Liskeard Town Council

Data Protection Complaints Policy

1. Purpose

Liskeard Town Council is committed to protecting personal data and complying with the requirements of the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and associated legislation.

This policy sets out how individuals can raise concerns or complaints about how the Council processes their personal data and how such complaints will be handled.

2. Scope

This policy applies to complaints concerning:

- The collection, use, storage, sharing or disposal of personal data.
- Failure to comply with an individual's data protection rights.
- Personal data breaches affecting an individual.
- Accuracy of personal information held by the Council.
- Retention of personal data.
- Disclosure of personal data to third parties.
- Any other matter relating to the Council's compliance with data protection legislation.

This policy does not replace the Council's general complaints procedure but applies specifically to matters relating to personal data.

3. Principles

The Council will ensure that data protection complaints are:

- Easy to make.
- Handled fairly and impartially.
- Investigated thoroughly and proportionately.
- Resolved as quickly as possible.

- Recorded and monitored.
- Used to improve services and compliance where appropriate.

4. Making a Complaint

Individuals may submit a data protection complaint in writing by:

Email: townclerk@liskeard.gov.uk

Post:
Town Clerk
Liskeard Town Council
3 – 5 West Street
Liskeard
PL14 6BW

The complaint should include:

- Name and contact details.
- A description of the concern.
- Relevant dates.
- Details of any correspondence already exchanged.
- What outcome is being sought.

A representative may complain on behalf of another individual where appropriate authority has been provided.

5. Complaint Handling Process

Stage 1: Acknowledgement

The Council will acknowledge receipt of a data protection complaint within **30 calendar days** of receiving it. The acknowledgement will:

- Confirm receipt.
- Provide a point of contact.
- Explain the next steps.
- Advise if further information is required.

Stage 2: Investigation

The Council will:

- Assess the issues raised.
- Gather relevant information and evidence.
- Seek clarification where necessary.
- Review compliance with data protection legislation, policies and procedures.

Stage 3: Progress Updates

Where an investigation is likely to take more than a short period, the Council will keep the complainant informed of progress and any significant developments.

Stage 4: Outcome

The Council will provide a written outcome without undue delay. The response will include:

- Findings of the investigation.
- Any corrective action taken or proposed.
- Reasons for decisions made.
- Information about further rights of complaint.

6. Possible Outcomes

Where appropriate the Council may:

- Correct inaccurate records.
- Restrict or cease certain processing activities.
- Improve procedures or staff training.
- Apologise for any error identified.
- Take remedial action to address any breach or failing.
- Explain why the Council believes it has complied with its legal obligations.

7. Escalation to the Information Commissioner's Office (ICO)

If a complainant remains dissatisfied after receiving the Council's response, they have the right to complain to the Information Commissioner's Office (ICO), the UK's independent regulator for data protection. The ICO generally expects individuals to raise concerns with the organisation first.

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

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

Telephone: 0303 123 1113

8. Record Keeping

The Council will maintain a register of data protection complaints, including:

- Date received.
- Nature of complaint.

- Actions taken.
- Outcome.
- Date closed.

Records will be retained in accordance with the Council's retention schedule and accountability obligations.

9. Learning and Improvement

Data protection complaints will be reviewed periodically to identify:

- Trends and recurring issues.
- Training requirements.
- Policy or procedural improvements.
- Areas of regulatory risk.

Where appropriate, lessons learned will be incorporated into the Council's governance and data protection framework.

10. Responsibility

Overall responsibility for this policy rests with the Town Clerk as the Council's Proper Officer.

11. Review

This policy will be reviewed every three years, or sooner if required by changes in legislation, ICO guidance, or Council practice.

Policy Version: 1.0
Approved by: Full Council
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