Cheshire Constabulary

HOW TO MAKE A DATA PROTECTION COMPLAINT

Introduction

This guide explains how to complain if you are concerned about how Cheshire Constabulary has handled your personal information. It also explains what will happen after you contact us. Our Information Compliance department manages data protection complaints.

What can I complain about?

You can complain if you are concerned about how we have handled your personal information. For example, you may be concerned that:

- we collected, used, stored or shared your personal information unfairly or without a proper reason;
- we did not keep your personal information secure, or a personal data breach affected you; or
- we did not deal properly with a data protection rights request, such as a request for a copy of your information, to correct inaccurate information or to delete information.

A simple question or request for an update will not usually be treated as a complaint. However, if your concern is more detailed or needs investigation, we may refer you to make a complaint. We will tell you if we do this.

What is not a data protection complaint?

- A request to use one of your data protection rights. For example, asking for a copy of your personal information, asking us to correct inaccurate information or asking us to consider deleting information. However, you can complain if you are unhappy with how we handled that request.

- A general complaint about policing standards, the conduct of an officer or member of staff, corruption or abuse of authority. These concerns are dealt with through the police complaints or appeals process.

- Sometimes a concern involves both data protection and another type of complaint. If this happens, we will explain how each part will be handled and, where appropriate, refer you to the right team.

Who can make a complaint?

You can make a complaint yourself or ask someone you trust, such as a family member, friend, solicitor or other representative to complain for you. If someone acts for you, we may ask for evidence that you have authorised them. We may also need to confirm your identity before we share personal information. We only ask for information that is necessary.

How can I make a complaint?

The quickest way to send us your complaint is through our online form. This form helps you to provide everything that we are likely to need to progress your complaint.

Direct Link to our form: Make a complaint about the police | Cheshire Constabulary. This is held on: Cheshire.Police.uk.

If you contact us in another way we will still consider your concern, but it may result in delays or us being unable to fully progress your complaint. It is helpful if you tell us:

- what happened and why you are concerned;
- when it happened;
- which part of Cheshire Constabulary you dealt with, if known;
- any relevant reference numbers;
- what effect the issue has had on you;
- what you would like us to do; and
- whether you need us to communicate with you in a particular way.

When telling us about your concern, please include any relevant correspondence or supporting information if you have it, but do not send original documents. Do not worry if you cannot provide everything listed above—we will contact you if we need more information.

If you use Artificial Intelligence (AI) to submit your concern, please make sure the final wording has been checked for accuracy. Although helpful, AI can misrepresent legislation so it's important not to assume that AI is always right. Please also make sure it reflects your actual complaint and hasn't made your contact with us unnecessarily complex. AI can sometimes over-complicate correspondence which creates delays to your requests and to our teams.

What to expect from us

We will acknowledge your complaint within 30 days of receiving it and we will investigate and respond without undue delay. If we need more information or the investigation takes longer than expected, we will keep you informed.

As part of our investigation, we will consider the information you provide, review relevant records and speak to staff where necessary. We may contact you if we need further information or clarification.

When our investigation is complete, we will write to you with the outcome. In doing so, we will explain what we have found and whether we believe your personal information was handled properly, whether any action needs to be taken and how to contact the Information Commissioner's Office if you remain dissatisfied.

If you are unhappy with the outcome

We aim to respond fully and fairly but if you contact us again about the same matter, we will only consider any new information you provide.

In exceptional circumstances, we may decide that it is no longer reasonable or proportionate to continue corresponding about issues we have already fully addressed. Before doing so, we will consider the circumstances carefully and, where appropriate, explain our decision in writing. We will also tell you about any other routes available to you, including raising the matter with the Information Commissioner's Office (ICO).

If you are unhappy with our response, or believe we have not handled your complaint properly, you can ask the ICO to consider it. The ICO is the UK's independent regulator for data protection and information rights. Please keep copies of your complaint, our response and any relevant correspondence, as the ICO may ask to see them.

You can contact the ICO in the following ways:

- Online: ico.org.uk
- Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
- Phone: 0303 123 1113

How long we keep information about your complaint

We will keep records of your complaint for at least six years after it is closed. This is in line with the National Retention Guidelines.