

## DATA PROTECTION COMPLAINTS PROCEDURE

### 1. Our commitment

We are committed to providing an excellent standard of service to our clients. We take the protection of personal data very seriously and recognise the importance of handling any concerns about our data protection practices transparently, fairly and promptly. This policy sets out how we handle complaints relating to our processing of personal data, in compliance with section 164A of the Data Protection Act 2018 (**DPA 2018**), the UK GDPR and Part 3 of the DPA 2018, as amended by the Data (Use and Access) Act 2025.

Individuals have the right to complain to controllers or the Information Commissioner's Office (**ICO**) about data protection infringements. In most instances, the ICO expects individuals to first make data protection complaints directly to controllers, who must handle complaints in line with their obligations under section 164A(1) of the DPA 2018.

### 2. What complaints does this policy cover?

This policy applies to complaints about any alleged infringement of data protection legislation in connection with your personal data that we process, including:

- any infringement of the UK GDPR;
- complaints in relation to your personal data or an infringement of Part 3 of the DPA 2018; and
- any concern relating to how we have collected, used, stored, shared or otherwise processed your personal data.

This policy does not cover general complaints about the quality of our legal services (which are addressed under our separate Complaints Policy).

Although this policy has been prepared to comply with the requirements of UK data protection legislation, including the UK GDPR and the Data Protection Act 2018, we operate across multiple jurisdictions. In respect of complaints arising in connection with our operations outside the United Kingdom, we will apply the principles and procedures set out in this policy to the extent consistent with applicable local law. Where local data protection legislation imposes additional or different requirements, we will comply with those requirements as necessary.

If your complaint concerns both data protection and another matter, we will explain how each component will be addressed separately. Where a complaint is about more than data protection, we will explain how the different components will be addressed.

### 3. How to make a data protection complaint

We are required to facilitate the means for individuals to make complaints either electronically or by other means (section 164A(2) DPA 2018). You can raise a data protection complaint by sending an email to [dataprotection@beale-law.com](mailto:dataprotection@beale-law.com).

### 4. Information we will need from you

We will only ask for additional information which is reasonable and proportionate to address your complaint. To enable us to investigate your complaint, it would be helpful if you could provide:

- Your name and contact details;
- the type of complaint, together with a description of the issue in sufficient detail;
- relevant date or time ranges (if applicable); and
- any supporting documents you wish to rely upon (document upload is available for electronic submissions).

We will explain what additional information (for example, proof of identity) is required to proceed with your complaint at the earliest possible stage in the process.

We may ask for proof of identity, or to verify a third party's authority to act on your behalf. We will not proceed with the complaint until evidence is provided. If a third party does not provide the required evidence, we will explain that the complaint cannot proceed until they do.

There is no fee for making a data protection complaint and we will not charge you for investigating and responding to your concerns.

## **5. Complaints to or about processors or partners**

Where a complaint received by us relates to the processing of personal information by our service providers, we will ask these providers to furnish us with details and information relevant to the complaint without undue delay and in accordance with any agreed and specified terms within our contract with the service provider.

Where a service provider receives a complaint about the processing of personal data whether by them or us, they should forward this to us without undue delay. Service providers are under no obligation to handle complaints on our behalf unless this has been agreed between us and the relevant service provider(s) under a binding contract. Where applicable, we will ask service providers to handle such complaints in line with our policies and procedures.

Where we process personal information acting as a service provider on behalf of a controller, we will only handle complaints under arrangements agreed and specified within a binding contract between us and the controller(s). If the controller disappears, no longer exists or has become insolvent, we will handle complaints in line with this policy and its associated procedures.

## **6. Anonymous complaints**

We recognise that individuals may wish to submit anonymous complaints. Anonymity prevents us from sending a 30-day acknowledgement response directly to the complainant. However, we will assess whether any failure to act on an anonymous complaint could itself constitute a breach of our obligations. We will handle anonymous complaints where the severity of the issue raised warrants investigation.

## **7. What happens after I have made a complaint?**

### **8. Acknowledgement**

We will acknowledge receipt of your complaint within 30 days of receiving it, as required by section 164A(3) of the DPA 2018. The acknowledgement will include a reference number for your complaint and a point of contact.

### **9. Investigation**

We are legally obligated to make enquiries about your complaint without undue delay. The extent of enquiries will be appropriate for investigating the complaint. Our investigation may include:

- classifying the seriousness of your complaint based on criteria relevant to our organisation and the individuals whose data we process;
- understanding, where possible, your desired outcome (for example, an amended decision, an apology or an amended process);
- assigning a person with the requisite data protection training and experience to conduct the investigation, with specialist training considered for more serious complaints or sensitive matters;
- gathering data and evidence within appropriate parameters;
- adopting a procedure to ensure investigations are addressed fairly and that steps are taken to mitigate bias or discrimination; and
- conducting interviews with relevant staff, witnesses or with you, where appropriate, with times, dates, interviewees and summaries documented.

## 10. Updates during the investigation

Without undue delay, we will take appropriate steps to respond to your complaint and inform you about the outcome. Appropriate steps include making enquiries into the subject matter of the complaint to the extent appropriate and keeping you updated on progress (section 164A(4) and (5)).

We will keep you updated on the progress of the investigation with an anticipated timeframe or resolution date, the next steps and a point of contact if you require further information.

For lengthy investigations, we will also: explain the format and frequency of progress updates; provide a revised resolution date where known; explain the reasons for the length of the investigation; provide a different point of contact if relevant; and explain what information is likely to be included in each update.

## 11. How long will it take?

We will aim to conclude our investigation and provide our response as quickly as possible. We will acknowledge your complaint within 30 days of receipt. Following acknowledgement, we will proceed without undue delay to investigate and inform you of the outcome.

In exceptional circumstances it may be necessary to extend the investigation. If this occurs, we will contact you in writing and keep you updated on progress.

## 12. What might the outcome be?

How we handle outcomes can influence whether complaints are escalated to the ICO. When we have concluded our investigation, we will:

- clearly explain any action taken to resolve your complaint, or why no action is necessary;
- ensure the information provided is sufficient to justify the outcome;
- respond to each component of your complaint where feasible;
- provide information on escalation paths if you are dissatisfied with the outcome; and
- ask for your feedback on the complaint-handling process.

Where our investigation concludes that our data protection practices have fallen below the required standard, we will not hesitate to apologise and take appropriate remedial steps. We will also record details of any action taken to satisfy your complaint and any further remediation.

We will also take steps internally to identify areas for improvement following complaint resolution, in order to reduce the number of future complaints, and keep a record of these steps.

## 13. What if I remain dissatisfied?

If you remain dissatisfied once our complaints procedure has been exhausted, we will inform you of your right to contact the ICO.

If we have not addressed your complaint as required under the DPA 2018 and the ICO's data protection complaints guidance, you may escalate your complaint to the ICO. You also have the right to complain to the ICO at any time and to lodge a claim before a competent court, irrespective of whether you have first used our complaints process. There may also be exceptions where the ICO is willing to address a complaint in the first instance.

## 14. Contacting the ICO

You can contact the Information Commissioner's Office (ICO) using the following details:

- **Website:** <https://www.ico.org.uk/>
- **Telephone:** 0303 123 1113
- **Post:** Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

## **15. Vexatious or unreasonable complaints**

We have established a process for dealing with unreasonable, abusive or vexatious complaints. Where we consider a complaint to be vexatious or manifestly unfounded, we will explain our reasons for this assessment and the steps available to you.

## **16. Accessibility**

We consider the scope of any accessibility guidance for individuals with particular needs, including children, vulnerable adults and individuals with disabilities or specific accessibility requirements. We ensure complaints information is made obvious and accessible to all individuals, including clients, children, parents and employees.

## **17. How we use your personal data in handling your complaint**

Personal data collected in connection with your complaint will be processed in accordance with our Privacy Policy and in line with the requirements of the UK GDPR, in particular the principles of purpose limitation and data minimisation.

We maintain appropriate retention schedules for different types of complaints, whether resolved, escalated internally or escalated to the ICO.

## **18. Our accountability obligations**

We are committed to demonstrating compliance with our accountability requirements under Article 5(2) of the UK GDPR. This includes maintaining records of complaints received and their outcomes, and keeping this policy under review to ensure it remains compliant with applicable data protection legislation and ICO guidance.

Changes to the data protection complaint-handling regime are a result of the Data (Use and Access) Act 2025 amendments to the DPA 2018. This policy has been updated accordingly and will continue to be reviewed in light of any further regulatory developments or ICO guidance.