



Data Protection Complaints Procedure

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Data Protection Complaints Procedure

1. Introduction

This document sets out the City of Glasgow College (“we”, “our”, “us”) procedure for responding to complaints to adhere with its obligations under the UK General Data Protection Regulation (“UK GDPR”), the Data Protection Act 2018 (“DPA 2018”), the Data (Use and Access) Act 2025 (“DUAA”) and any other applicable laws and regulations relating to the Complaints Procedure (collectively, the “Data Protection Laws”).

2. Purpose

The DUAA introduced the statutory right for Data Subjects to complain directly to a Data Controller where they consider there to have been an infringement of data protection law in respect of their Personal Data. We are committed to adhering to Data Protection Laws and take complaints regarding our handling of data seriously.

We are subject to various requirements under the Data Protection Laws in respect of how we facilitate and respond to complaints made in respect of our handling of Personal Data. This Complaints Procedure sets out guidance for how to respond to complaints in a way which complies with our obligations under Data Protection Law.

This Document will be amended or revised as necessary to comply with the requirements of the Data Protection Laws.

A data complaint is a concern raised by an individual regarding how an organisation has used and/or handled their Personal Data and/or the assertion that such use did not meet the standards set out in applicable Data Protection Laws. Examples could include: being subject to a personal data breach; not being properly informed about how we process their Personal Data; or the handling of a data subject right request. Submitting a Data Subject Rights request is not a complaint and should be handled under our Data Protection Requests for Personal Data Procedure.

3. Initial Response

The DUAA requires us to facilitate the making of complaints by providing accessible means for individuals to submit a complaint. We have a dedicated Complaint Form and Procedure document available on our website. Individuals can use this Complaint Form, or they can submit complaints to us via email to dpo@cityofglasgowcollege.ac.uk or in writing by post to Data Protection Officer, City of Glasgow College, 190 Cathedral Street, Glasgow, G4 0RF. However, complainants are not required to use these methods of communication, and we will accept and investigate complaints submitted by other means e.g. social media or in person.

When a complaint is received, under data protection law, we must acknowledge the formal complaint within **30 days of receipt**. When we receive a complaint:

1. **Inform the Data Protection Officer (“DPO”)** - It is important to seek advice where necessary and you must immediately forward any complaint to the DPO. The DPO can be

contacted at dpo@cityofglasgowcollege.ac.uk and should be involved throughout the process. The DPO can help to identify if it is a complaint or if it needs to be treated under a different process e.g. a data subject access right. The DPO will liaise with relevant members of City of Glasgow College staff as appropriate.

2. **Respond** – The DPO or other appointed member of staff will acknowledge the complaint within the 30 day period. The complaint could be acknowledged in various ways such as verbally acknowledging phone or in-person complaints, acknowledging written complaints in writing or using automatic acknowledgement for electronic complaints.
3. **Log** – The DPO will log the complaint in our Complaints Register.
4. **Identify the complainant** - We should be able to clearly identify the complainant's identity. If the identity of the complainant is unclear, we may need to request ID or supporting information. If a third party makes a complaint on behalf of the complainant (i.e. a family member or solicitor), we must request a form of evidence that they are authorised to act on their behalf (i.e. a power of attorney, a letter of consent, a letter of authority etc.). If we are unsure whether a letter of authority is valid, consider contacting the complainant about our concerns. If they are unable to provide this evidence, they should be contacted to confirm that we are not able to investigate the complaint further. If we have sufficient information to be satisfied about the requester's identity, we must not request more information.
5. **Clarify the complaint as needed** – We have an obligation to facilitate the submission of complaints. It is therefore important that when we receive a complaint which is ambiguous or unclear, we provide complainants with an opportunity to clarify and assist them in doing so. It may also be helpful to ask the complainant what outcome they are seeking to help us narrow the investigation.
6. **Ask for any additional information needed to investigate** – Where we need further information to properly investigate a complaint, we can request this from the complainant. We should be clear about what we need from the complainant and avoid making general requests for e.g. "more information" wherever possible.

4. Investigate the Complaint

We must investigate the complaint without undue delay and we should respond on the data protection matters as soon as we can even if other issues in a wider complaint will take longer to resolve and potentially lead to escalation to the ICO or legal action. We can provide the complainant with a date for when we expect to finish our investigation and a point of contact for any questions, however this should be expressed as an estimated date only.

When investigating the complaint, we must take appropriate steps to respond including making enquiries to the extent appropriate. What is appropriate in each case will vary depending on the nature of the complaint, so keeping a record of the steps taken and the reason the complaint was handled in this way is important to demonstrate compliance with our obligations and can help in providing updates to the complainant as well as the ultimate outcome.

Recommended investigation steps include:

1. Considering all the relevant facts thoroughly, fairly and considering accuracy;
2. Undertaking appropriate, justifiable enquiries;
3. Speaking to relevant members of staff;
4. Comparing the information from the complaint with the information you hold; and
5. Checking that our terms, policies and standards have been upheld and practices align with the Data Protection Laws and other applicable laws.

As we go through our investigation, it is important to keep the complainant updated on the complaints progress. This is particularly important for more complex complaints that may take a longer time to fully investigate. Alternately, if we can complete the data protection investigation in a shorter amount of time, we must do that.

Throughout the investigation, we should keep records of:

1. The date the complaint was received and any subsequent communications made with the complainant as well as the communications themselves;
2. Our acknowledgement;
3. Any relevant evidence and documents (including conversations);
4. A record of the steps taken as part of the investigation;
5. Any conclusions and the outcome of your investigations;
6. Any actions taken as a result of the investigation;
7. Any justifications for the reason the complaint was handled in the way it was handled, in particular why certain conclusions or actions were taken or deemed inappropriate; and
8. Any updates made to the complainant about their complaint throughout the complaint process.

The person responsible for keeping this record will be the Data Protection Officer.

5. Children and Young People

If we receive a complaint from a child/younger person, we should respond in plain, clear language they can understand. This should be considered at all stages of the complaints process.

You must assess the competence of the child/younger person to understand and exercise their rights.

It is our policy to send the outcome of any complaint to the child's parent or guardian unless this action could cause risk to the child.

6. Resolution and Response

The complainant must be informed of the outcome of the investigation without undue delay. Accordingly, once the investigation is completed, the complainant should be securely contacted to be provided with this information. If the complaint is received in a format where a secure method for providing this information cannot be established e.g. through social media, an alternative contact method should be asked for.

The response should include:

1. The outcome of our investigation with an explanation of how we reached that conclusion;
2. Where the complaint is upheld, what action has been taken to resolve the issue or prevent it recurring; and
3. That if the complainant is unhappy with our handling of the complaint, they have a right to complain to the ICO at <https://ico.org.uk/> or enforce their rights in Court.

We intend to provide complainants with a meaningful response. Accordingly, responses should directly address the terms of the complaint wherever possible and, where appropriate, provide further information beyond what is required. Responses should be addressed in plain, clear language wherever possible.

We will not retain personal data longer than is necessary. We must keep a record of complaints and minimum information will be kept in order to meet this obligation.

The Information Commissioner's Office can request a copy of our Complaints Register. Where a request of this nature is received, please contact our DPO dpo@cityofglasgowcollege.ac.uk.

7. Implementing Findings

We are committed to consistently improving our handling of personal data in line with data protection law and best practice. Where our investigation revealed an issue in respect of this or identified recommended changes to our practices, we aim to review handling of complaints and identify where lessons can be learned.

8. Staff Training

You should ensure that staff are adequately trained in recognising data protection complaints. This includes knowing where to direct the complaint to within City of Glasgow College.

Data protection complaint handling should be included in any internal data protection staff training.

9. Definitions

Term	Definition
Data Subject	A living, identified or identifiable individual about whom we hold Personal Data. Data Subjects may be nationals or residents of any country and may have legal rights regarding their Personal Data.
Data Controller	The person or organisation that determines when, why and how to process Personal Data. It is responsible for establishing practices and policies in line with the UK GDPR. We are the controller of all Personal Data relating to our personnel and Personal Data used in our organisation for our own purposes.
Personal Data	Any information identifying a Data Subject or information relating to a Data Subject that we can identify (directly or indirectly) from that data alone or in combination with other identifiers we possess or can reasonably access. Personal Data includes Special Categories of Personal Data and pseudonymised Personal Data but excludes anonymous data or data that has had the identity of an individual permanently removed. Personal data can be factual (for example, a name, email address, location or date of birth) or an opinion about that person's actions or behaviour.
Special Categories of Personal Data	Information revealing racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health conditions, sexual life, sexual orientation, biometric or genetic data and any other categories which may be designated as special categories of data by the Secretary of State from time to time.

10. Data Protection Officer (DPO)

If you have any questions about this policy, please contact our DPO:

dpo@cityofglasgowcollege.ac.uk

11. Revision Log

Version Date	Section of Document	Description of Revision
Version 1.0 15 May 2026	New Document	First Version of City of Glasgow College 'Data Protection Complaints Procedure'