Data Protection & Privacy Complaints Policy

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Approved by	Data Protection Officer
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This policy is available in accessible formats on request from the Data Protection Officer. Please contact DPO@careaftercombat.org

1. Purpose

1.1 This policy sets out:

a. The right of individuals to complain about how their personal data is processed by Care after Combat.
b. How concerns and complaints relating to personal data will be received, investigated and resolved.
c. The responsibilities of staff, volunteers, trustees and contractors in handling complaints.
d. How Care after Combat complies with its obligations under UK data protection legislation.
e. How individuals may escalate concerns if they remain dissatisfied.

2. Policy Statement

2.1. Care after Combat is committed to protecting the personal data of veterans, service users, staff, volunteers, donors, supporters, trustees, contractors and partner organisations.

2.2. We recognise that much of the information we process is sensitive in nature, including special category data, criminal offence data, safeguarding information and case management records. We are committed to processing personal data lawfully, fairly, transparently and securely.

2.3. We take all concerns and complaints relating to personal data seriously and seek to resolve them promptly, fairly and sensitively.

2.4. Care after Combat recognises the statutory right of individuals to raise complaints regarding the processing of their personal data and is committed to handling such complaints in accordance with the UK GDPR, Data Protection Act 2018 and the Data (Use and Access) Act 2025.

3. Scope

3.1. This policy applies to:

a. All personal data processed by Care after Combat.
b. All staff, trustees, volunteers and contractors acting on behalf of Care after Combat.
c. All service users, beneficiaries, donors, supporters, partners and members of the public.

4. Types of Data Covered

4.1. Complaints may relate to any personal data processed by Care after Combat, including:

a. Personal identification data.
b. Contact information.
c. Health and wellbeing information.
d. Criminal offence and justice system information.
e. Safeguarding information.
f. Employment records.
g. Volunteer records.
h. Donor and supporter information.
i. Case management records.
j. Information shared with partner agencies.

5. Definition of a Data Protection Complaint

5.1. A data protection complaint is any expression of dissatisfaction, concern or objection relating to the way Care after Combat collects, stores, uses, shares, retains or otherwise processes personal data. Complaints may relate to:

a. Unauthorised access, disclosure or sharing of personal data.
b. Failure to uphold an individual's data protection rights.
c. Inaccurate personal data.
d. Delays in responding to requests.
e. Data security incidents or breaches.
f. Confidentiality concerns.
g. Retention or deletion of personal data.
h. Any other alleged infringement of data protection legislation.

5.2. A complaint does not need to mention data protection legislation, GDPR or privacy rights in order to be treated as a data protection complaint. Any expression of concern about how personal information has been handled will be assessed and, where appropriate, managed under this policy.

6. Right to Complain

6.1. Individuals have the right to complain to Care after Combat if they believe that their personal data has been processed unlawfully or improperly.

6.2. Information about how to make a complaint will be made available through:

a. Privacy Notices.
b. Subject Access Request responses.
c. Service information and guidance.
d. The Care after Combat website.

e. This policy.

7. Legal and Regulatory Framework

7.1. This policy supports compliance with:

a. UK GDPR.
b. Data Protection Act 2018.
c. Data (Use and Access) Act 2025.
d. Information Commissioner's Office (ICO) guidance.
e. Charity Commission guidance on governance and accountability.
f. OSCR guidance where applicable.

7.2. Care after Combat processes personal data under lawful bases including:

a. Consent.
b. Contract.
c. Legal obligation.
d. Vital interests.
e. Public task (where applicable).
f. Legitimate interests.

Special category and criminal offence data will be processed only where a lawful condition under the UK GDPR and Data Protection Act 2018 applies.

8. How to Make a Complaint

8.1. Complaints may be submitted by any reasonable means. Individuals are not required to use a specific form or process. Complaints may be made:

a. By email.
b. By post.
c. By telephone.
d. In person.
e. Via a representative.
f. Through social media or digital channels.
g. Through a member of staff or volunteer.

8.2. Complaints should be directed to:

Data Protection Officer
Care after Combat
Email: DPO@careaftercombat.org
Telephone: 01636 557543

8.3. We recognise that some individuals may require support when making a complaint. Reasonable assistance and adjustments will be provided where required.

9. Complaint Handling Procedure

9.1. Receipt and Acknowledgement

a. Complaints will normally be acknowledged within five working days.
b. A complaint reference number may be assigned.
c. Information regarding the complaint process will be provided where appropriate.

9.2. Initial Assessment

a. The complaint will be reviewed to determine:

(1) Whether it concerns personal data.
(2) Whether immediate action is required.
(3) Whether safeguarding concerns exist.
(4) Whether a data breach may have occurred.
(5) Whether another internal policy or procedure is also relevant.

9.3. Safeguarding and Risk Management

a. Any complaint indicating:

(1) Immediate risk of harm.
(2) Safeguarding concerns.
(3) Risk to vulnerable individuals.
(4) Significant confidentiality concerns.

will be prioritised and managed alongside applicable safeguarding procedures.

9.4. Investigation

a. Investigations will normally be conducted by the Data Protection Lead or another suitably independent senior manager. The investigation may include:

(1) Reviewing records and systems.
(2) Interviewing relevant staff or volunteers.
(3) Reviewing policies and procedures.
(4) Reviewing contracts and data sharing agreements.
(5) Consulting partner organisations where appropriate.

(6) Particular care will be taken where complaints involve vulnerable veterans, individuals in custody or individuals with a history of trauma.

9.5. **Progress Updates**

a. Where an investigation is ongoing, Care after Combat will keep the complainant informed of progress and provide updates where appropriate.

9.6. **Response Times**

a. Care after Combat aims to provide a substantive response within one calendar month of receiving a complaint. Where a complaint is particularly complex, this period may be extended by up to two additional months. Where an extension is necessary, the complainant will be informed of:

(1) The reasons for the delay.
(2) The anticipated response date.

9.7. **Outcomes**

a. Outcomes may include:

(1) Explanation of findings.
(2) Apology.
(3) Correction of records.
(4) Restriction of processing.
(5) Deletion of data where appropriate.
(6) Improvements to procedures.
(7) Staff training.
(8) Data breach reporting where required.
(9) Safeguarding actions where appropriate.

10. Escalation and Review

10.1. **Internal Review**

a. If a complainant remains dissatisfied, they may request an internal review by:

(1) A Senior Manager; or
(2) A Trustee nominated for governance oversight.

b. The internal reviewer should, wherever possible, be independent of the original investigation.

10.2. **Information Commissioner's Office**

a. If the complainant remains dissatisfied following Care after Combat's response, they may raise the matter with the Information Commissioner's Office.

Information Commissioner's Office (ICO)
Website: https://ico.org.uk
Helpline: 0303 123 1113

10.3. All final complaint responses will include information about the individual's right to complain to the ICO.

11. Data Subject Rights

11.1. Care after Combat respects and facilitates all rights provided under UK GDPR, including:

a. Right of access.
b. Right to rectification.
c. Right to erasure.
d. Right to restriction of processing.
e. Right to object.
f. Right to data portability.
g. Rights relating to automated decision-making and profiling.

11.2. Data subject rights requests may be handled alongside a complaint where appropriate.

12. Confidentiality

12.1. All complaints will be handled confidentially and only shared with those who need access to the information in order to investigate and resolve the matter.

12.2. Particular care will be taken where complaints involve:

a. Vulnerable veterans.
b. Individuals in custody or recently released.
c. Safeguarding concerns.
d. Special category data.
e. Criminal offence data.

13. Record Keeping

13.1. Care after Combat will maintain a secure record of all data protection complaints.

13.2. Records will include:

a. Date received.
b. Name of complainant (where known).
c. Nature of complaint.
d. Acknowledgement date.
e. Investigation activities.
f. Communications with the complainant.
g. Outcome.
h. Remedial actions taken.
i. Any escalation or ICO involvement.

13.3. Records will be retained in accordance with Care after Combat's Data Retention Schedule.

13.4. Complaint records will be used to support accountability, organisational learning and continuous improvement.

14. Training and Awareness

14.1. All staff and volunteers will receive training appropriate to their role regarding:

a. Data protection.
b. Confidentiality.
c. Complaint handling.
d. Safeguarding.
e. Information security.

15. Monitoring and Continuous Improvement

15.1. Care after Combat will regularly review complaint data to:

a. Identify recurring issues.
b. Improve services and systems.
c. Identify training requirements.
d. Reduce future complaints and risks.

15.2. Significant risks, trends or systemic issues will be reported to the Senior Leadership Team and Trustees where appropriate.

16. Roles and Responsibilities

16.1. **Data Protection Officer**

a. The Data Protection Officer will:

(1) Oversee compliance with this policy.
(2) Coordinate complaint investigations.
(3) Maintain complaint records.
(4) Liaise with the ICO where required.
(5) Provide advice and guidance to staff.

16.2. **Staff and Volunteers**

a. Staff and volunteers will:

(1) Recognise and escalate complaints promptly.
(2) Support individuals wishing to make complaints.
(3) Cooperate with investigations.
(4) Maintain confidentiality.

16.3. **Trustees**

a. Trustees will:

(1) Provide governance oversight.
(2) Review significant risks and systemic issues.
(3) Ensure appropriate resources are available to support compliance.

17. Monitoring and Review

17.1. This policy will be reviewed every two years, or sooner where required by:

a. Changes in legislation.
b. ICO guidance.
c. Regulatory developments.
d. Organisational learning arising from complaints.

17.2. Responsibility for review of this policy rests with the Data Protection Officer.