

DATA PROTECTION COMPLAINTS POLICY

1. OUR APPROACH

Barr Ellison LLP takes its data protection obligations seriously. If you are concerned about how we have handled your personal data, you can raise a data protection complaint with us.

This procedure applies to clients and non-clients, including prospective clients, former clients, witnesses, beneficiaries, attorneys, deputies, litigation friends, family members and any other individuals whose personal data we may process.

A data protection complaint is a complaint about the way we collect, use, store, disclose, retain, secure or otherwise handle personal data. This may include concerns about a subject access request, inaccurate personal data, disclosure of personal data, security of personal data, retention or deletion of personal data, or a personal data breach.

This procedure is separate from our client complaints procedure. If your complaint is about our legal service, fees or professional conduct, it may be dealt with under our client complaints procedure. If your complaint includes both service issues and data protection issues, we will identify the data protection element and deal with it under this procedure.

2. HOW TO MAKE A DATA PROTECTION COMPLAINT

You can make a data protection complaint by contacting:

- **Sarah Martin Risk & Compliance Partner / COLP**

Barr Ellison LLP
39 Parkside
Cambridge
CB1 1PN

Email: law@barrellison.co.uk

Telephone: 01223 417200

You do not need to use any particular form or legal wording. It will help us if you can tell us:

your name and contact details;

- what personal data your complaint relates to;
- what you are concerned about;
- the matter or person your complaint relates to, if known;
- what you would like us to do.

If someone complains on behalf of another person, we may need to ask for evidence that they have authority to act for that person before we can respond substantively or disclose any personal data.

Where a complaint is made to another person at the firm, it will be passed to Sarah Martin so that it can be considered under this procedure.

3. WHAT WE WILL DO WHEN WE RECEIVE YOUR COMPLAINT

When we receive a data protection complaint, we will consider the information you have provided and decide what steps are needed to investigate it.

We will usually:

- acknowledge your complaint within 30 days of receiving it;

- consider whether we need any further information from you to understand the complaint;
- check your identity, where this is necessary and proportionate;
- check authority if someone is complaining on your behalf;
- review the relevant information, file, correspondence or records;
- speak to the relevant people within the firm, where appropriate;
- consider whether your complaint raises any wider issue, such as a personal data breach, confidentiality issue or client service complaint;
- respond to you without undue delay once we have completed our investigation.

Where your complaint is complex, or where we need further information before we can complete our investigation, we will keep you informed.

Our response will explain the outcome of our consideration of your complaint. Where appropriate, we will also explain any steps we have taken, or will take, as a result of the complaint.

4. IF YOUR COMPLAINT RAISES OTHER ISSUES

Sometimes a complaint may raise more than one type of issue. For example, you may be concerned about how we have handled your personal data and also about our legal service, our fees, confidentiality, or another aspect of your matter.

This data protection complaints procedure deals with complaints about how we handle personal data. If your complaint also raises issues about our legal service, fees or professional conduct, those issues may need to be considered under our separate client complaints procedure.

Where a complaint raises both data protection issues and other issues, we will identify the data protection element and consider it under this procedure. We may deal with different parts of your complaint under different procedures, but we will explain this where it is relevant.

If your complaint suggests that a personal data breach may have occurred, we will also consider the matter under our personal data breach procedure.

5. IDENTITY, AUTHORITY AND CONFIDENTIALITY

We may need to take steps to confirm your identity before responding to your complaint, particularly where the complaint involves access to, or disclosure of, personal data.

If someone makes a complaint on your behalf, we may need to ask for evidence that they have authority to act for you. This may include written authority from you or other appropriate evidence, depending on the circumstances.

We will not disclose personal data to someone else unless we are satisfied that it is appropriate to do so.

As a firm of solicitors, we also have duties of confidentiality to our clients and may have professional obligations which affect what information we can provide when responding to a complaint. In some cases, we may not be able to provide all of the information requested, but we will explain our position where we can.

6. OUR RESPONSE TO YOUR COMPLAINT

Once we have considered your complaint, we will provide you with a response without undue delay.

Our response will usually explain:

- the outcome of our consideration of your complaint;
- whether we have upheld, partially upheld, or not upheld the complaint;

- the reasons for our decision, where we are able to provide them;
- any steps we have taken, or will take, as a result of the complaint;
- whether there are any limits on the information we can provide, for example because of confidentiality, legal professional privilege or our duties to another client;
- your right to complain to the Information Commissioner's Office if you remain unhappy with how we have handled your personal data.
- Where appropriate, we may also use the complaint to review our internal procedures, provide further staff guidance or take other steps to reduce the risk of similar issues arising in future.

7. COMPLAINING TO THE INFORMATION COMMISSIONER'S OFFICE

If you remain unhappy with how we have handled your personal data, or how we have dealt with your data protection complaint, you have the right to complain to the Information Commissioner's Office.

The Information Commissioner's Office is the UK regulator for data protection.

You can contact the Information Commissioner's Office using the details on its website:

Website: www.ico.org.uk

Telephone: 0303 123 1113

You may wish to raise your complaint with us first, so that we have the opportunity to consider and respond to your concerns.

8. REVIEW OF THIS PROCEDURE

We may review and update this procedure from time to time.

This procedure should be read alongside our privacy notice and, where relevant, our separate client complaints procedure.

If you need this procedure in another format, please contact Barr Ellison using the details above.