



DATA PROTECTION

Complaints Process



This document sets out how you can complain to the University about a data protection matter.

For example:

- A data breach that has impacted you
- Our response to your subject access request or any other privacy rights request
- The accuracy of information we hold about you,
- How long we are holding information about you.

The Information Commissioner's Office normally requires you to complete our internal complaints process before you can refer the matter to them.

How do I submit a complaint?

We would prefer that complaints are sent to us by email data.protection@uws.ac.uk. However you can also post complaints to us at Legal Services, University of the West of Scotland, Paisley Campus, Paisley PA1 2BE, or telephone us on +44 (0)141 848 3000. If you want to complain in person you can do this at our Paisley campus but we would ask that you make an appointment first so that we can make sure the relevant colleagues are available to speak to you.

When you submit your complaint to us, you should submit any supporting evidence that we need to see, for example, copies of emails from University staff which show inaccurate records.

If you complain about a data protection matter through the University complaints handling process, we would normally ask the colleague in our complaints team to refer the matter to the data protection team for review.

Do I need to provide ID documents when I make a complaint?

There may be some occasions where we have to ask you for identification to make sure you have the right to make a complaint to us. It helps us to deal with your complaint quickly if you can make the complaint via the same email address that you made your original request to us so that we don't have to make identification checks again. For example, when you make a subject access request we will normally check your identification at the time you make the request. If you make your complaint using the same email address we will not need to check your identity again. If you make your complaint via another means then we are likely to have to check your identification again.

Can someone else make a complaint on my behalf?

A family member, solicitor, or other relevant organisation can raise a complaint on your behalf. We will require evidence that they are authorised to make a complaint on your behalf but an example may be an appropriate power of attorney or signed Letter of Authority from you that they are acting on your behalf. We will not be able to investigate your complaint unless we have appropriate evidence that the person is authorised to act on your behalf. If we are unsure whether a letter of authority or other evidence is valid then we may need to contact you to check this with you.

What happens when we receive your complaint?

1

Acknowledgement

When we receive your complaint we will acknowledge this within 30 days and let you know that we are looking into it. We will provide you with a timescale within which you can expect to receive a full response to your complaint.

The timescale will depend on:

- The complexity of what you are complaining about,
- The scale of the issue, for example whether it is a single complaint or a complaint about a number of issues over a longer time period.

2

Investigation

We will start investigating your complaint as soon as we can. During our investigation we will consider all of the circumstances of your complaint and will speak to relevant colleagues in the University to make an assessment of what has happened. We may get in touch with you to seek clarification on any points that are unclear to us or if we require any further information.

3

Keeping you updated

We will keep you updated about the progress of your complaint if there is going to be a delay in the timescale we initially gave you for completing your complaint. If the complaint investigation is in progress and there are no delays then we would not normally routinely update you on progress until we are ready to let you know the outcome.

4

Outcome of your complaint

When we have completed our investigation we will explain the outcome to you. We will usually let you know the outcome in the same format as you made the complaint to us.

When we let you know the outcome of your complaint, we will provide you with an explanation of what has been done to resolve your complaint and, where appropriate, any actions we have taken as a result. If we think we have complied with the data protection law, we will tell you this and explain to you why we think this is the case. We will provide you with all the information and evidence that we can to help you understand the decision we have made.

What happens if I am still not happy?

If you are not happy with the outcome of your complaint you will have a right to refer the matter to the Information Commissioner's Office. There is no further internal right of review to the University.

You can find out how to make a [complaint to the ICO on their website](#) and we will also let you know about this when we send you the outcome to your complaint

Do you keep a record of the complaints you receive?

We keep a record of any complaints that we receive and their outcomes so that we can provide this to the ICO, if needed. This also allows us to learn lessons from any mistakes that we make and to make improvements to our processes to prevent future complaints.

If you need any further information on our complaints process please contact dataprotection@uws.ac.uk

