Humber, Ford & Stoke Prior

Group Parish Council

Data Complaints Procedure Policy

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Data Protection Complaints Procedure Policy

1. Purpose and Commitment

This policy sets out how Humber, Ford & Stoke Prior (HFSP) Group Parish Council handles data protection complaints in accordance with UK data protection law and the Data (Use and Access) Act. The organisation is committed to handling personal data fairly, transparently and lawfully, and to providing individuals with a clear, accessible route for raising concerns about the handling of their personal information.

The HFSP Group Parish Council will maintain an effective complaints procedure and will ensure that complaints are acknowledged, investigated and responded to without undue delay.

2. Legal Requirements

The UK Data (Use and Access) Act 2025 requires HFSP Group Parish Council to provide individuals with a means of raising data protection complaints.

Each data protection complaint will be acknowledged within 30 days of receipt.

HFSP Group Parish Council will take appropriate steps to respond to complaints without undue delay, including making relevant enquiries and keeping complainants informed of progress.

HFSP Group Parish Council will provide an outcome to the complainant without undue delay.

3. Scope

This policy applies to all data protection complaints made by individuals whose personal information is processed by HFSP Group Parish Council. It also applies to complaints made by authorised representatives acting on behalf of an individual.

4. Definition of a Data Protection Complaint

A data protection complaint is a concern raised by an individual about the way the Parish Council has handled their personal information. The purpose of this policy is to ensure that anyone who is dissatisfied with the handling of their personal data has a clear and effective method for raising a complaint.

Examples of data protection complaints may include concerns about:

- A data breach that has affected the individual.
- The Parish Council's response to a Data Subject Access Request or other privacy rights request.
- How long personal information is retained.
- The accuracy of personal information held by the organisation.
- The security measures used to protect personal information.
- How profiling has been carried out.
- Any other matter relating to data protection.

5. Matters Not Treated as Data Protection Complaints

A matter will not normally be treated as a data protection complaint where the individual is primarily raising a service issue, employment grievance or other non-data protection concern, even if they are also exercising a privacy right such as access, erasure or objection.

Examples of matters that may not be data protection complaints include:

- A person acknowledging that a subject access request was answered on time but expressing dissatisfaction that it was not expedited.
- An employee raising a grievance and also requesting copies of their personal information.
- A person raising a customer service issue and also asking for their information to be deleted.

6. How to Make a Complaint

Individuals may make a complaint about the handling of their personal data by contacting the Clerk.

Complaints may be submitted through any reasonable channel, including:

- Email: clerk@hfspgroupparishcouncil.gov.uk
- Phone: 01885 400712

Complainants are encouraged to provide as much relevant detail as possible to enable the Parish Council to understand, investigate and respond to the complaint effectively.

7. Acknowledgement, Investigation and Response

HFSP Group Parish Council will acknowledge receipt of a data protection complaint within three working days where practicable and, in all cases, within the required statutory period.

The Parish Council will investigate the complaint fairly and proportionately, making any relevant enquiries and requesting additional information where necessary.

HFSP Group Parish Council will aim to provide a full response within 30 calendar days of receipt of the complaint. Where additional time is required due to the complexity of the matter, the complainant will be kept informed of progress and the reason for any delay.

The response will set out the outcome of the investigation, any action taken or proposed, and any relevant escalation or external complaint routes.

8. Internal Complaint Handling Process

The data protection complaints procedure is integrated with the Parish Council's wider complaints arrangements to ensure consistency, accountability and compliance with legal requirements.

The Parish Council will follow the steps below when handling complaints:

1. Acknowledge receipt of the complaint.
2. Assess and investigate the matter.
3. Keep the complainant updated on progress.

4. Record all actions, decisions and evidence relied upon.
5. Provide an outcome to the complainant and signpost any appropriate external authorities.
6. Review lessons learned and implement improvements where appropriate.

9. Complaints Made on Behalf of Others

A complaint may be raised by a representative acting on behalf of an individual, such as a family member, solicitor or relevant organisation.

Before progressing a complaint made by a representative, the Parish Council will take reasonable steps to confirm that the representative is authorised to act on the individual's behalf. This may include requesting a signed letter of authority, legal power of attorney or other appropriate evidence.

10. Joint Controllers

Where personal data is processed with joint controllers, the Parish Council will ensure that transparent arrangements are in place for handling data protection complaints and that responsibilities are clearly allocated.

The timeframe for acknowledging a complaint will begin when the complaint is received by any controller. Joint controller agreements will be maintained and reviewed to reflect these arrangements.

11. Escalation to the Information Commissioner's Office

If a complainant is not satisfied with the outcome of the complaint, or believes the Parish Council has not handled the complaint appropriately, they may complain to the Information Commissioner's Office, the UK's independent regulator for data protection and information rights.

The Information Commissioner's Office can be contacted as follows:

- Email: icocasework@ico.org.uk
- Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- Phone: 0303 123 1113
- Website: ico.org.uk

HFSP Group Parish Council will ensure that staff and volunteers understand this policy, can recognise a data protection complaint and know what action to take if they receive or identify one.

13. Publication and Accessibility

HFSP Group Parish Council will make this policy available to individuals in an accessible format, including by publishing it on the HFSP Group Parish Council website or providing it promptly on request.

Where appropriate, supporting information or a complaint checklist may be provided to help individuals explain their concerns and provide relevant evidence.

14. Records and Continuous Improvement

The Parish Council will keep appropriate records of data protection complaints, investigations, decisions, outcomes and any actions taken. Records will be retained in accordance with the data retention requirements.

HFSP Group Parish Council commit to review complaints to identify lessons learned, improve procedures and strengthen compliance with data protection obligations.