



Data Protection Complaints Procedure

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Data Protection Complaints

Procedure

1. Introduction

- 1.1. The General Data Protection Regulation ('GDPR'), the Data Protection Act 2018 ('DPA 2018'), the Data (Use and Access) Act 2025, and the Privacy and Electronic Communications Regulations ('PECR') (together, the 'Data Protection legislation'), give individuals rights in relation to personal data. This procedure details how the University will respond to complaints from data subjects and third parties relating to the use of personal data.
- 1.2. The University is committed to providing a consistently high-quality service. However, the University recognises that individuals including students, parents, employees or other third parties may wish to raise issues or concerns regarding data protection and commits to use any such complaints to assist in the continuous improvement of standards and quality.

2. Scope

- 2.1. Complaints may be made in relation to any aspect of the University's processing of personal data, this may include:
 - 2.1.1. complaints about the handling of individual rights requests
 - 2.1.2. complaints relating to the content of the University's Privacy Statement and Notices
 - 2.1.3. complaints relating to any data sharing with third parties
 - 2.1.4. complaints in relation to the use of personal data for direct marketing and/or profiling activity

3. Principles of the Data Protection Complaints

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- 3.1. The University will ensure that data subjects are aware of their right to complain. This will include outlining the right to complain in the [University's Privacy Statement and Notices](#) and informing data subjects as part of responses to individual rights requests.

- 3.2. The University will treat all complaints seriously, and resolution will be sought at the earliest possible time. It is desirable that complaints are resolved through informal conciliation between the relevant parties, such as mediation, whenever possible and appropriate.
- 3.3. The University will manage complaints in a way that is timely and efficient, is fair and transparent to all parties and promotes a feedback culture to support service improvements.
- 3.4. The University endeavours to ensure that complaints are handled in accordance with the published policy.

4. Recording and monitoring of complaints

- 4.1. Complaints are recorded centrally and are monitored in order to identify any problems and trends.
- 4.2. Information relating to complaints is used to provide reports and supports the University in improving the service it provides and enhancing student experience.
- 4.3. The University maintains oversight of complaints through updates and reports.

5. Complaints process

- 5.1. Complaints should be sent directly to the Data Protection Officer at dataprotectionofficer@essex.ac.uk. The Data Protection Officer will normally acknowledge the complaint within five working days.
- 5.2. Where appropriate the Data Protection Officer will first seek to verify the data subject's identity or third party's entitlement to the relevant information.
- 5.3. Once all identification requirements have been met, the investigation will be carried out normally within 30 working days. If further clarification is required from the complainant or more time is required for the response to be completed the University will inform the complainant prior to the original deadline. The complaint outcome will be communicated to the complainant in writing, normally by email within 30 working days.
- 5.4. If the complainant does not agree with the outcome, they can request a review of the decision. This request must be made within one calendar month of the original decision being communicated. The decision will be internally reviewed by the University Secretary normally within 30 working days from the receipt of the request for review.
- 5.5. If the complainant remains dissatisfied, they can escalate their complaint to the Information Commissioner's Office (the 'ICO'). Information about how to make a complaint to the ICO can be found here: <https://ico.uk/make-a-complaint/>.

Document Control Panel

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