

Data Protection Complaints

Data Protection Complaints – Exclusion (General Complaints)

Complaints relating to the handling of personal data are managed separately under Midland Heart's *Data Protection Complaints* procedure rather than through the *Midland Heart Complaints Policy*.

Data Protection Complaints Procedure

1. Purpose

This procedure explains how Midland Heart will deal with complaints about personal data.

- how we receive complaints
- how we acknowledge them
- how we investigate them
- how and when we respond

It reflects data protection requirements that apply from June 2026.

2. Scope

This procedure covers complaints about how Midland Heart has handled personal data.

This includes concerns about:

- collecting, using, storing, retaining or sharing personal data
- keeping personal data secure and accurate
- how a subject access request or other data rights request has been handled

You do not need to use legal language or refer to data protection law for us to treat your concern as a data protection complaint.

Data Protection Complaints sit outside the Complaints Policy.

If your concern is partly about service delivery and partly about personal data:

- the service issue may be handled under the Complaints Policy
- the data protection issue will be handled under this procedure

If you are making a service complaint and also asking to exercise a Data Protection right, we may need to clarify which parts of your concern fall under each process.

The Information Commissioner decides whether Data Protection law has been followed, but any separate service failure that doesn't relate to data protection will be reviewed by the Housing Ombudsman.

3. Roles and Responsibilities

The Data Protection Team manages and investigates Data Protection Complaints.

All Midland Heart colleagues must:

- recognise when a concern may be a Data Protection Complaint
- accept the complaint however it is received
- refer it to the Data Protection Team within 1 working day

4. Receipt and Referral

Individuals can make a Data Protection Complaint through any reasonable channel made available by Midland Heart, including telephone, post, online form, email or via social media.

Once a complaint is received:

- it must be referred to the Data Protection Team within 1 working day
- we will acknowledge it within 30 days of receiving it
- we will explain if it is being handled under the Complaints Policy rather than this procedure

5. Assessment and Triage

The Data Protection Team will assess whether the issue is:

- a Data Protection Complaint
- a new service request
- a complaint not related to Data Protection

If a matter includes more than one issue, Midland Heart may deal with the relevant parts in parallel and will explain this to you.

If anything is unclear, we will seek clarification.

6. Investigation

We will carry out a proportionate investigation to decide whether data protection requirements have been met.

This may include:

- making enquiries
- reviewing relevant records and systems
- speaking to the service areas involved

Where needed, we will identify and take remedial action.

7. Timescales

We will deal with complaints without undue delay and in line with any relevant statutory timescales.

During the investigation, we will:

- keep you informed of progress
- explain any delay
- tell you the reason for the delay and the next steps

8. Response

Our response will be issued without undue delay.

It will explain:

- the complaint considered
- the findings
- whether data protection requirements were met
- the reasons for the decision
- any action taken or proposed to put matters right
- an apology, where appropriate

9. Escalation

If you remain dissatisfied after receiving our response, we tell you how you can refer the matter to the Information Commissioner (ICO).

10. Monitoring and Learning

We will record and monitor all data protection complaints.

This will include looking at:

- themes and trends

- outcomes
- timescales

We will use learning from complaints to improve services, support staff learning, inform compliance work and report through the Business Information Group.