

# Data protection complaints process – what trustees need to know

April 2026

Data controllers, including pension scheme trustees, must comply with the requirements relating to data protection complaints from **19 June 2026**.

## What are the new requirements?



Trustees **must**:

- ✓ give members a way of making complaints – this could include providing a complaint form that people can submit either electronically or in writing
- ✓ acknowledge a complaint within 30 days of receipt
- ✓ take appropriate steps to respond to complaints, including making enquiries, without undue delay and keep people informed about progress
- ✓ tell people the outcome of their complaints without undue delay
- ✓ inform data subjects of their right to complain directly to them (as well as to the ICO) in privacy notices and when responding to subject access requests.

## What is a data protection complaint?



Scheme members (or any other person whose personal data is processed by the scheme) will be able to complain to trustees (as data controllers) if they believe that there has been an infringement of data protection law in respect of their personal data.

For example, they may complain about the way the trustee has responded to a subject access request, that the trustee is holding incorrect data about them or a data protection breach.

## How does this fit with a scheme's IDRP?



A scheme's internal dispute resolution procedure, or IDRP, deals with complaints about benefits, eg pension entitlement, calculation of benefits and the decisions made by trustees, as well as poor administration.

As some complaints may fall under both regimes, it will be important to determine how these cases will be managed.

Trustees will need to consider whether to integrate the two processes, taking care to comply with the requirements for each regime, or whether to run the processes in parallel.

## Trustee actions

### Establish the complaints process

- ✓ Decide how data protection complaints will be identified and triaged, particularly where they arise alongside IDRP complaints.
- ✓ Consider how the new process will sit with your IDRP, dealing with subject access requests and any existing complaints process.
- ✓ Decide on the respective roles of administrators and trustees in managing and responding to data protection complaints.
- ✓ Identify what input might be needed from administrators, specialist in house teams or professional advisers.

### Training and awareness

- ✓ Ensure front line staff will be able to recognise when a concern amounts to a data protection complaint (even if it is not labelled as such).
- ✓ Ensure the relevant people are trained on how data protection complaints should be escalated and handled.
- ✓ Be ready to accept complaints made through any channel or format, as people don't have to follow the scheme's complaint process.

### Scheme processes and procedures

- ✓ Record the new process (it does not have to be a standalone written process, it could be part of another document).
- ✓ Update the IDRP (to recognise a separate process if the two are not integrated), as well as any internal process guides for dealing with complaints.
- ✓ Update the information in the scheme privacy notice and subject access request process on the right to complain.
- ✓ Keep a record of data protection complaints, especially as trustees may need to report numbers to the ICO.

### No one size fits all!



Some schemes may have a wider complaints process that can be adapted, some schemes may want to work within the IDRP framework (as much as practicable), whereas others may want a separate process. Any integrated approach must allow trustees to meet the specific requirements of data protection law.

### ICO Guidance



The ICO has published useful [guidance](#), which explains what organisations must, should and could do to comply with the new requirements, and is deliberately flexible.

