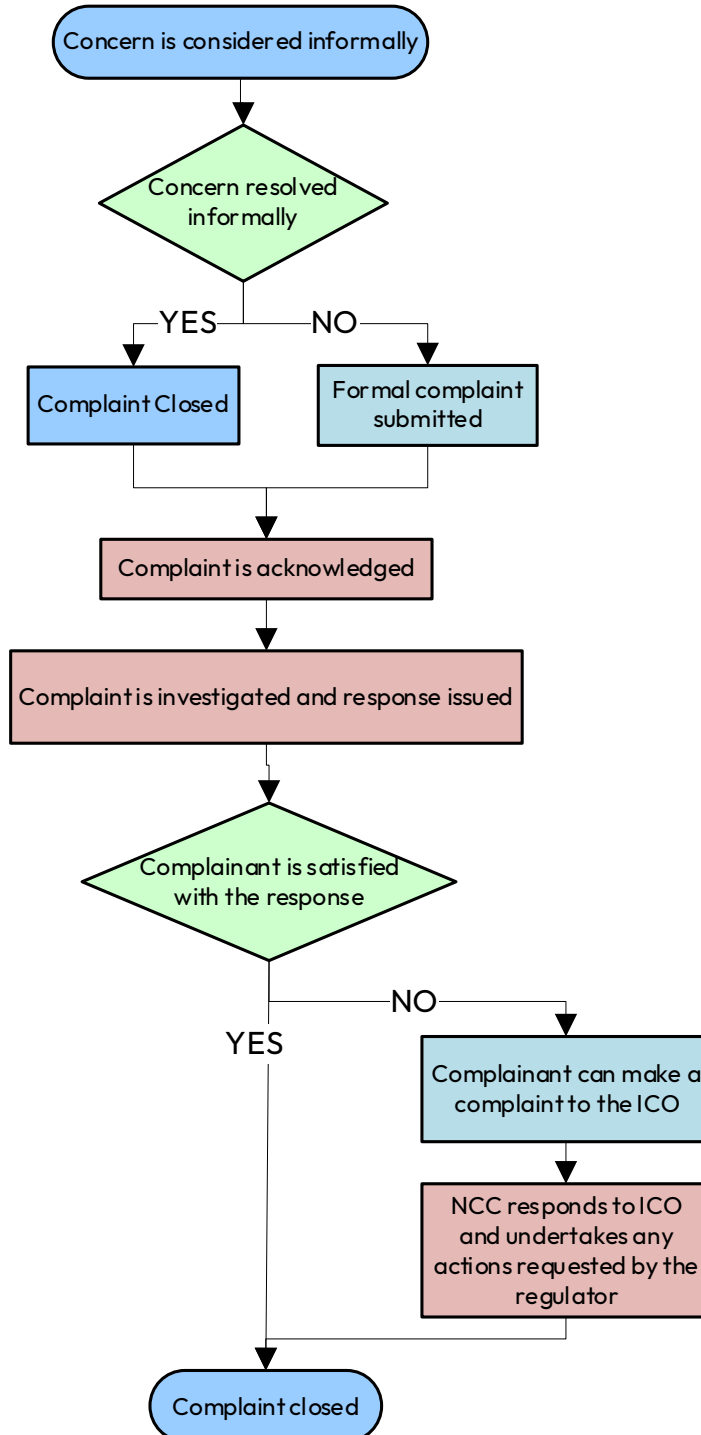
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1 PROCEDURAL FLOW



Complaints Procedure



2 PURPOSE

The purpose of this procedure is to set out how NCC responds to complaints relating to personal data.

3 SCOPE

3.1 This procedure applies to complaints relating to personal data only.

- 3.2 NCC aims to comply with its obligations under relevant data protection laws, including the UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018 (DPA) and the Privacy and Electronic Communications Regulations (PECR) However, where you are not satisfied with the way in which NCC has processed personal data, or where you are unsatisfied with the handling of an information rights request, you have a right to submit a complaint.
- 3.3 Anonymous requests will not be accepted. Group complaints may be handled separately where there is a need to disclose personal data.
- 3.3 If there is any doubt about the identity of the complainant, we will seek confirmation of identity. A copy of a passport, photo driving licence or similar are acceptable forms of identification.
- 3.4 Complaints from an individual's representative will only be accepted if we receive written consent from the individual authorising the representative to act on their behalf in relation to the complaint.
- 3.5 In some cases, we may refuse to handle a complaint. This may be when a complaint is deemed to be manifestly unfounded, abusive, vexatious or excessive. In such cases, NCC will contact the complainant/their representative and in a reasonable timeframe explain to them why their complaint is not being considered and any rights they have regarding further escalation of their concerns.



4 ROLES & RESPONSIBILITIES

	RESPONSIBILITY
NCC Data Protection Officer	Responsible for the implementation of this procedure and the handling of data protection complaints
NCC Data Protection Officer	Responsible for ensuring a fair and comprehensive investigation is conducted for all complaints under this procedure
All Staff	Responsible for ensuring that they are familiar with this procedure. All staff must cooperate with the complaint investigator when instructed.



5 PROCEDURE DETAIL

As far as possible, we encourage you to make and resolve your concerns informally. The Data Protection Officer (or nominee) may suggest your complaint is handled informally initially. If you are not satisfied with the outcome, then you may submit a formal complaint as set out below.

5.1 Complaints must be submitted in writing to the Data Protection Officer by:

- Submitting a complaint using the online form
- Email to: Data.Protection@nccuk.com
- Post to: NCC, Bristol and Bath Science Park. Feynman Way Central, Emersons Green, Bristol. BS16 7FS

5.2 Any data protection complaint received by a staff member outside of the above, must be forwarded to Data.Protection@nccuk.com at the earliest opportunity.

5.3 Responding to Data Protection Complaints

5.3.1 We will aim to acknowledge your complaint within 5 working days. You will be notified whether your complaint is eligible for consideration under this procedure.

5.3.2 Complaints will usually be responded within 30 calendar days from the date of receipt. Should further time be required, you will be provided with a revised timescale. An extension to the initial timeframe will not normally exceed a further 30 calendar days.

5.3.3 Where clarification or further information is requested from you, your complaint will be placed on hold, and the 30-calendar day deadline will be paused until such time as you provide sufficient clarification.

6.4.4 Complaints should be submitted within 3 months of the incident, or 3 months from your last meaningful contact with NCC about the issue you are complaining about. Complaints submitted beyond this time limit will be considered at the discretion of the Data Protection Officer. Historic issues may limit the availability of evidence for an investigation, e.g. records may have been destroyed in line with our records retention schedule, or there may have been changes in staff.

6.4.5 The complaint will be investigated fairly and thoroughly, with consideration shown for legislative requirements and any evidence you provide.



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- 6.4.6 To investigate your complaint, it may be necessary for the investigator to contact you for further information. This may include discussing the issue in a meeting.
- 6.4.7 If you fail to provide sufficient assistance for an effective investigation to be conducted, then your complaint may be closed.
- 6.4.8 Upon completion of the investigation, you will be contacted and notified of:
 - a. Whether your complaint has been upheld, partly upheld or not upheld;
 - b. An explanation of the decision, including how it was reached;
 - c. Any recommendations and/or resolutions proposed by NCC;
 - d. Information on your next steps if you dissatisfied with the outcome.

6.5 CONTACTING THE ICO

- 6.5.1 If you remain dissatisfied following the outcome of the review, you have the right under data protection legislation to escalate your concerns directly to the Information Commissioner.
- 6.5.2 The Information Commissioner can be contacted at the following address: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.
- 6.5.3 Further information is available on their website: [Make a complaint | ICO](#)
- 6.5.4 NCC may need to share information relating to you and your complaint and the investigation with the Information Commissioner to assist their review.