



Data Protection Complaints Procedure

Version control and history		
Title	Description	Author
Data Protection Complaints Procedure	1 st version reflecting changes to data protection legislation introduced by the Data (Use and Access) Act 2025	Information Governance Unit

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1. Purpose

This procedure sets out how the University processes and responds to complaints from individuals in relation to the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act (DPA) 2018 (together referred to as the “UK Data Protection Legislation”).

The procedure addresses the requirements set out in Section 164A of the Data Protection Act 2018 (as amended by the Data (Use and Access) Act 2025, paragraph 103) and reflects the best practice guidance of the Information Commissioner’s Office (ICO).

2. Scope

This procedure applies only to about matters covered by UK Data Protection Legislation, such as how the University handles, stores or otherwise uses your personal data, or how it responds to your data subject rights requests. Complaints about other topics or data protection (or equivalent/similar) legislation from other jurisdictions cannot be handled under this process.

3. What is a data protection complaint?

We regard a data protection complaint as any expression of dissatisfaction relating to the processing of your personal data or a response we have provided regarding a data subject rights request under the legislation, e.g. a subject access request, a request for erasure etc. Further clarification is given in sections 5 and 6.

4. Who can complain?

Any individual, including children, whose personal data has been processed by the University (a data subject) can make a complaint under this procedure. Relevant identity checks may be required.

Complaints can also be made by someone authorised to make a complaint on behalf of a data subject. In such cases the University is obliged to check that appropriate authorisation is in place, e.g. written authorisation from the data subject or an appropriate power of attorney. Relevant identity checks may be required for both parties.

5. What can I complain about?

You, or someone authorised to act on your behalf, can complain under this procedure if you believe that, in relation to UK Data Protection Legislation, the University:

- has not properly responded to a request for personal information (Subject Access Request (SAR));
- has not properly responded to any other subject rights request;
- has not adequately explained how your personal information will be used or is using it in a way that is unfair;
- is processing your personal data unlawfully;
- collected your personal data for one purpose and is using it for another;
- is processing more personal data than is necessary;
- holds inaccurate or outdated personal information;
- is keeping your personal information for longer than necessary;
- has not kept your personal data secure;
- has disclosed your information improperly; or
- has failed to uphold your data subject rights.

6. What can I not complain about?

Complaints must relate to the processing of personal data under UK Data Protection Legislation. This procedure cannot be used where the fundamental issues are outside those set out in section 5. If there is another, more appropriate, route or process for you to raise your issue, then we will highlight this to you. Specifically, this procedure is not for:

- general service dissatisfaction unconnected to personal data;
- matters relating to Freedom of Information/Environmental Information legislation;
- academic, disciplinary or employment grievances, except insofar as they concern personal data handling; or
- complaints solely about non-UK data protection regimes.

7. What are data subject rights?

Under UK Data Protection Legislation, you have several important rights in relation to your personal data. These are:

- The right to be informed about the collection and use of personal data.
- The right to access and receive a copy of personal data.
- The right to have inaccurate personal data rectified or completed if it is incomplete.
- The right to have personal data erased.
- The right to request the restriction or suppression of personal data.
- The right to data portability, i.e. the right to obtain and reuse your personal data for your own purposes across different services.
- The right to object to the processing of your personal data.
- Rights related to automated decision-making including profiling.

Please be aware that not all rights apply in all circumstances. Your ability to exercise these rights will depend on the specific circumstances. For more detailed information about your rights please see the [ICO guidance on individual rights](#).

8. What to include in a complaint

If you wish to make a complaint about a data protection issue, please supply the following information to the Information Governance Unit:

- Your name and contact details.
- Any reference numbers that can help identify you or your complaint.
- A clear description of the issue.
- A description of the outcome you are seeking.

We may ask you to provide further information if required to allow us to investigate and respond to your complaint. This may include identity verification and/or evidence of data subject authorisation (when a third party is making a complaint on behalf of a data subject).

9. How to submit a complaint

You should submit your complaint, providing the information set out in section 8, to the Information Governance Unit through one of the communication methods set out below.

Online: completing our online [Data Protection Complaint Form](#).

Email: dataprotection@strath.ac.uk

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Post: Information Governance Unit
University of Strathclyde
Room 8.28 Graham Hills Building
50 George Street
Glasgow G1 1QE

If you need this procedure or the complaint form in an alternative format, or need assistance making a complaint, please contact the Information Governance Unit and we will seek to make reasonable adjustments.

If you submit your complaint via another route, the University will still process it in accordance with this procedure, however you may not receive a response as quickly as if you use the communication methods listed above.

10. Timescale for making a complaint

a) Raising an initial complaint

It is beneficial for you and the University if you raise your complaint as quickly as possible. Delays can make it difficult to investigate complaints properly.

Where your complaint is in relation to a response you have received from the University's Information Governance Unit, e.g. in relation to a subject rights request, we request that you make a complaint within 3 months of receiving our response.

For other matters you should make the complaint as soon as possible after becoming aware of the issue.

b) Raising an escalated complaint

Where you have received a response via the Initial Review and Early Resolution route (as set out in section 12) and you remain dissatisfied, you can request that your complaint is Escalated to a Reviewing Officer. We request that a complaint is escalated within 3 months of receiving a response via the Initial Review and Early Resolution Route.

c) Delays to raising a complaint

There is no time limit to making an initial or escalated data protection complaint. However, any delays may affect our ability to investigate your complaint.

11. What happens after I submit a complaint?

We will:

- Provide an initial acknowledgement within 30 calendar days.
- Review your complaint and investigate the matter.
- Keep you updated on the progress of the investigation, providing timeframes and explaining any delays.
- Respond to your complaint **without undue delay**.
- Issue a formal response to the address you provided which will include:
 - o full details of the actions taken to investigate your complaint; and
 - o the outcome of the investigation.

- Provide you with details to make a complaint to the Information Commissioner's Office, if you remain dissatisfied.

12. How will my complaint be handled?

The Information Governance Unit will review your complaint.

a) Initial Review and Early Resolution

The Information Governance Unit will review your complaint and, if appropriate, will attempt to resolve your concern promptly by providing additional information, clarification, or correction. Many complaints can be resolved at this early stage, especially where concerns arise from misunderstandings or a lack of clarity.

b) Escalation to Reviewing Officer

A complaint may be escalated to a Reviewing Officer either because:

- it is evident that it is too complex to be handled via the Initial Review and Early Resolution process; and/or
- you have already had a response via the Initial Review and Early Resolution route and you remain dissatisfied.

The University's Data Protection Officer (DPO) will usually act as the Reviewing Officer. Where appropriate, the DPO may delegate this role to another suitably qualified member of staff who has not been directly involved in the matter.

The Reviewing Officer will not have been directly involved in the initial response or any Initial Review and Early Resolution process. The Reviewing Officer will liaise with relevant staff, as necessary and appropriate, to gain a full understanding of the background and context.

If it is not appropriate for the Data Protection Officer or a delegate from within the Information Governance Unit to deal with a complaint, e.g. due to prior involvement with a request, then another senior and suitably qualified member of staff will act as Reviewing Officer.

13. Timescales for response

We aim to provide a response to all complaints without undue delay. Please note that, if your complaint is complex or will require more time to resolve, we will keep you informed of progress.

14. Complaining to the Information Commissioner's Office

Once you have received a final response to your complaint, if you are not satisfied with the outcome or our handling of it, you have the right to contact the Information Commissioner's Office:

<https://ico.org.uk/>.

UK Data Protection Legislation has been amended to rename the Information Commissioner's Office as the Information Commission. This change in name does not affect your rights.

15. Record keeping and reporting

The University will retain a log of all complaints received under this procedure, as well as a record of each individual complaint. Records will include:

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- Your name and contact details
- Date complaint received and acknowledgement issued
- Copies of correspondence
- Summary of the issue
- Investigation actions and findings (including supporting evidence)
- Final response and outcome
- Any follow-up actions or lessons learned

We use this information to review performance, improve our practices, and to comply with any statutory reporting obligations.

Records will be retained in accordance with the relevant retention schedule, business requirements and data protection obligations.