LCCC Data Protection Complaints Process

1. Purpose and Scope of the Process

Data Protection Law requires that organisations, including the Low Carbon Contracts Company (LCCC), have a defined process for processing *data protection complaints*.

A Data Subject has a right to complain about how organisations have handled their personal data. Situations where a complaint may be raised include (but are not limited to):

- responses to Data Subject Rights Requests (such as Subject Access Requests), or
- where a Data Subject is unhappy with how organisations have been using their personal information - such as storage, retention or accuracy.

This document sets out the required process that will be followed when processing a data subject's complaint.

2. Main Users of the Process

This process will be used by data subjects as a guide on how LCCC will process any data protection complaints they will submit.

LCCC will use this process to ensure a clear, consistent approach is taken when processing a data protection complaint.

3. Process Breakdown

The overall process that LCCC will follow when processing a data subjects data protection complaint involves the following steps:

1. Data Subject submits complaint via email to dpo@lowcarboncontracts.uk , setting out:
    a. reason for the complaint,
    b. any relevant time periods the complaint relates to.
2. Within 30 days of receiving the complaint, LCCC will send an acknowledgement letter confirming receipt of the complaint. The letter will indicate a target response time frame, and methods by which updates on progress will be given and/or can be provided on request. The acknowledgement letter will also include (if required):
    a. request for confirmation of identification (Passport, Driving Licence, Digital ID), or
    b. if submitted by a third party, confirmation that of power of attorney, or signed letter, or authority to act on the data subjects behalf, and/or
    c. any points of clarification that will enable the complaint to be processed and responded to without undue delay.
3. LCCC will investigate without undue delay the complaint and gather evidence in support of addressing and resolving the complaint. This will include when required:
    a. discussions with all relevant members of staff involved in the cause of the complaint,
    b. a full timeline of events that led to the complaint,
    c. record of the decisions made in relation to the event that led to the complaint,
    d. a response to the complaint having considered all information collated and all relevant law (which may go beyond the DPA 2018 and UK GDPR),
    e. response to whether LCCC believe it is a valid complaint and if so, the proposed or actioned steps to mitigate the complaint.

4. Throughout the investigation, LCCC will endeavour to keep the data subject updated with progress. If the investigation takes a longer period than originally set out in the acknowledgement letter, updates on this with supporting reasoning will also be provided.
5. On conclusion of the investigation, LCCC will provide a response to the complaint setting out:
   a. steps taken during the investigation,
   b. a response to the complaint and whether it is upheld or not by LCCC,
   c. if upheld, the response will confirm the actions or proposed actions that LCCC will be taken to remedy the complaint,
   d. details on how to submit a complaint to the ICO, if the data subject is not satisfied with the LCCC response to their complaint.

Further details on the steps LCCC will take when processing a data protection complaint is set out in Section 5 below.

4. Terms

Term	Definition
ICO	**Information Commissioner Office**
DPA	**Data Protection Act**
UK GDPR	**UK General Date Protection Regulations**
LCCC	**Low Carbon Contracts Company**
SAR	**Subject Access Request**

5. LCCC Data Protection Complaints Process (detailed)

The following table sets out a more detailed breakdown of the steps that LCCC will follow when processing a data protection complaint.

Activity number	Timing	Activity	Description of Activity
1.	N/A	Data Subject submits personal data complaint.	Data subject submits complaint to DPO@lowcarboncontracts.uk setting out: • reason for complaint; and, • the time period the complaint relates to aid the complaint investigation.
2.	Following step 1	Log complaint.	LCCC logs complaint and generates reference number to aid tracking and correspondence.
3.	Following step 2	LCCC reviews complaint.	Review complaint submissions.
4.	Following step 3	LCCC determines if further information is required.	LCCC determines if further information is required (ID confirmation and/or additional information to aid complaint investigation).
5.	Following step 4	LCCC forms initial view on time needed to respond.	LCCC based on initial assessment, determines how much time is needed to respond to the complaint without undue delay.

6.	Following step 5	Draft acknowledgement.	LCCC drafts acknowledgement letter to complaint, which will include:
			• confirmation of reasons of complaint;
			• supporting reference number for future correspondence;
			• initial indication of response timeframe; and,
			• if required/applicable:
			  ○ request for proof of ID and/or
			  ○ clarificatory questions

7.	Following step 6 and within 30 days of step 1	Send acknowledgment letter.	LCCC sends an acknowledgment letter to complainant and securely stores a copy.
8a.	Following step 7 (if ID confirmation and/or clarification/s are required)	Await confirmation of ID and/or response to clarification/s.	LCCC awaits confirmation of ID and/or clarification points.
8b.	Following step 8a.	Complainant submits proof of ID and/or response to clarification.	Complainant submits proof of ID and/or responses to clarification requests to DPO@lowcarboncontracts.uk

Activity number	Timing	Activity	Description of Activity
8c.	Following step 8b.	Prepare and send further acknowledgment letter.	Following confirmation of ID and/or receipt of response to any clarification questions from the complainant, LCCC will prepare and send a further acknowledgment letter: • confirming receipt of ID and/or, • that the clarification responses are noted, and if required • any revision to response timescales based on the information provided.
9.	Following steps 7 (if no ID confirmation and/or clarifications are required) Or Step 8c (if ID confirmation and/ or clarifications are required)	Commence investigation of complaint.	LCCC will investigate the complaint taking into account: • all the relevant facts thoroughly, fairly and accurately; • speak to relevant members of staff involved in activity that led to the complaint; • compare the information from the complaint with the information we hold; and • check we've upheld our own terms, policies and standards.
10.a	Following step 9 (if additional time is required)	More time needed to complete investigation.	LCCC notifies complainant of need of additional time to complete complaint investigations.
10.b	Following step 9 or Step 10a (if additional time is needed to investigate the complaint)	Log and store copies of all records relating to the investigation of the complaint.	LCCC stores records of all investigation findings, including: • any relevant conversations and documents; • the outcome of the complaint; and, • any actions we took as a result of our investigation.
11.	Following step 9 (no additional time required) or Step 10b (if additional time is required)	Create complaints finding report.	LCCC create report setting out findings including: • activities undertaken to investigate the complaint; • details of whether the complaint is upheld or not, and on what ground; • if upheld, proposed rectification approach (if applicable).
12.	Following step 11	Prepare complaint response.	LCCC prepares the response to the complaint.
13.	Following step 12 (and without undue delay)	LCCC sends complaint response.	LCCC sends respond to complaint.
14.	Following step 13	If complainant is unhappy, with the response to their complaint.	If complainant is unhappy with complaint response, they can raise a complaint with the ICO (Make a complaint about how an organisation has used your personal information | ICO)