

HAY BUSINESS SERVICE (UK) CO. LTD

trading as legallybeyondborders.com / berniehung.com

Company No. 11296523 | Registered Office: 131 Gallants Farm Road, EN4 8EL

DATA PROTECTION COMPLAINTS PROCESS

Effective Date: 19 June 2026 | Version 1.0 | Review Date: June 2027

LEGAL NOTICE

This document is a legal policy template prepared for and on behalf of HAY Business Service (UK) Co. Ltd, and constitutes a confidential legal instrument. It is subject to legal professional privilege. No part of this document may be reproduced, disclosed or distributed without the express written consent of the authors.

1. Purpose and Legal Framework

This Data Protection Complaints Process ('Process') sets out the written procedure by which HAY Business Service (UK) Co. Ltd ('the Company', 'we', 'us', 'our'), trading as Legally Beyond Borders (legallybeyondborders.com) and berniehung.com, will handle complaints from individuals who allege that the Company has infringed applicable data protection legislation in the processing of their personal data.

This Process is issued to comply with and in anticipation of the obligations arising under:

- Section 103 of the Data (Use and Access) Act 2025 ('DUAA 2025'), which comes into full legal effect on 19 June 2026 and imposes mandatory complaint-handling duties on all data controllers;
- The UK General Data Protection Regulation ('UK GDPR'), as retained in UK law by the European Union (Withdrawal) Act 2018 and amended by the Data Protection, Privacy and Electronic Communications (Amendments etc.) (EU Exit) Regulations 2019;
- The Data Protection Act 2018 ('DPA 2018'), including Part 3 (law enforcement processing), which is also within the scope of the DUAA 2025 complaints framework;
- The Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) ('PECR'), as amended;
- Guidance published by the Information Commissioner's Office ('ICO') on handling data protection complaints, including the ICO's finalised guidance of February/March 2026 on the new statutory complaints regime; and
- The Company's existing Privacy Policy published at legallybeyondborders.com/privacy-policy (effective 1 August 2025) and the associated privacy notice at berniehung.com.

2. Scope

This Process applies to:

- All individuals ('data subjects') whose personal data is processed by the Company, including clients, contacts, website visitors, subscribers, event attendees, and third-party individuals whose data we hold;
- Complaints submitted by the data subject personally, or by an authorised representative acting on their behalf (e.g. a solicitor, family member or consumer organisation). Where a complaint is received from a representative, the Company will verify that the representative is authorised to act;
- All processing activities carried out by the Company in its capacity as a data controller under UK GDPR and DPA 2018, including processing described in the Company's Privacy Policy (legallybeyondborders.com/privacy-policy); and
- Any data processing activities carried out on the Company's behalf by processors or sub-processors.

This Process covers complaints about any of the following (non-exhaustive):

- A suspected or confirmed personal data breach affecting the complainant's data;
- How the Company has responded to (or failed to respond to) a Data Subject Access Request ('DSAR') or other data subject rights request;
- The accuracy, completeness or currency of personal data held by the Company;
- How long the Company retains personal data (retention periods);
- The security measures the Company applies to personal data;
- The lawful basis relied upon by the Company for processing personal data;
- The Company's use of cookies and tracking technologies on its websites;
- The sharing or disclosure of personal data to third parties;
- Marketing communications sent without valid consent or lawful basis; and
- International transfers of personal data.

IMPORTANT: COMPLAINTS vs. DATA SUBJECT ACCESS REQUESTS (DSARs)

A DATA PROTECTION COMPLAINT is about resolution: the complainant believes the Company has handled their data wrongly and wants it addressed. Examples: 'You shared my data without my consent', 'My data is inaccurate and you have not corrected it', 'You suffered a data breach and I want to know how my data was affected'.

A DSAR is about action: the complainant wants the Company to do something — give me my data, correct it, delete it, restrict its use, port it to another controller.

The two may overlap and a single communication may contain both. If it is unclear which has been submitted, the designated handler should contact the complainant to clarify. Both processes must run in parallel where both a DSAR and a complaint are identifiable in the same communication.

3. Designated Complaint Handler

The Company designates the following person(s) as responsible for managing data protection complaints:

Primary Handler	Bernie Hung, Designated Data Protection Lead / Data Protection Officer
Role / Title	Director
Email	bernie@berniehung.com

The handler must have sufficient knowledge of the Company's data processing activities and of applicable data protection law to investigate complaints effectively. Annual training on data protection complaints handling is strongly recommended.

4. Complaint Submission Channels

In accordance with the ICO's guidance on accessibility, the Company provides the following multiple channels through which a data protection complaint may be submitted:

Channel	Details
Email (primary)	bernie@berniehung.com
Post	Data Protection Complaints — HAY Business Service (UK) Co. Ltd, 131 Gallants Farm Road, EN4 8EL, England
Telephone	07940171410
Online / Website Form	accessible via legallybeyondborders.com/get-in-touch-with-us

4.1 Accessibility

The Company is committed to ensuring that the complaints process is accessible to all data subjects, including those with visual or hearing impairments, literacy difficulties, or who communicate in a language other than English. In practice, this means:

- Complaints submitted by telephone may be taken verbatim by the handler and confirmed back in writing;
- The Company will, where practicable, communicate in the complainant's preferred language, or arrange interpretation assistance;
- Where a complainant indicates a disability or impairment, the Company will make reasonable adjustments to accommodate their needs, including providing information in alternative formats (large print, audio, plain language summaries); and

- Where a complaint is received from, or on behalf of, a child, the Company will assess capacity, verify parental or guardian authority if required, and communicate in a manner appropriate to the child's age and understanding.

5. The Complaints Process — Step by Step

The following flowchart sets out the mandatory and recommended steps at each stage of the complaints procedure. All mandatory steps (marked M) are required by the DUAA 2025 and ICO guidance. Recommended steps (marked R) reflect ICO good-practice guidance and are strongly advised to minimise regulatory exposure.

Step	Stage	Responsible	Timing	Action Required
1	Receipt and Initial Triage	Designated Handler	Day 1 of receipt	[M] Record receipt in the Complaints Log (see Section 7). Confirm whether the communication is (a) a data protection complaint, (b) a DSAR, (c) both, or (d) a general enquiry. If clarification is needed, contact the complainant — the 30-day acknowledgement clock continues to run from the date of original receipt.
2	Acknowledgement	Designated Handler	Within 30 calendar days of receipt — including weekends and bank holidays	[M] Send a written acknowledgement (email or letter) confirming: (1) receipt of the complaint; (2) the date received; (3) the name/contact details of the handler; (4) the expected timeframe for substantive response; and (5) the complainant's right to escalate to the ICO if dissatisfied. Use the Acknowledgement Template at Appendix A.
3	Verification of Identity / Authority	Designated Handler	As part of Step 2 or within 5 working days	[M] Verify the identity of the complainant or their authorised representative. Do not process a complaint on behalf of a third party without confirming written authority. Request ID / proof of authority where reasonable.
4	Investigation	Designated Handler (+ relevant team leads)	Without undue delay — target within 6–8 weeks of acknowledgement	[M] Investigate the substance of the complaint: (a) identify the personal data and processing activities concerned; (b) review relevant records, processing logs,

				consent records and retention schedules; (c) consult the Company's Privacy Policy (legallybeyondborders.com/privacy-policy); (d) assess whether there has been an infringement of UK GDPR / DPA 2018; (e) consider remedial action.
5	Progress Updates	Designated Handler	At reasonable intervals — at least every 4 weeks if the complaint remains open	[R] Keep the complainant informed of progress without undue delay. If the matter is likely to take longer than originally indicated, update the complainant proactively with a revised timeframe and reason for delay.
6	Outcome / Final Response	Designated Handler (+ escalation sign-off for complex cases)	Target: within 3 months of original receipt. ICO draft guidance indicates 3 months as an appropriate benchmark absent exceptional circumstances.	[M] Inform the complainant of the outcome in writing. The response must: (a) clearly state whether the complaint is upheld, partially upheld, or not upheld; (b) explain the basis of the decision by reference to relevant facts and applicable law; (c) set out any remedial steps taken or to be taken; (d) advise the complainant that they have the right to escalate to the ICO if dissatisfied with the response (see Section 6). Use the Outcome Template at Appendix B.
7	ICO Escalation Notification	Designated Handler	Included in outcome letter and in all acknowledgements	[M] Every outcome letter and acknowledgement must contain the ICO's contact details and confirm the complainant's right to contact the ICO. Required information: ICO website: ico.org.uk ; ICO helpline: 0303 123 1113.
8	Record and Lessons Learned	Designated Handler + Principal	Within 5 working days of closure	[R] Update the Complaints Log (Section 7) with the outcome. Review whether the complaint reveals a systemic issue, gap in staff training, or amendment to the Privacy Policy. Document lessons learned. Report to the Principal / board-level equivalent on a quarterly basis.

THE 30-DAY ACKNOWLEDGEMENT RULE — CRITICAL COMPLIANCE NOTE

The 30-day acknowledgement deadline under the DUAA 2025 runs from the calendar date of receipt — it includes weekends, bank holidays, Christmas Day and all public holidays. It is not a 'working days' figure. A complaint received on 1 June must be acknowledged no later than 1 July. Failure to acknowledge within 30 days will itself constitute a breach of the mandatory complaints-handling duty. The Company should set an automated calendar reminder at Day 25 from receipt to ensure timely acknowledgement.

6. ICO Escalation and Regulatory Interface

The Company's complaints process is the first line of resolution. However, the complainant retains the statutory right to refer their complaint to the ICO at any time, including before the Company has concluded its investigation.

The ICO will typically expect a complainant to have attempted resolution with the data controller before it will investigate. The ICO may decline to act further on a complaint where the complainant has not first contacted the organisation, or where the organisation has substantively addressed the issue.

ICO CONTACT DETAILS (for inclusion in all correspondence)

Information Commissioner's Office (ICO)

Website: www.ico.org.uk

Helpline: 0303 123 1113 (Monday–Friday, 9am–4:30pm)

Post: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Online complaint form: ico.org.uk/make-a-complaint

Where the ICO contacts the Company regarding a complaint escalated to it, the Company must:

- Respond promptly and fully to any ICO enquiry or information request;
- Provide copies of the Complaints Log entry, all correspondence with the complainant, and any investigation notes;
- Co-operate fully with any formal investigation or assessment; and
- Notify the ICO if a personal data breach has been identified that was not previously reported.

7. Complaints Log — Auditable Record

The Company must maintain a secure, auditable log of all data protection complaints received. This log constitutes a key compliance document and must be made available to the ICO upon request. The log must record the following minimum information for each complaint:

- **A unique reference number;**
- Date complaint received (this starts the 30-day acknowledgement clock);
- Name and contact details of the complainant (and representative, if applicable);
- Nature and subject matter of the complaint (category — see Section 2);

- Name of the designated handler assigned;
- Date of acknowledgement (and whether within 30-day deadline);
- Dates and substance of any progress updates sent;
- Date and summary of the outcome / final response;
- Whether the complaint was upheld, partially upheld or not upheld;
- Any remedial action taken; and
- Whether the complainant escalated to the ICO, and if so, the ICO reference.

A **template log register** is provided below for immediate use. The log must be stored securely (encrypted at rest, access-restricted to the designated handler and Principal) and backed up regularly.

Ref No.	Date Rec'd	Complainant	Nature	Handler	Ack'd (Day 30)	Outcome Date	Outcome / Notes

Note: The log template above is a minimum. Where the volume of complaints warrants it, the Company should maintain the log in a dedicated secure database or CRM system with role-based access controls, rather than a spreadsheet.

8. Retention of Complaints Records

Complaints records must be retained in accordance with the following schedule, having regard also to the Company's general Data Retention Policy, the Privacy Policy at legallybeyondborders.com/privacy-policy, and any conflicting retention obligations under HR, finance or other regulatory frameworks:

Record Type	Retention Period	Basis	Notes
Complaints Log (all entries)	6 years from date complaint closed	Limitation Act 1980 (contract / tort claims); ICO enforcement window	Align with general legal file retention. Do not delete log entries whilst any related legal or regulatory proceedings are pending.
Acknowledgement and correspondence with complainant	6 years from closure	Evidential record for ICO or court proceedings	Store alongside log entry. Encrypt and restrict access.
Investigation notes and internal file	6 years from closure	As above	Include versions of evidence reviewed, legal analysis and outcome rationale.

Outcome / final response letter	6 years from closure	As above	Retain both sent copy and read receipt / delivery confirmation where available.
ICO escalation correspondence	10 years from closure of ICO investigation	ICO enforcement record	Retain separately; flag as regulatory record.
Records involving personal data breach	3 years from breach date (minimum) / 6 years from related complaint closure (whichever later)	UK GDPR Art 33 / ICO enforcement window	Cross-reference with breach register.
Records involving HR / employment data	Subject to HR Retention Policy (typically 6 years from termination of employment)	Employment legislation; Equality Act 2010	Coordinate with HR — do not delete employment data in isolation.

Records must not be retained for longer than is necessary for the stated purpose. At the end of the relevant retention period, records should be securely deleted or anonymised, and this deletion should be recorded in the Complaints Log.

9. Required Updates to Privacy Policy and Privacy Notices

The Company's Privacy Policy, as currently published at legallybeyondborders.com/privacy-policy and referenced on berniehung.com, sets out the data subjects' rights under UK GDPR in Section 11. To comply with DUAA 2025 and ICO guidance, the following specific updates are required to be made to the Privacy Policy no later than 19 June 2026:

9.1 Separate the Right to Complain

Section 11 of the current Privacy Policy lists the right to lodge a complaint with the ICO as part of the general list of data subject rights. This must be separated into a distinct sub-section that:

- Clearly identifies the right to make a data protection complaint to the Company as a stand-alone right (separate from the rights of access, erasure, portability, restriction, rectification, and objection);
- Sets out how to make a complaint (including all submission channels listed at Section 4 of this Process);
- States that the Company will acknowledge receipt within 30 calendar days;
- States that the Company will keep the complainant updated and inform them of the outcome; and
- Confirms that the complainant may escalate to the ICO if not satisfied with the Company's response, and provides the ICO's contact details.

9.2 Suggested Privacy Policy Wording

Suggested Replacement Wording for Privacy Policy — Section 11 (Your Right to Complain)

Your Right to Make a Data Protection Complaint to Us

In addition to your rights of access, rectification, erasure, restriction, objection and data portability (described above), you have the right to make a complaint to us directly if you believe that we have infringed data protection law in the way we have handled your personal data.

How to complain to us: Please contact our Data Protection lead by email at dataprotection@legallybeyondborders.com, by post to HAY Business Service (UK) Co. Ltd, 131 Gallants Farm Road, EN4 8EL, or by telephone on [number]. A complaint form is also available on our website.

We will acknowledge your complaint within 30 calendar days of receiving it, investigate it without undue delay, keep you updated on progress, and inform you of the outcome.

If you are not satisfied with our response, or if you do not wish to contact us first, you have the right to complain directly to the Information Commissioner's Office (ICO): Website: ico.org.uk | Helpline: 0303 123 1113 | Post: Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

The Company's registered Privacy Policy on legallybeyondborders.com (Sections 11 and 12) already references the ICO but does not expressly describe the Company's first-party complaints procedure as required under DUAA 2025. The existing Section 12 (Complaints) should be retained, expanded and cross-referenced with the new Section 11 wording above.

10. Governance, Training and Oversight

10.1 Governance

This Process is owned by the Principal of HAY Business Service (UK) Co. Ltd (Bernie Hung) and is subject to annual review or earlier review following any material change in applicable data protection legislation, ICO guidance, or the Company's processing activities.

10.2 Staff Awareness and Training

All staff and contractors who may receive, handle, or are involved in processing data subject queries must be made aware of this Process. The following minimum training steps apply:

- Induction training: all new staff to be briefed on the contents of this Process before handling any personal data or client communications;
- Annual refresher: all staff to review this Process and complete a brief acknowledgement form confirming they have read and understood it; and
- Incident-triggered training: where a complaint reveals a systemic failure or significant error, relevant team members are to be briefed within 10 working days of complaint closure.

10.3 Review and Continuous Improvement

Following the closure of each complaint, the designated handler must consider:

- Whether the complaint reveals a gap in the Company's data protection practices or procedures;
- Whether the Privacy Policy or any privacy notice requires updating;
- Whether a process, technical or organisational control should be implemented or amended; and

- Whether the matter should be reported to the ICO as a personal data breach (where not already notified).

A summary of data protection complaints received, and their outcomes, should be presented to the Principal on a quarterly basis and recorded in the Company's accountability documentation.

10.4 Relationship with Existing Complaints Processes

Where the Company operates (or subsequently adopts) a general commercial complaints procedure for client service issues, that procedure should be mapped against this Process to identify areas of overlap. Data protection complaints should be clearly signposted within any general complaints framework, and where a general complaint contains a data protection element, it should automatically be referred to the designated handler under this Process.

11. Vexatious, Manifestly Unfounded or Repetitive Complaints

The DUAA 2025 and ICO guidance do not expressly provide a 'vexatious' exemption equivalent to that available under UK GDPR for DSARs. Nevertheless, where a complaint is manifestly unfounded or where a complainant makes substantially the same complaint repeatedly without new grounds or new information, the Company may:

- Charge a reasonable fee to cover the administrative costs of handling the repeated complaint; or
- Decline to take further action on it.

If the Company exercises either option, it must notify the complainant in writing, explaining the reason, and confirm that the complainant retains the right to contact the ICO. The Company must document its decision and the reasons for it in the Complaints Log.

CAUTION — USE SPARINGLY

The ICO's guidance makes clear that the threshold for treating a complaint as manifestly unfounded or repetitive is high and will be scrutinised. The Company should not use this provision to avoid investigating complaints that are inconvenient or embarrassing. Any decision to decline or charge must be capable of justification to the ICO.

12. Interaction with Data Breach Notification Obligations

A data protection complaint may reveal or indicate the existence of a personal data breach. Where, in the course of investigating a complaint, the designated handler identifies or suspects a personal data breach:

- They must immediately escalate to the Principal;
- If the breach is likely to result in a risk to the rights and freedoms of individuals, it must be reported to the ICO within 72 hours of the Company becoming aware of it, under UK GDPR Article 33;
- If the breach is likely to result in a high risk to individuals, the affected data subjects must also be notified without undue delay under UK GDPR Article 34;
- The complaint file and the breach report must be cross-referenced; and
- The existence of the complaint must be disclosed to the ICO as part of the breach report (if applicable).

The Company's Personal Data Breach Response Plan (where separately adopted) governs the breach response process and should be read in conjunction with this Process.

13. Document Control and Version History

Version	Date	Author	Summary of Changes
1.0	June 2026	Bernie Hung	Initial issue. Prepared to comply with DUAA 2025, s.103, effective 19 June 2026.

Appendix A — Acknowledgement Letter / Email Template

[TO BE SENT WITHIN 30 CALENDAR DAYS OF RECEIPT OF COMPLAINT]

Dear [Complainant Name],

Re: Your Data Protection Complaint — Reference [REF NUMBER]

We are writing to acknowledge receipt of your data protection complaint, received by us on [DATE OF RECEIPT].

Your complaint is being handled by [NAME OF HANDLER], [Job Title], who can be contacted at [EMAIL] or by telephone on [NUMBER].

We take all data protection concerns seriously and we will investigate your complaint thoroughly and without undue delay. We aim to provide you with a substantive response within [X] weeks / by [TARGET DATE]. We will keep you updated on the progress of our investigation.

If you are not satisfied with our final response, or if you do not wish to wait, you have the right to complain to the Information Commissioner's Office (ICO) at any time: ico.org.uk | 0303 123 1113 | Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

Yours sincerely,

[NAME]
 HAY Business Service (UK) Co. Ltd — Data Protection

Appendix B — Outcome Letter / Email Template

Dear [Complainant Name],

Re: Outcome of Your Data Protection Complaint — Reference [REF NUMBER]

Thank you for your patience whilst we investigated your complaint, received on [DATE]. We write to inform you of the outcome of our investigation.

Outcome: [UPHELD / PARTIALLY UPHELD / NOT UPHELD]

[Explanation of findings — set out the facts identified, the applicable law / principles, and the Company's assessment of whether a breach occurred. If upheld or partially upheld, describe the remedial steps taken or to be taken and the timeline. Be specific and avoid vague or generic language.]

If you are not satisfied with this outcome, you have the right to contact the Information Commissioner's Office (ICO), which is the UK's independent data protection regulator: Website: ico.org.uk | Helpline: 0303 123 1113 | Post: Wycliffe House, Water Lane, Wilmslow, SK9 5AF.

Yours sincerely,

[NAME]

HAY Business Service (UK) Co. Ltd — Data Protection

Appendix C — Key Legislation and Regulatory References

Instrument / Source	Relevance to this Process
Data (Use and Access) Act 2025 ('DUAA 2025'), s.103	Primary statutory basis for mandatory complaints-handling duties, effective 19 June 2026
UK General Data Protection Regulation (UK GDPR)	Overarching data protection framework; data subject rights; controller obligations; ICO powers
Data Protection Act 2018 (DPA 2018)	Supplements UK GDPR; Part 3 (law enforcement processing) also within DUAA 2025 complaint scope
Privacy and Electronic Communications Regulations 2003 ('PECR')	Marketing communications and cookies — potentially the subject of a data protection complaint
ICO Guidance on Handling Data Protection Complaints (Feb/Mar 2026)	ICO's finalised guidance on the new statutory regime; sets out must, should and could requirements
ICO Draft Guidance (Aug–Oct 2025 consultation)	Background / context; gave early steer on 3-month outcome benchmark and 30-day acknowledgement
Limitation Act 1980	Informs 6-year retention period for complaints records (contract / tort limitation period)
Equality Act 2010	Accessibility obligations — reasonable adjustments for disabled complainants
legallybeyondborders.com/privacy-policy (effective 1 Aug 2025)	Company's own Privacy Policy; cross-reference for categories of data, rights, and ICO contact