



RQIA Data Protection Complaints Policy

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1. Introduction

The Data (Use and Access) Act 2025 (DUAA) introduces a complaint handling requirement to the UK Data Protection Act 2018 (DPA 2018). Data controllers must have a dedicated data protection complaints process.

RQIA takes its legal obligations under UK General Data Protection Regulations (GDPR) and Data Protection Act 2018 very seriously. This policy sets out how RQIA will manage complaints relating to the processing of personal data, in compliance with the UK General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018.

Data protection complaints must be handled through this dedicated process and cannot be processed through RQIA's standard complaints procedure.

2. Scope

A data protection complaint is an expression of dissatisfaction (whether justified or not) about how RQIA have handled your personal data or any of your data protection rights, including, for example, occasions where you:

- feel your personal data is not being processed in line with our privacy notice(s) or other information or Data Protection Laws;
- feel RQIA have not dealt with a request to exercise your data protection rights correctly;
- feel RQIA have not provided a timely response to a previously submitted query or concern relating to your personal data;
- have been adversely affected by a Personal Data Security Breach, caused by or involving RQIA.

This policy **does not** cover general service complaints where they are not related directly to data protection matters. These concerns will be dealt in line with [RQIA's Complaints Policy and Handling Procedure](#).

Where data protection concerns form part of a wider service complaint, we will coordinate our response with the relevant complaints process to ensure you receive a coherent outcome.

There is no time limit on when an individual can make a data protection complaint.

3. Glossary

Data Controller - the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

Data Processor - the natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

Personal Data – any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification

number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person”.

Personal Data Breach – A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.

4. Purpose

This policy sets out how you may raise a data protection complaint and how RQIA will deal with and respond to these. This policy aims to:

- Make the complaints procedure easy and accessible
- Deal with complaints and concerns expeditiously and courteously
- Advise how we will keep individuals informed
- To provide a clear and timely response to concerns.

5. Legislative/Policy Framework

This policy is underpinned by the Data (Use and Access) Act (DUA) 2025 which inserts a new Section 164A into the Data Protection Act 2018. This provision requires all controllers to ‘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.

This framework establishes RQIA’s legal foundation for receiving, assessing, resolving, and escalating personal data-related complaints. This policy ensures RQIA’s compliance with the statutory obligations contained within the DUAA, UK GDPR, the Data Protection Act 2018, and ICO regulatory guidance.

6. Roles and responsibilities of RQIA in relation to personal data complaints

RQIA Chief Executive - has overall responsibility and accountability for the handling and consideration of complaints relating to data protection.

RQIA Authority - will receive regular updates on data protection complaints about RQIA to provide appropriate governance and oversight of the process.

Complaints Manager - has day-to-day responsibility for managing the complaints process. Upon receipt of data protection complaints, the complaints manager will liaise with the Senior Information Risk Officer and Personal Data Guardian to inform response.

Personal Data Guardian (PDG) – The PDG, in collaboration with the complaints manager and senior information risk officer, will ensure a fair and comprehensive investigation is conducted for eligible complaints under this process.

Senior Information Risk Officer (SIRO) – The SIRO, in collaboration with the complaints manager and personal data guardian, will ensure a fair and comprehensive investigation is conducted for eligible complaints under this process

All RQIA Staff - All staff are responsible for ensuring that they are familiar with this policy and must cooperate with the complaint investigator when instructed.

7. Policy

7.1 How to make a complaint?

RQIA facilitate data protection complaints and aim to make raising concerns straightforward. You can complain by completing the data protection complaint form available on the [RQIA website](#) and sending directly to RQIA's Complaints Manager via email info@rqia.org.uk or via post:

RQIA Complaints Manager
1st Floor
James House
2-4 Cromac Avenue
Gasworks
Belfast
BT7 2JA

You can also submit a complaint verbally. Our contact telephone number is **028 95361111**.

If you need an alternative format or reasonable adjustments, please tell us and we will assist.

7.2 What happens when RQIA receive a complaint?

RQIA will log your complaint, confirm we have received it, and identify the appropriate team to investigate. We may contact you to clarify the issues or request further information. We will then provide our findings and any actions we are taking to you in writing, and explain how to raise further concerns if you remain dissatisfied.

When investigating complaints, we may need to verify identity and request further information. We will respond as fully as we can, but we must also protect confidentiality, legal professional privilege, and the rights of other individuals. This may mean we cannot disclose certain information.

7.3 Timescales

RQIA will acknowledge receipt promptly and in any event within 30 days of receiving your complaint. We will begin making appropriate enquiries as soon as we receive it and we will keep you informed of progress. We will provide you with the outcome without undue delay.

7.4 Escalation to the Regulator

If you are unhappy with how we have handled your complaint, you can contact the Information Commissioner's Office (ICO) for advice to raise concerns. We will include information about next steps and the ICO in our outcome communication to you. You can find further details on the ICO's website at <http://www.ico.org.uk> or contact them for advice to raise concerns.

7.5 Record Keeping

RQIA maintain records of data protection complaints and outcomes to demonstrate compliance and support reporting obligations when required by law.

8. Sustainability and Environmental Impact

RQIA is committed to promoting environmental sustainability in all aspects of its work. This policy has been developed and will be implemented in a manner that seeks to minimise environmental impact, including the efficient use of resources, reduction of waste, and consideration of digital alternatives to paper-based processes where appropriate. Staff are encouraged to apply sustainable practices in the delivery of this policy, in line with RQIA's environmental objectives and the wider public sector commitment to sustainability.

9. Equality

This policy has been screened for equality implications as required by Section 75 and Schedule 9 of the *Northern Ireland Act 1998* and is assessed as having no serious impact on the Section 75 groups, therefore it is not considered to require a full impact assessment. Equality Commission guidance states that the purpose of screening is to identify those policies which are likely to have a significant impact on equality of opportunity so that greatest resources can be devoted to these.

RQIA is committed to upholding equality, diversity, and human rights in all aspects of its work. This policy has been developed in line with the principles of fairness, respect, and non-discrimination, and takes account of the Human Rights Act 1998 and Section 75 of the *Northern Ireland Act 1998*. In implementing this policy, RQIA will ensure that no individual or group is disadvantaged on the basis of age, disability, gender, race, religion or belief, sexual orientation, or any other protected characteristic.

The policy has been screened out without mitigation or an alternative policy proposed to be adopted.

10. Monitoring/Evaluation

RQIA will evaluate the effectiveness of this policy annually.

11. Review

This policy will be reviewed every two years or sooner if legislative, regulatory, or operational changes require revision.

Appendix 1 - Data Protection Complaint Form

RQIA – Data Protection Complaint Form

A Data Protection Complaint is a concern about how your personal data or data protection rights have been handled. RQIA take UK General Data Protection Regulations (GDPR) and Data Protection Act (DPA) 2018 obligations very seriously and aim to resolve issues promptly. Please use this form to submit your complaint via email to info@rqia.org.uk. You can also complete and send via post to:

RQIA Complaints Manager
1st Floor
James House
2-4 Cromac Avenue
Gasworks
Belfast
BT7 2JA

Complaints may also be made verbally via telephone 028 95361111.

This form is for data protection matters only. For general service complaints, please refer to the RQIA Complaints Policy available at [Making a complaint about RQIA](#).

Process and Timescales

We will acknowledge your complaint within 30 days, investigate promptly, and keep you updated.

We may need to verify your identity or request further information. Some details may be withheld to protect confidentiality and legal privilege.

For more information, see our [Data Protection Complaints Policy](#).

Personal Data Collection

Your personal data will be used only for processing this complaint and not shared with third parties unless legally required. See our [Privacy Notice](#).

1. Your full name:

Click or tap here to enter text.

2. Are you making this complaint on behalf of another individual? (Complaints may only be made about the data subject's own personal data unless valid legal authority is provided, including lasting power of attorney, court order, parental responsibility, signed consent or written authority to act).

- Yes
- No

3. If yes, please specify your relationship to the complainant:

Click or tap here to enter text.

4. Name of the person the complaint relates to (if different from above)

Click or tap here to enter text.

5. Contact Details (email address, postal address etc.)

Click or tap here to enter text.

6. What is the nature of your complaint?

- Direct Subject Access Request (DSAR)
- Individual Rights
- Privacy Notice
- Sharing/disclosure of data
- Retention of Data
- General personal data handling
- Personal data breach
- Not keeping information secure
- Inaccurate/incomplete information
- Other

7. Please summarise your concern(s), including relevant dates and details.

Click or tap here to enter text.

8. Have you previously contacted us in relation to this matter?

Click or tap here to enter text.