THE CHURCH OF ENGLAND
NATIONAL CHURCH INSTITUTIONS

NCIs Data Protection Complaints Policy

Policy summary

At the National Church Institutions (NCIs), we aim to comply with data protection law, and treat all personal data fairly, transparently, lawfully and securely. Sometimes, we know we won't get things right, and when that happens, we want the chance to put things right for the people involved.

We also want to be able to learn lessons and improve our practice for the future. We don't want to keep making the same mistakes.

This policy sets out how the NCIs handle complaints relating to the processing of personal data, ensuring compliance with UK data protection law and ICO guidance.

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Introduction

1. The UK Data (Use and Access) Act 2025 (DUAA) introduced a statutory requirement for all organisations to implement a formal data protection complaints process.
2. Under Section 164A of the Data Protection Act 2018, as inserted by the DUAA, organisations must maintain and operate a complaints process that individuals can use to raise data protection concerns directly with the organisation. The process must be transparent, accessible, and publicised in a way that data subjects are reasonably able to find and use.
3. The NCIs comply with applicable legislation, including regulatory requirements and applicable guidance.

Definitions

4. A data protection complaint is any expression of dissatisfaction with the way we have handled personal data about you or someone for whom you're acting, or failed to comply with data protection law.
5. Data protection law means all applicable data protection and privacy legislation in force from time to time in the UK including the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (UK GDPR), the Data Protection Act 2018 (and regulations made thereunder), the DUAA or any successor legislation, and all other legislation and regulatory requirements in force from time to time which apply to any party relating to the use of personal data (including, without limitation, the Privacy of Electronic Communications Regulations 2003 (PECR) (as amended)).

   "**personal data**", "**controller**", "**processor**", "**data breach**," "**data subject**", and "**processing**" (and other parts of the verb 'to process') shall have the meaning set out in data protection law.
6. A data subject rights request is a request by the data subject to exercise their rights under data protection law, e.g. access, erasure, rectification. You can find out more about how the NCIs manage these requests here: Data protection | The Church of England

Purpose

7. This policy sets out how the NCIs handle complaints relating to the processing of personal data, ensuring compliance with UK data protection law and ICO guidance.
8. We are committed to handling personal data fairly, lawfully, and transparently, and to resolving any complaints or concerns promptly and effectively.

Scope and limits

9. This policy applies to all individuals whose personal data is processed by the NCIs (i.e. data subjects).
10. This policy applies to all NCIs, and to any separate legal entities owned and controlled by them (except the Parish Giving Scheme).
11. This policy is applicable to and must be followed by all staff including consultants and contractors, volunteers and trustees.
12. This policy covers complaints relating to:

- Use, collection, or sharing of personal data;
- Data breaches;
- Responses to data subject rights requests (e.g., access, erasure); and
- Data accuracy, retention, or security concerns

13. This Policy does **not** cover:
    - a complaint made about NCI services;
    - Safeguarding disclosures; or
    - Pension scheme administration

    Where a complaint covers more than one complaint type, the complainant will be referred directly to the relevant process/processes for the relevant parts of their complaint. Where a complaint is raised about a matter which is the subject of legal proceedings, the consideration of that complaint under this policy will be paused until those legal proceedings have concluded and the outcome known.

    Where another complaint type also includes a **data subject rights** request, the data protection elements of these will follow a different procedure, for example:

    - an employee raising a grievance issue, **and requesting copies of their personal information**; or
    - a person complaining about a service issue and **requesting rectification of their data**.

Policy

14. We will:
    - Treat all relevant concerns as complaints, even if not explicitly labelled as such. Where we are not clear that a complaint has been made, we will ask you.
    - Ensure you are treated seriously with courtesy and respect.
    - Ensure that complaints are dealt with as quickly as possible and responded to appropriately.
    - Ensure you have a copy of this policy, confirm the timescales for dealing with the complaint, your preferred method of contact, and what outcome you would like.
    - Respond in plain, clear language.
    - Ensure our staff are appropriately trained to receive and manage data protection complaints in accordance with the complaints procedure.
    - Ensure that there will be no negative impact on you by a complaint being made, where this is within our control.
    - Make enquiries into the subject matter of the complaint and gather information from any relevant source which helps us to resolve the complaint.
15. **Confidentiality**: All complaints will be dealt with sensitively, telling only those who need to know. Any personal data will be processed in accordance with data protection law and as stated in our Privacy Notice.
16. It may not be possible to investigate complaints made anonymously, unless the complaint suggests that the safety of an individual is at risk. We ask that all parties to a complaint (whether the complainant, NCI staff, or any external party) co-operate in

keeping complaints confidential whilst the handling of the complaint is in progress. A party may, however, on occasion be required to confirm the fact that a complaint has been made and to provide limited details where there is a legitimate reason for doing so.

17. Where it is unanimously agreed by those involved that a recording of a meeting would be helpful, the recording will be shared with the complainant. All parties must be aware that any information shared relating to third parties during the meeting, and therefore recorded, may be disclosable under data protection law. If an individual wants a meeting to be recorded, but the other parties involved do not agree, no recording will take place. Covert recording is not acceptable under any circumstances.

How to make a complaint

18. We aim to make the complaints process clear, accessible and easy to use.
19. Complaints can be made formally or informally, verbally or in writing through any of the following communication channels:

    - Online form
    - By email: gdpr@churchofengland.org
    - By phone: 020 7898 1344 or 020 7898 1114
    - On social media (direct messaging only) via:
        - X - @churchofengland
        - Instagram - @thechurchofengland

    If you use a direct message on these social media channels to make the complaint, please be aware we will not respond by message, so please provide an alternative contact method when contacting us.

    - Write to us at: Data Protection Team, Church House, Great Smith Street, London SW1P 3AZ

20. Complainants should provide:

    - Details of their concern and their desired outcome;
    - Relevant dates and correspondence; and

      Any supporting evidence.

21. Please indicate clearly in your correspondence that this is a "Data Protection Complaint" which may speed up the process and may mean we do not need to confirm with you whether your concern should be treated as a formal data protection complaint.
22. We will respond in the same format as the request was received (except not via social media), or in the most secure method available to meet the needs of the complainant unless asked to use a different method.

Verbal complaints

23. If the complaint is made verbally (e.g. over the phone or face-to-face), we will acknowledge the complaint verbally. We will:

- summarise the complaint back to you, so you know that we have understood the issue;
- ask for your preferred contact method for receiving written acknowledgement and any updates;
- obtain contact details;
- confirm that the Data Protection Team will deal with the complaint;

Complaints from children

24. Children have the same rights over their personal information as adults and can make a complaint. For the purposes of this policy a child is everyone under the age of 18.
25. If we receive complaints from children, we **will:**
    - Ensure that the child understands their rights;
    - Ensure that the child can understand how to complain;
    - Provide suitable ways to help children exercise their right to make a complaint;
    - Provide a way for children to indicate that they think their complaint or request is urgent and why; and
    - Ensure that the child's privacy is protected, unless they ask us to share the information with parents, guardians or carers.
    - Only allow parents, guardians or carers to complain on behalf of a child if:
        - The child authorises us to do so;
        - The child does not have sufficient understanding to complain on their own, or
        - It is evident that this is in the best interest of the child.

Safeguarding

26. If the complaint from a child or vulnerable adult includes information indicating they are at risk of harm or have a safeguarding concern, we will follow the 'Managing Safeguarding Concerns and Allegations Code of Practice' with advice from the NCIs National Safeguarding Team.

Identification

27. We may ask for proof of identity to ensure that personal data is only provided to the correct data subject and will not share any such data until proof has been obtained.
28. Where possible, we will obtain proof of identity from teams or NCI staff with whom you have interacted and to whom you are known and will not ask for further information from you.

Complaints procedure

Informal resolution (Stage 0)

- On receiving the complaint, the Data Protection Team will check whether this policy and procedure applies, or if another would be more appropriate, in which case the complainant (the person making the complaint) will be notified accordingly.
- The Data Protection Team will see if they can resolve the complaint by providing more information or clarification about the way your data was handled or how the

data protection law was applied. If it hasn't been possible to resolve this informally, you can ask to proceed to Stage 1 by requesting this in writing, outlining the reason.

Stage 1

Stage 1 is the formal stage of the complaint.

We will:

- Provide a named contact who will deal with the complaint throughout Stage 1.
- Acknowledge receipt of the complaint.
- Maintain regular contact with you.
- Request additional information if required.
- Provide updates on progress.
- Send you the outcome.

We will investigate the complaint, gathering all relevant information, including looking at all the relevant facts thoroughly, fairly and accurately; speaking to relevant members of staff; comparing the information from the complaint with the information we hold; and checking that we have complied with our own terms, policies, procedures and standards. If we aren't sure what the complaint is about, we will ask you for more information as quickly as possible.

If the complaint relates to a specific person, they will have the right to be told of the complaint and to present their response. It might be appropriate to contact any third parties named in a complaint, where they have information relevant to the investigation. In doing so, we may need to provide them with details of the complaint and, where relevant, the name of the complainant. A decision on whether third parties should be contacted and information shared will be made by the Data Protection Team.

The Data Protection Team will make enquiries into the complaint without undue delay and will write to the complainant with the outcome ((i.e. whether the complaint was upheld, partly upheld or not upheld) within 30 days after receiving the complaint. If we are unable to meet this timeframe due to the complexity of the issue, the scale of the issue or any other significant factors, we will write to the complainant within 30 days to inform them of the expected response date.

Stage 1 outcome

We will provide a clear response that includes:

- Whether the complaint has been upheld, partially upheld, or rejected
- Our findings from the investigation
- Any actions taken
- An explanation of our decisions

Timescales for Stage 1

- Acknowledgement: we will aim to acknowledge receipt of the complaint within 5 working days[1].

[1] Under Section 164A (3) of the amended Data Protection Act 2018, the controller must acknowledge receipt of the complaint within the period of 30 days beginning when the complaint is received.

- The 5 days starts the day **after we** receive the complaint, even if this is a weekend or public holiday. If the last day falls on a weekend or public holiday, we will acknowledge receipt on the next working day.
- Outcome: we will aim to provide the outcome within 30 calendar days but if this is not possible will let you know, and will respond fully without undue delay

What happens if you are not happy with the outcome?

If you are unhappy with the outcome and contact us within 5 working days of receipt, we will provide more detail or clarify our decision where possible.

If you are not satisfied with this further response, you will have 15 working days to submit a written request to move to Stage Two. **Please note that complaints will usually only be considered at Stage 2 if new information has come to light after the Stage 1 outcome has been provided, or there is evidence that all the information was not fully considered in coming to the State 1 outcome.**

Stage 2

At Stage 2, the complaint will be reviewed by the Data Protection Officer who will review the complaint, the investigation and the outcome. The NCIs reserve the right to commission an independent external investigator to carry out Stage 2.

The investigation would then start and will be completed without undue delay. The complainant will be informed of the expected completion date. The investigation may, as with Stage 1, require discussions with those involved in the complaint, including any third parties named in the complaint.

On the finalisation of the investigation, the Data Protection Officer will write to the complainant with the outcome, within 10 working days.

This concludes the final stage of the complaints procedure.

Timescales for Stage 2

- Complainant request for a Stage 2 investigation: within 15 working days of receiving Stage 1 outcome.
- Acknowledgement: we will aim to acknowledge receipt of the complaint within 5 working days.
- The 5 days starts the day **after we** receive the complaint, even if this is a weekend or public holiday. If the last day falls on a weekend or public holiday, we will acknowledge receipt on the next working day.
- Outcome: without undue delay, but within 10 working days following completion of the investigation.

The Stage Two deadlines can be extended, but only where there is a clear justifiable reason, which is shared with the complainant, along with a revised timescale for completion.

Conclusion of the process

Stage 2 is the last step of the complaints process. Once a case has been considered at Stage 2, it will be closed by the NCIs. If further correspondence is received that seeks to reopen the matter (from any party) it will be acknowledged and the applicant will be referred to the ICO, but no further action will be taken by the NCIs.

Escalation

If you are dissatisfied with the response, you have the right to raise the matter with the Information Commissioner's Office (ICO) at:

Website: Make a complaint about how an organisation has used your personal information | ICO
Telephone: 0303 123 1113
Address: Information Commissioner's Office, Wycliffe House, Wilmslow, Cheshire

Under current requirements, complainants are generally expected to raise complaints with the organisation first before approaching the ICO.

Recording and monitoring

We will keep a record of:

- Complaints received and date of receipt;
- Acknowledgement and date of acknowledgement;
- Investigations undertaken including any relevant evidence, (which may include details of conversations and/or documents);
- The outcome of the complaint and when and how the outcome was communicated to the complainant; and
- Any actions we took as a result of the investigation.

These records will be used to:

- Identify trends;
- Improve data protection practices, policies and procedures (where necessary);
- Demonstrate compliance; and
- Report to senior officers and relevant NCI compliance bodies

Approval and review

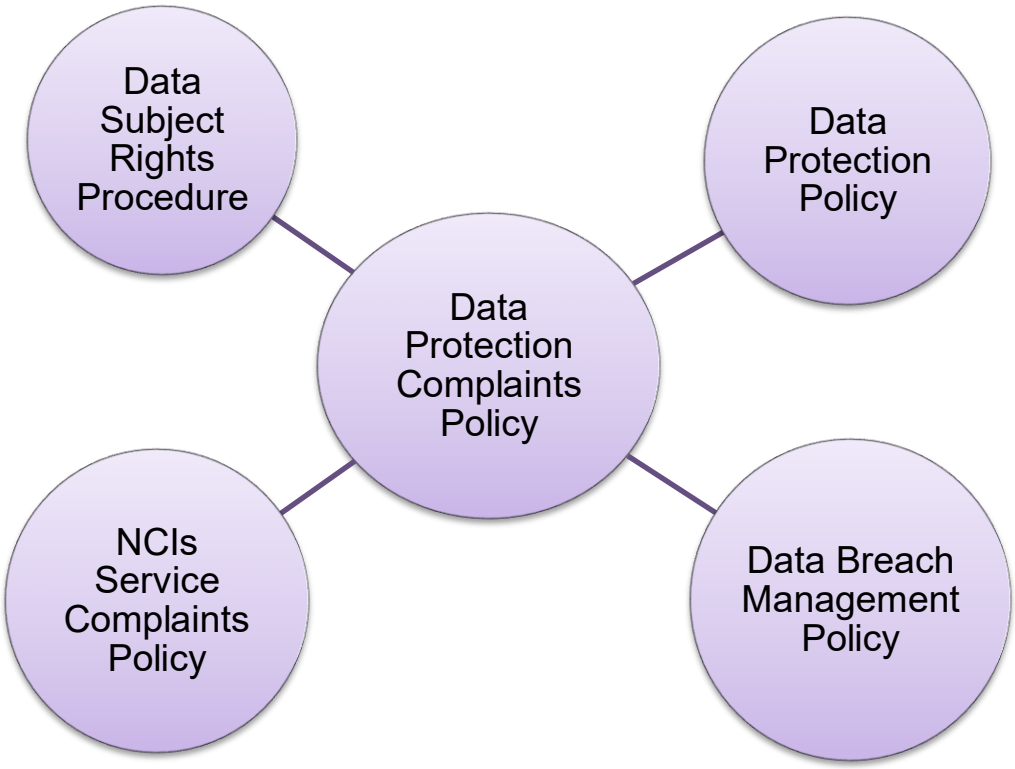
Approved by	Chief Officers
Policy owner	Director of Data Services
Policy author	Information Governance Officer
Date	June 2026
Review date	June 2028

Revision history

Version no.	Revision date	Previous revision date	Summary of changes
1.0			Final version for CO approval

Related policies and procedures

The *Data Protection Complaints Policy* works in conjunction with and is supported by a number of other policies and documents including those shown in the diagram below:



APPENDIX 1 Data Protection Complaints Form

This form is available on-line at: Complaints about data protection | The Church of England

THE CHURCH OF ENGLAND
NATIONAL CHURCH INSTITUTIONS

Data Protection Complaints Form

This form can be used to submit a data protection complaint under the provisions of the Data Protection Act 2018 (as amended). Please see our Data Protection Complaints Policy before completing this form.

You may be required to supply proof of identify, such as a photocopy or scan of your passport, driving licence or proof of address for the last 3 months. We will contact you if we require this.

If you are making a complaint on behalf of someone else, such as a child, an adult relative or a friend, you must send us proof of identify of yourself and that person, as well as written evidence of permission/authorisation to indicate that you can act on behalf of that individual e.g. a copy of Lasting Power of Attorney. Any individual aged 13 or over must also sign the form to give us their permission to send you the information.

Your personal details will be processed in accordance with the NCIs Data Protection Privacy Notice.

You can download this form to retain a copy for your own records, or to send it to us by email if you have added attachments.

1. Complainant Details

We will send the information to you using these details. You must have written permission to act on behalf of another person.

Your full name:	
If we have interacted with you under a different name, please provide that name.	
Address and postcode:	
If we have corresponded with you using a different address, please provides that address and postcode.	
Preferred email address:	

If you have changed your email address or have used a different email address to interact with us, please let us know.	
Phone number:	
Responses will be sent by email if the complaint was received electronically (by email, online, social media) or on paper if requested, or where only a postal address is provided, unless you specify otherwise.	

2. If you are making the complaint on behalf of someone else

Their full name and address:	

3. If you are making a complaint on behalf of a child (i.e. under the age of 18)

Child's date of birth	
Do you have parental responsibility for the child? *State"Yes" or "No"*	

4. Type of Complaint

Please select the type of complaint(s) you are making (you may select more than one):

☐ *Response to a data subject rights request (e.g. access, rectification etc)*

☐ *Handling of personal data (collection, use, sharing etc)*

☐ *Security of personal data*

☐ *Breach of personal data*

☐ *Accuracy of personal data*

☐ *Retention of personal data*

☐ *Other (please specify)*

5. Have you raised this concern with the NCIs before?

Yes ☐ No ☐

If Yes, please use the space below to tell us when and with whom. This might help us internally to work out if your complaint is part of a bigger issue that will involve another complaint process.

6. Complaint details

Use this space to tell us about your concern. Please include the context of your interaction with us, which NCI/s are involved, any dates or references, and attach copies of relevant correspondence etc, and any other supporting evidence.
Please continue on a separate sheet if you need to and attach it.

7. Outcome

Use this space to tell us what you would like us to do, or what would resolve your complaint.

8. Attachments

Attachments included

☐ Yes
If Yes, number of attachments: _____

☐ No

9. Signature and declaration

10. Under the UKGDPR I wish to make a data protection complaint as detailed above.
11. I confirm that *I am the subject of this information* / *acting on another's behalf and I have attached written permission to do so*. (delete whichever is not appropriate).
12. I understand that you have 5 calendar days to acknowledge my request as set out in the NCIs Data Protection Complaints Policy. This time will not start to run until the day after receipt of my complaint. I understand that the time frame for a full response is 30 calendar days, if possible, but this may be extended where necessary, such as where the matter is complex. I understand that you will contact me directly as soon as possible informing me of any delay.
13. I understand that my personal details will be shared with the Data Protection Team or other NCI staff to process my complaint, in accordance with the Data Protection Privacy Notice.

Signature:	
If sending this by email, an electronic signature or typed signature is acceptable. If you wish, you can print this form, sign it and send us a scanned version.	
Date:	

14. Other person's signature

If you have requested information on behalf of any individual aged 13 or over, that person must sign this declaration:

I (whose name appears in section 2 above) give my permission for this request regarding my personal information, as described above to be made on my behalf by the person whose name appears in section 1 above.

Signature:	
If sending this by email, an electronic signature or typed signature is acceptable. If you wish, you can print this form, sign it and send us a scanned version.	
Date:	

Once completed, this form can be submitted on-line: Complaints about data protection | The Church of England

Or via email to gdpr@churchofengland.org

Or posted to: Data Protection Team, Church House, Great Smith Street, London SW1P 3AZ

On receipt of this form, we will acknowledge your request by email or post and let you know if we need any further information from you to process your complaint.