DATA PROTECTION COMPLAINTS PROCEDURE

1. Introduction/purpose

1.1 This is the School's procedure for managing complaints relating to data protection required by Section 103, Data (Use and Access) Act 2025.

2. Procedure

2.1 What this procedure covers

a. Complaints by data subjects relating to the following will be covered by this procedure:
   i. Subject access and other requests that can be made under the Data Protection Act 2018 (DPA 2018) and the UK General Data Protection Regulation (UK GDPR).
   ii. Data breaches where the data subject was impacted, see 3.5.
   iii. Any other issue relating to the School's compliance with the UK GDPR, the DPA 2018 and the Privacy and Electronic Communications Regulations (PECR) as it relates to personal data.

b. At the School's absolute discretion, the following may be found acceptable under this procedure:
   i. Complaints from third parties whose personal data is not processed by the School unless they are acting as an agent of a data subject whose personal data is being processed by the School.
   ii. Near miss incidents, see 3.5.

2.2 Principles

2.2.1 A complaint is an expression of dissatisfaction about the way the School has handled your personal data or not complied with the law relating to the processing of a complainant's personal data. Examples might include concerns about how the School has handled a request from a data subject relating to use of their personal data, or concerns about how the School stores or collects personal data.

2.2.2 Complaints should:

2.2.2.1 Include full details and any relevant supporting documentation for consideration. together with any specific resolution sought. If using AI to help draft a complaint, please ensure that content is clear and focused, and that it reflects the facts and your concerns accurately.

2.2.2.2 Be made to the lse.info.rights@lse.ac.uk mailbox or by mail to Data

Protection Officer, Houghton Street, London WC2A 2AE. Complaints received by other parts of the School should be sent promptly to the lse.info.rights@lse.ac.uk mailbox by the recipient.

2.2.3 Timeline for complaints:

2.2.3.1 All complaints will be acknowledged within 7 days of receipt by the Information Rights Team and a response provided without undue delay.

2.2.3.2 The School will aim to provide an outcome response within 30 days, unless the matter is complex and requires additional time to investigate.

2.2.3.3 The School will keep the complainant(s) updated with relevant timelines if additional time becomes necessary.

2.2.3.4 The School will refuse to process complaints that do not fit into the scope detailed at paragraph 2.1.

2.2.3.5 The School may refuse to process complaints received more than three months after an originating request has been responded to or a breach notification sent to a data subject.

2.2.3.6 Where the School determines that a request or correspondence is manifestly unfounded, vexatious, malicious, or uses threatening, abusive or intimidatory language the School reserves the right to refuse to accept a complaint or continue with the complaints procedure. There shall be no School appeal from such a decision.

2.2.4 ID documents will only be requested for a complaint if the School does not hold or has a record of viewing the ID e.g. as part of an originating subject access request. ID can be provided in the form of scans of photo ID such as passports or driver's licenses or if preferred, we can arrange a short Teams meeting to view the ID.

2.2.5 If making a complaint on behalf of a data subject, the School will require express written consent from the data subject that you are acting as their agent, even if this has previously been provided on an earlier unrelated data subject matter.

2.2.6 In order to conduct an independent and proportionate investigation, the complaint investigator may also need to access personal data and other information held across the School, and may require disclosure of the complaint to other related staff, personnel or external parties as necessary on a case by case basis, in accordance with our Data Protection Policy. If you object to the disclosure of any personal data for these purposes you should detail this and the reasons in your complaint, but this may mean that we are not able to process your complaint.

2.2.7 Data breach or near miss notification:

2.2.7.1 A data breach has the definition as set out in Article 4, section 12 of the UK GDPR, namely 'breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed'.

2.2.7.2 A near miss notification is where an information security incident relating to data processing had the distinct potential to lead to a data breach but it did not.

2.2.8 Where this Procedure proposes a Reviewer, Investigator or Decision Maker for a particular type of complaint, and they have previously been involved in the complaint matter, an alternative Reviewer, Investigator or Decision Maker shall be appointed and advised to the complainant.

2.2.9 All complaint decisions will notify the complainant of the right to escalate to the Information Commissioner's Office (ICO), including contact details.

2.2.10 Records relating to complaints will be held on a case file containing a link to the case number of the originating request or data breach where appropriate. The case file will be kept for seven (7) years after last action.

2.3 Complaints procedure

2.3.1 If the complaint relates to subject access and other requests that can be made under the UK GDPR:

2.3.2 Upon receipt, the Information Rights team will log the complaint and determine the response date. If the complainant has not already provided ID, this will be requested before the complaint can be dealt with. Where ID has already been provided at the time of an earlier request, it does not need to be provided again.

2.3.3 The complaint will be responded to by an impartial decision maker not previously involved in the matter such as the Data Protection Officer, Senior Information Risk Owner or a colleague at least one band above the originating decision maker (the 'Reviewer').

2.3.4 The Information Rights team will include within the communication to the Reviewer:

2.3.4.1 A copy of the complaint.

2.3.4.2 A copy of the originating response.

2.3.4.3 An explanation of how the originating response was handled by the Information Rights team.

2.3.4.4 Any other information required for the reviewer to critically evaluate the complaint

2.3.4.5 The response date.

2.3.5 Where necessary, the Information Rights team will meet with the Reviewer to explain the content of the originating response.

2.3.6 Complaint outcome responses will include reference to the ability to complain further to the ICO together with contact details.

2.3.7 The complaint and response letter will be filed with the original request case folder.

2.4 If the complaint relates to a data breach:

2.4.1 The Information Rights team will log the complaint upon notification and determine the response date. If the complainant has not already provided

ID , this will be requested before the complaint can be dealt with. Where ID has already been provided at the time of an earlier request, it does not need to be provided again

2.4.2 Any data breach or near miss notification complaint should be forwarded to the Information Rights team as soon as possible by any staff member receiving a complaint. Following an investigation, the DPO will draft the response to the complainant. Complaint outcome responses will include reference to the ability to complain further to the ICO together with contact details.

2.4.3 A copy of the complaint and the response will be filed in the data breach case folder.

2.5 If the complaint relates to data protection more generally:

2.5.1 Upon receipt, the Information Rights team will log the complaint and determine the response date. If the complainant has not already provided ID, this will be requested before the complaint can be dealt with. Where ID has already been provided at the time of an earlier request, it does not need to be provided again.

2.5.2 These should be forwarded to the Information Rights team as soon as possible by staff if not received directly by the DPO.

2.5.3 Following an investigation, the DPO will draft the response to the complainant. Complaint outcome responses will include reference to the ability to complain further to the ICO together with the contact details.

2.5.4 A specific case folder will be created for the complaint.

2.6 **Recording**

The Information Rights team will keep a log of complaints, including the following:

2.6.1 the date the School received the data protection complaint;

2.6.2 the date of the School's acknowledgement;

2.6.3 any relevant communications and documents;

2.6.4 the date and outcome of the complaint; and

2.6.5 any actions the School took as a result of a complaint investigation.

2.7 Complaints from parents and children

2.7.1 If a complaint is received from a child or their parents, the relevant procedure in section 2.3 will be followed with the following additional steps.

2.7.2 Where a child makes a complaint on their own behalf, the School will consider whether the child is capable of making the complaint on their own behalf. This assessment will take into account the child's age and maturity, for example, considering whether their complaint shows an awareness of the nature of the complaint and the requirements of data protection law. Any relevant Department or Division with direct knowledge of the data subject or the matters complained of will be consulted in this assessment.

2.7.3 Where the School is satisfied that the child has sufficient understanding to exercise their own data protection rights, the School will ordinarily deal directly with the child. The child may authorise a parent, person with parental responsibility or other representative to act on their behalf, in

which case the School may require appropriate evidence of that authority.

2.7.4 Where the School is satisfied that the child does not have sufficient understanding to exercise their rights themselves, a person with parental responsibility may ordinarily exercise those rights and make a complaint on the child's behalf, provided that:

2.7.4.1 Their child is under the age of 18.

2.7.4.2 Their child has provided express written consent for the parent to make the complaint on their behalf, and

2.7.4.3 The School is satisfied the data subject has freely given that consent.

2.7.4 There shall be no School appeal from a competency decision relating to a child.

3. Scope

The procedure applies to all data protection related complaints received by the School, with the specific staff responsibilities listed in section 4.

4. Responsibilities

4.1 The Data Protection Officer is responsible for reviewing complaints or ensuring that another Reviewer is able to process the complaint where the DPO cannot process the complaint.

4.2 The Information Rights Team is responsible for ensuring all complaints are acknowledged and recorded, checking ID and sending the response from the lse.info.rights@lse.ac.uk mailbox.

4.3 Reviewers are responsible for drafting the complaint response, arranging any interviews relating to the complaint where they consider necessary and contacting the Information Rights Team for any queries relating to the complaint.

5. Supporting/Relevant documents

- Data Protection Policy
- Data Use and Access Act 2025
- Privacy notices on the School's Data Protection web page.

Document Control

Procedure owner:	General Counsel
Procedure author:	Rachael Maguire
Responsible office:	Secretary's Division
Approving body:	IT Policy Working Group
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Version history

Whole numbers should represent significant revisions of the procedure, decimals should be used to indicate minor amendments. E.g. version 2 would represent a wholescale review and update, whereas 2.1 would represent minor technical updates that do not change the nature or implementation of the procedure.

Version	Date	Approved by	Details of amendments
1.0	[DD Month YYYY]	[Body/Name, position]	