

Plus Dane Housing

Data Protection (DUAA) Complaint Policy

GOV-POL-16-01

June 2026

Summary

Purpose:

This policy sets out how Plus Dane Housing manages complaints relating to the processing of personal data.

It ensures compliance with:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- Privacy and Electronic Communications Regulations (PECR)
- Data (Use and Access) Act 2025

It provides a clear, accessible mechanism for individuals to raise concerns about how their personal data is handled, prior to escalation to the Information Commissioner's Office (ICO).

This policy is a standalone complaints process for data protection complaints only.

This policy operates alongside the Complaints & Customer Feedback Policy. Where a complaint relates to personal data processing, this policy takes precedence.

Audience:

All Plus Dane Colleagues.

| | | | |
|---|--|--|--------------------------|
| DOCUMENT CONTROL | | | |
| 1. DOCUMENT INFORMATION | | | |
| Role | Name/Position | | Date |
| Author | Gemma Tuzio-Clarke, Senior Governance Business Partner | | June 2026 |
| Approved by | Leadership Team | | 09 June 2026 |
| Document Reference | GOV-POL-16-01 | | |
| 2. DOCUMENT STATUS HISTORY | | | |
| Version | Date | Change owner | Reason for Update |
| 1 | June 26 | Gemma Tuzio Clarke, Senior Governance Business Partner | New Policy |
| 2 | | | |
| 3. DOCUMENT REVIEW DATE | | | |
| Review Due | | June 2028 | |
| Responsible Officer | | Senior Governance Business Partner | |
| 4. CONSULTATION | | | |
| <p>Consultation with Data Protection People (DPO service provider) , Director of Digital and Innovation and Director of Customer Experience.</p> <p>09/07/2026- Leadership Team</p> | | | |
| 5. DISTRIBUTION | | | |
| Intro and Website | | | |
| 6. ASSOCIATED DOCUMENTS | | | |
| Ref: GOV-POL-08-03 | | Title: Data Protection Policy | |

- 1. Policy Statement 4
- 2. Policy aims 4
- 3. Links to Corporate Plan 5
- 4. Key policy definitions 5
- 5. Roles and responsibilities 5
- 6. Our approach 6
- 7. Assurance 10
- 8. Equality Impact Assessment 11
- 9. Modern slavery & human trafficking 11
- 10. Legislative and regulatory considerations. 12
- 11. Links to other Plus Dane policies. 12

1. Policy Statement

This policy applies to all data protection complaints made to Plus Dane Housing where an individual raises concerns specifically about the processing of their personal data.

The UK government has introduced the Data (Use and Access) Act 2025 (**DUAA**), which amends, but does not replace, the UK General Data Protection Regulation (**UK GDPR**), the Data Protection Act 2018 (**DPA 2018**) and the Privacy and Electronic Communications Regulations (**PECR**).

The changes brought by the DUAA are aimed at promoting innovation and economic growth and making things easier for organisations, whilst still protecting people and their rights. Among the changes is a statutory requirement for organisations acting as controllers to set up a formal data protection complaint mechanism.

This policy **does not** apply to general service complaints unless they directly relate to personal data processing.

Where dissatisfaction relates to both service delivery and personal data handling, the complaint will be managed under both policies with coordinated handling.

1. Policy aims

This policy sets out how Plus Dane will comply with the statutory requirement and the Information Commissioner's Office (ICO) guidance by receiving, investigating and responding to data protection complaints in a timely, fair and transparent manner.

What constitutes a data protection complaint?

Not every complaint that is linked to data protection constitutes a data protection complaint. For instance, where an individual complains about Plus Dane's services whilst also submitting a Subject Access Request (SAR), this does not count as a data protection complaint.

This policy applies to all data protection complaints which arise where an individual complains specifically about Plus Dane's handling of their personal data, which may include (but not be limited to):

- complaints related to the handling of a SAR
- complaints related to the handling of other personal data rights requests (e.g. right to erasure/objection/rectification requests)
- complaints related to fairness and lawfulness of the processing
- complaints related to retention and accuracy concerns
- complaints related to data breaches or security incidents
- complaints related to direct marketing or electronic communications

This policy does not apply to general service complaints unless they specifically relate to personal data processing.

Plus Dane Housing is committed to:

- Managing complaints fairly, consistently and transparently
- Ensuring complaints are handled without undue delay
- Providing clear, evidence-based outcomes
- Using complaints to drive continuous improvement and learning

All complaints will be managed in accordance with the following principles:

- **Fairness** – Each complaint is assessed on its merits
- **Transparency** – Clear and timely communication is maintained
- **Timeliness** – Complaints are progressed without unnecessary delay
- **Accessibility** – Complaints can be raised easily through multiple channels
- **Accountability** – Robust records are maintained
- **Confidentiality** – Personal data is handled securely
- **No detriment** – Individuals are not disadvantaged for raising concerns

2. Links to Corporate Plan

Customer Experience

The Data Protection Complaints Policy directly supports the delivery of customer experience by providing Plus Dane with an opportunity to learn from customer experiences and make changes to support excellent customer service.

Colleague Experience

The policy also supports colleagues by setting out how to handle customer complaints relating to data protection.

3. Key policy definitions

For the purposes of this policy, the following definitions apply:

- **Data protection complaint** – a complaint made by an individual about the way Plus Dane has processed or handled their personal data, where they believe data protection law may have been infringed.
- **Personal data** – any information relating to an identified or identifiable individual.
- **Processing** – anything done with personal data, including collecting, recording, storing, using, sharing, amending, retaining or deleting it.
- **Data subject** – the individual whose personal data is being processed.
- **Controller** – the organisation that determines the purposes and means of processing personal data. For the purposes of this policy, this is Plus Dane Housing where it acts as controller.
- **Subject Access Request (SAR)** – a request made by an individual to access the personal data Plus Dane holds about them.
- **Data subject rights request** – a request by an individual to exercise one of their rights under data protection law, for example access, rectification, erasure, restriction or objection.

- **Personal data breach** – a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.
- **Direct marketing** – the communication of advertising or marketing material to an individual, including by electronic means where relevant.
- **General service complaint** – a complaint about service delivery or operational matters which does not directly concern the processing of personal data. These complaints are managed under the Complaints and Customer Feedback Policy unless both issues overlap.
- **Manifestly unfounded or excessive** – a complaint that may be refused where it is clearly without merit, abusive, intended to cause disruption, or is repetitive to the point of being disproportionate. Each case will be considered individually.
- **Internal review** – a further review of the complaint outcome by someone not involved in the original investigation, where reasonably practicable.
- **ICO** – the Information Commissioner’s Office, the UK’s independent regulator for data protection and privacy legislation.

4. Roles and responsibilities

Clear roles and responsibilities are essential to ensure data protection complaints are identified promptly, handled consistently and reported appropriately across Plus Dane.

Board and Executive Team

The Board and Executive Team are responsible for providing oversight and assurance that Plus Dane has effective arrangements in place to manage data protection complaints, monitor emerging themes and risks, and support improvement where weaknesses or trends are identified.

Director of Governance

The Director of Governance holds overall accountability for this policy and for ensuring that appropriate arrangements, resources and reporting mechanisms are in place to support compliance.

Data Protection Officer (or Responsible Officer)

The Data Protection Officer provides expert advice on the handling of data protection complaints, triage the initial complaint, supports investigations, quality controls responses and escalations where required, monitors themes and risks arising from complaints, and supports training and awareness across the organisation.

Colleagues assigned to handle a complaint

Complaint handlers are responsible for investigating complaints fairly and without undue delay, maintaining accurate records, communicating clearly with complainants, and ensuring that outcomes are evidence-based and appropriately documented.

Customer Relations Team (CRT)

CRT does not have a defined ownership or delivery role under this policy as it is overseen by Governance. However, as CRT may be the first team to receive a

complaint or request, colleagues in this team are trained to recognise when a matter falls within this policy and to pass it promptly to the correct team or policy route.

All colleagues

All colleagues are responsible for understanding and complying with this policy, recognising when a concern may amount to a data protection complaint, escalating it promptly through the appropriate route, supporting investigations where required, and completing mandatory data protection training.

5. Our approach

Raising a Complaint

Individuals are informed of their right to make a data protection complaint to Plus Dane through:

- Our privacy notice (at the point we collect their personal information)
- Our response to Subject Access Requests
- Any other relevant communications about their data protection rights

Complaints can be made through any of the following channels:

- Online ([Plus Dane website](#))
- Email (designated data protection mailbox)
- Social media
- Telephone via Customer Contact Services
- In writing (post)
- In person or via any colleague

Complaints received through any channel will be triaged to the appropriate policy. Individuals do not need to use formal language or specified forms. Reasonable adjustments will be made where required.

Any data protection complaint received by colleagues must be treated as a data protection complaint where applicable and escalated promptly.

Informing of Right to Complain When Responding to SARs

When responding to Subject Access Requests, Plus Dane will inform individuals of their right to make a data protection complaint to Plus Dane and to the ICO.

Acknowledgement

- Complaints will be acknowledged promptly and **within 30 calendar days**, this timeframe begins the day after the complaint is received, even if this falls on a weekend or public holiday. However, if the last day to acknowledge falls on a weekend or public holiday, the timeframe is extended to the next working day.
- Verbal acknowledgements may be provided for complaints received by telephone or in person, followed by written confirmation
- Where identity verification is required, this will be requested at the earliest opportunity. If necessary, proof of identity and address should be requested from the data subject at the earliest opportunity. If a third party

is acting on their behalf, a power of attorney or signed letter of authority from the data subject is required. If we contact the complainant to request proof of ID or third-party authority, this contact will serve as acknowledgement, and a separate acknowledgement letter is not needed.

- Where resolution is provided within 30 days, the outcome may also serve as acknowledgement but must inform the complainant of their right to escalate to the ICO and seek judicial remedy if they remain dissatisfied.

Data protection complaints are governed by statutory timeframes under UK GDPR and may differ from standard complaints timeframes set out in [the Complaints & Customer Feedback Policy](#)

Right to Refuse

Plus Dane can refuse to handle any complaints that are deemed to be manifestly unfounded or excessive. Each complaint will be considered on a case-by-case basis.

We will apply this approach cautiously and will not refuse a complaint simply because it is complex, inconvenient or raises serious concerns.

The following factors will be taken into consideration when deciding if a complaint can be refused:

- The data subject frequently complains in order to cause disruption, or has explicitly stated that they intend to cause disruption
- The data subject has made unsubstantiated accusations against, has threatened or is inappropriately targeting, particular individuals
- The data subject continues to repeat the substance of previous complaints which have already been investigated

A complaint will not be refused solely because the individual is persistent or has made a number of complaints.

Where a complaint is deemed to be manifestly unfounded, excessive, abusive or unreasonably persistent, Plus Dane will contact the individual in a reasonable timeframe to explain:

- The reasons for refusing to consider the complaint
- Their right to make a complaint to the ICO
- Their right to pursue their data subject rights through a judicial remedy

Investigating Complaints

Complaints will be investigated without undue delay starting from when the complaint is received and not after the 30-day acknowledgement period ends.

Complaints will vary in complexity; there is no blanket timeframe for resolving complaints. Timeframes will be proportionate to the complexity and risk of the complaint. The written acknowledgement will include an initial estimated timescale for resolution. If it becomes clear that further time is required, we will update the customer with a revised timeframe.

The process of investigating complaints is the responsibility of the complaint handler and may involve:

- Fact finding and gathering relevant information
- Speaking to relevant colleagues
- Comparing the complaint information with information held by Plus Dane and checking if organisational standards and policies were upheld
- Asking the complainant for more information if necessary
- Seeking clarification on what outcome the complainant is seeking

Where a matter falls within service request or exclusion criteria under the Data Protection (DUAA) Complaints Policy, it will be redirected accordingly.

Assignment of Complaint Handlers

The Governance team will identify the relevant complaint handler to deal with the complaint raised, whether this is the Governance team themselves, another colleague, or a third party who can assist in handling the request.

Outcomes and Escalation

All complaint responses will include:

- An explanation of the steps taken to investigate and resolve the complaint
- Actions taken because of the investigation
- Where Plus Dane concludes we have complied with data protection law, this should be explained to the complainant in detail.
- Where Plus Dane does not uphold a complaint, we will explain in detail why we have reached this conclusion, what evidence we have considered, and the reasons for our decision
- Sufficient information to help the complainant understand how we reached our conclusion

Dissatisfaction and right to complain to the ICO

Unlike service complaints, which may be escalated to the Housing Ombudsman Service, data protection complaints may be escalated to the Information Commissioner's Office (ICO).

If dissatisfied, individuals may request an internal review, which will be investigated by someone not involved in the original investigation, where reasonably practicable, completed without undue delay, and will provide a clear written outcome.

If, after the outcome of internal complaint escalation (or at any point), the complainant is not satisfied with the outcome, the complainant has the right to escalate the issue to the ICO:

Information Commissioner's Office Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF Telephone: 0303 123 1113

Website: <https://ico.org.uk/make-a-complaint/>

Post Complaint Review

Following the resolution of each complaint, Plus Dane shall review what happened and consider if there are any lessons learned or improvements needed to prevent future complaints.

This information should be recorded to help identify trends and areas for improvement. The DPO shall use this information when conducting periodic reviews of complaint trends and when reporting to Senior Management/Board on patterns, lessons learned, and recommended improvements.

Recording and Reporting

Plus Dane will maintain a record of all data protection complaints, including:

- Date received and acknowledged
- Nature of complaint (including, name of complainant, issue and any other required details)
- Actions taken as part of the investigation
- Outcome of the investigation
- Date of escalation, if escalated internally
- Outcome of the internally escalated complaint
- Lessons learned or improvements identified

Retention

Plus Dane will retain the records in line with our records retention schedule and will use the data internally for evaluation, learning, reporting and training, and externally for discussions with and reporting to regulators, including the ICO. Data used for these purposes will be anonymised where appropriate.

Personal data (including special category data) may be disclosed to Plus Dane's colleagues and to regulators only for the purpose of dealing with your complaint and for implementing any associated actions. Personal Data will not be shared with any other third parties unless Plus Dane has your express consent, has a statutory obligation to do so, or is otherwise permitted to do so under the data protection legislation.

6. Assurance

| First line | Second line | Third line |
|--|---|--|
| Operational management and delivery of the policy sit with service areas, complaint handlers and relevant managers. This includes identifying complaints promptly, recording them accurately, carrying out timely investigations, communicating outcomes clearly, escalating issues where needed, and implementing actions | Oversight is provided by the Governance team and the Data Protection Officer through advice, guidance, monitoring, reporting, training, thematic review and escalation support. This includes reviewing complaint trends, checking adherence to policy requirements, identifying control weaknesses and | Independent assurance may be provided through internal audit, external audit, regulatory review or other independent scrutiny where appropriate. This supports Board and Committee assurance on the adequacy and effectiveness of the control environment. |

| | | |
|-------------------------------|----------------------------|--|
| arising from lessons learned. | recommending improvements. | |
|-------------------------------|----------------------------|--|

7. Equality Impact Assessment

An EIA was carried out as part of the policy development of this process..

This policy strengthens Plus Dane’s compliance with data protection law by introducing a clear and formal framework for managing data protection complaints. It will require colleagues to identify and escalate relevant complaints appropriately, support more consistent investigation and record keeping, improve oversight and assurance reporting, and help build trust with customers by providing a transparent route for raising concerns about the use of their personal data.

8. Modern slavery & human trafficking

Plus Dane has a modern slavery & human trafficking statement and a number of policies that enable it to identify and deal with modern slavery or human trafficking.

- Safeguarding Policy
- Whistleblowing Policy
- Code of Conduct
- Anti-Fraud Policy
- Anti-Bribery Policy
- Anti-Money Laundering Policy
- Conflict of Interest Policy
- Procurement Policy

Any complaints made that could potentially expose instances of modern slavery or human trafficking will be dealt with in line with Plus Dane’s statement and the relevant policy.

9. Legislative and regulatory considerations

This policy sets out how Plus Dane handles complaints relating to the processing of personal data.

It is designed to comply with the United Kingdom General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, the Privacy and Electronic Communications Regulations (PECR), and the Data (Use and Access) Act 2025 (DUAA), which introduces requirements for organisations to have a formal data protection complaint handling process.

10. Links to other Plus Dane policies

- Data Protection Policy
- Complaints and Customer Feedback Policy
- Privacy Notices
- Retention Policy