

Data protection complaints procedure

Document type: General Council of the Bar Guidance	Date of issue: 20 May 2026 Latest update: n/a
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Status: For the public	Distribution: on BC and BSB websites
Version history	
V1.00	.

1. Introduction

- 1.1. The General Council of the Bar (including the Bar Standards Board) (GCB) is committed to meeting its data protection obligations and ensuring that the six data protection principles set out in the UK General Data Protection Regulation (UK GDPR) are followed when we handle personal data.
- 1.2. Data subjects have the right to complain to an organisation if they believe it has not handled their personal information responsibly and in line with good practice. They need to put their complaint to the organisation before making a complaint to the Information Commissioner.
- 1.3. This procedure sets out how the GCB will deal with any complaints received. To find out more about your data protection rights and how we respond to requests to exercise those rights, please see our [Procedure of Data Subjects' Rights](#).
- 1.4. This complaints procedure aims to:
 - Explain how you can make a complaint relating to the handling of your personal data
 - Help us to respond to those complaints swiftly and efficiently.

2. What is a data protection complaint?

- 2.1. A data protection complaint is any expression of dissatisfaction about how we have handled your personal data, or the personal data of a third party. This may be in relation to how you have exercised a right under the UK GDPR and the Data Protection Act, or any other data protection issue, such as the consequences of a personal data breach. A data protection complaint may arise in relation to concerns about:
 - responses made to data access requests for copies of your personal data;
 - how we are keeping information secure;
 - inaccurate information held;
 - disclosures of information made about you;
 - keeping information about you for longer than is necessary;
 - using personal data for a different purpose to the one we collected it for; or
 - any of your data protection rights.
- 2.2. You may make a complaint about our service and exercise a data protection right at the same time; for example, you may complain about a customer service issue and ask for a copy of your personal data at the same time. If so, we will deal with the complaint under our general complaints procedure and deal with the subject access request separately, but we will not treat this as a data protection complaint.

3. Who can complain?

- 3.1. A data protection complaint can be made by anyone whose personal data is processed by the General Council of the Bar. If you want to make a complaint on someone else's behalf, we would need their permission to deal with you, and we may need to ask for proof of ID. We will respond to all complaints and ensure that any investigation of a complaint is fair and impartial.

4. When can a data protection complaint be made?

- 4.1. Investigations of data protection complaints generally require a good understanding of the actions and communications that happened at the time of the event complained of, so complaints should be made as soon as possible after the event occurs or the problem is discovered. This enables us to consider, investigate and act on any issues raised in the best way possible. It is also helpful if you tell us what outcome you are seeking to a complaint.

5. How to make a complaint

- 5.1. Data protection complaints can be addressed to the person you have been dealing with, or to the Data Protection Officer who keeps records of all formal complaints.
- 5.2. Complaints can be made verbally, but if they are made by telephone we will ask you to put it in writing if you can. This helps to ensure we get the correct details of the request or complaint. However, if we do take the details down over the telephone, we will send you a copy of the complaint to ensure we have taken it down correctly.
- 5.3. You can email your complaint to us or send a letter to the following address. It would be helpful if you can provide all the information outlined below when writing to us.

The address is:

FAO: Data Protection Officer
General Council of the Bar
289-293 High Holborn
London WC1V 7HZ

Email: Privacy@BarCouncil.org.uk

Phone: 020 7611 1398

Before we deal with your complaint, we will log it for monitoring and management information purposes.

6. Information to include in your complaint

- 6.1. If your complaint is asking for a review of how we have dealt with a subject access request, it would help us if you can tell us exactly what you believe is missing from the response, that is what data you were expecting to receive but have not.
- 6.2. For other complaints about the exercise of your rights, please include as much detail as possible. For example, if your complaint relates to a report you have made to the Bar Standards Board, please provide the reference number of the case.

- 6.3. It will help us if you can tell us what outcome you want from making your complaint. For example, do you want us to alter a decision we've made, apologise for a mistake, or change our processes. This may help us narrow the scope of our investigation and resolve your complaint more quickly.

7. Acknowledgement and clarification

- 7.1. If you send us your complaint and we do not have all the information we need in order to respond, we may ask you for clarification when we acknowledge receipt of your complaint.
- 7.2. There is no statutory timescale for responding to complaints, although we are required to provide an outcome without undue delay. There is a statutory requirement to acknowledge a complaint within 30 days, but we aim to acknowledge a complaint within five working days and provide a full response within 30 days, if at all possible. If the investigation is going to take longer, we will keep you informed of our progress and try to give you a realistic date for when we expect to complete our investigation, explaining the reasons if there is likely to be a significant delay. We will also give you a point of contact if you have any questions.
- 7.3. However, if your complaint is about a data breach which we were previously unaware of, we will respond more quickly.

8. Response to Data Protection Complaints

- 8.1. Either the Data Protection Officer or the Head of Information Management in the BSB will investigate your complaint, as appropriate
- 8.2. We will look at all the evidence and talk to everyone involved to find out what happened and why. We will compare the information you provide with the information we hold, and check that we have upheld our own terms, policies and standards. We will then send you a response in writing letting you know how we investigated the complaint, what we found and what we propose to do to resolve it. We will provide information to help you understand how we reached our conclusion and let you know what actions we have taken and about any improvements we intend to make where these are necessary.

9. Review

- 9.1. If you are dissatisfied with the response to your data protection complaint, you can complain to the Information Commissioner. See the ICO's website for details: [Make a complaint about how an organisation has used your personal information | ICO](#)