

Equality Impact Assessment (EqIA)

This document fulfils the ICO's requirements to conduct Equality Impact Assessments, as a requirement to have due regard under the Equality Act 2010, S75 of the Northern Ireland Act 1998 and the public sector equality duty. This document helps you to assess the equality relevance of a policy or procedure on one or more groups of people with protected characteristics. Guidance is also available for Equality Impact Assessments (EqIAs), along with a glossary of issues to consider. The purpose of an EqIA is to ensure that equality issues are identified and mitigated. The guidance and 'issues to consider' documents are intended to assist with this, but they are not a substitute for consultation with people with lived experience of any of the protected characteristics. Therefore, you should, wherever appropriate, consult with the relevant EDI staff networks or other colleagues to discuss potential impacts.

You must read the [guidance](#) and [glossary of issues to consider](#) before completing the document.

Completed EqIAs will be published [on the ICO's website](#).

Summary

Prepared by: SG

What is the title of this piece of work? Dormant complaint case letter

Briefly describe the overall purpose of this work.

The ICO is experiencing a significantly high intake of Data Protection complaint cases, which has resulted in a large backlog of DP complaint cases. The age profile of our oldest cases at the time of writing is 6.5 months old. As we work to bring in more resource, consult with the public on a new complaints model and bring in digital tools

to help reduce the administrative burden on our case officers and speed up our case handling, we are exploring ways we can ensure we focus on the complaint cases where we can add the greatest value and where our customers still require our intervention.

Given the length of time that has now passed since our oldest cases were submitted, we have a responsibility to check whether the complaints have now been resolved and/or if there are any additional updates from the complainant, which should be taken into account when considering the complaint. Our plan is to write out to complainants who have not been in contact with the ICO for at least 5 months to establish if their complaint remains outstanding.

We will not be applying this approach in a 'blanket way', nor will we use a sector specific approach. Our approach will focus on whether the complaint has been dormant. For the purposes of this initiative, we define a dormant complaint as one that was submitted to the ICO at least 5 months ago (at the time of allocation) and where no chasers or additional contact has been made by the complainant, since the complaint was first submitted.

If we identify a customer who is experiencing a vulnerability or we are aware of a reasonable adjustment, we will not deploy the dormant case letter and will proceed with our usual casework process.

The cases where we send this dormant case letter/email will be complaint cases allocated to case officers, so that where a complainant responds explaining that they still want the ICO to assess their complaint, then the case can be considered, without further delay.

The dormant case letter will allow the complainant 6 weeks to respond to the case officer after the letter is sent. If they do not respond within this 6 week window, the case will be closed on our CRM system. However, we can reopen a complaint case even beyond the 6 weeks, for example if the customer missed the dormant case letter / email when it was sent.

This approach is intended to be a short term measure, whilst we work to reduce the age profile of our oldest cases. On this basis, we believe that it is a proportionate and fair approach to identifying which of our oldest complaint cases continue to require our attention. The approach seeks to balance the requirements on the ICO as

set out in DPA18 to consider data protection complaints, whilst also ensuring that we responsibly allocate public resources.

Initial screening questions

Q1. Does this work relate to an ICO policy, procedure, working practice or anything broadly similar? This includes both current policies and new policies under development.

Please answer Yes or No. YES

*If you answer **No** to this question, you may not need to complete a EqIA.*

Q2. Is this work about the explanation of the laws which the ICO regulates, or about decisions to use or not use any of our regulatory powers (eg monetary penalties, enforcement notices, information notices etc)?

Please answer Yes or No. YES

*If you answer **No** to this question, you may not need to complete a EqIA.*

If you answered no to both Q1 and Q2, it is best practice to rationalise why there are no negative impacts to each protected characteristic in the table below.

Impact on people with protected characteristics

Q3. For each of the protected characteristics, you should consider whether there are any **positive impacts** for people with each characteristic and set those out in the table below. If you think there are any **negative impacts**, set those out in the table below **and** explain how you will fully mitigate those impacts. It is best practice to include three mitigations per negative impact. Sign off can only be done with a minimum of two mitigations. If you think there is no impact, please explain why you think that is the case.

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.
Religion or belief	Neutral - there would be no negative impact on people due to their religious background or belief.	No impact
Race, nationality or cultural background	Neutral – there would be no negative impact on people due to their race, nationality or cultural background. The Office for National Statistics (ONS) (England and Wales), Scottish Census, and Northern Ireland Statistics and Research Agency, document that a small percentage of people in the UK don't have English or Welsh as their main language. We already have steps in place to reduce the impact of language barriers such as:	No impact

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.
	• offering the Language Line translation service. This helps provide clear information in the complainant's chosen language over the phone; • accepting complaints written in the complainant's chosen language. To do this, we take steps to identify a member of staff with the necessary translation skills; • accepting complaints submitted through various channels such as our online complaint form, email, post, and over the phone; • accepting complaints submitted by a person on behalf of someone else as long as they have the authority to do so, for example consent or Power of Attorney (POA); • using plain language when communicating with people directly, and also with our website messaging. These steps would continue to be in place under the new proposals	
Disabled people	Neutral - there would be no negative impact on disabled people. We already	We would further mitigate the impact placed upon disabled groups of people by:

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.
	have steps in place to ensure that our complaints process is accessible for disabled people. These steps include: • accepting complaints submitted through various channels such as our online complaint form, email, post, and over the phone; • accepting complaints submitted by a person on behalf of someone else as long as they have the authority to do so, for example consent or POA; • offering the free BT service Relay UK for people who are deaf, or have a hearing or speech impairment; • considering implementing service adjustments in line with our responsibilities under the Equality Act 2010; • incorporating optional questions about additional support and adjustments for us to make, as well as harm caused by the data protection issue in our complaint form;	• not using the dormant letter approach with customers who have shared information about their disability or impairment with us and there is a reasonable adjustment in place. Instead we will allocate the complaint to a case officer who will correspond with the customer in accordance with the agreed reasonable adjustment. • retaining the discretion to continue to consider a complaint after the six weeks closure date.

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.
	- providing information on the ICO's online privacy notice, and within other online policies, about the accessibility of our complaint process and website; and - using plain language when communicating with people directly, and also with our website messaging. These steps would continue to be in place under the new proposals.	
Sexual orientation	Neutral – there would be no detrimental impact on anyone due to sexual orientation.	No impact
Sex (see note 1)	Neutral – there would be no detrimental impact on anyone due to sex.	No impact
Age	Neutral – there would be no detrimental impact on anyone due to age. We already have steps in place to ensure that our complaints process is accessible for different age groups. These steps include: accepting complaints submitted through various channels such as our online	No impact

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.
	complaint form, email, post, and over the phone; • accepting complaints submitted by a person on behalf of someone else as long as they have the authority to do so, for example consent or POA. We also consider if the person who is subject of the complaint has the competence to understand and consent for themselves. This is considered in relation to all people but especially children; and • prioritising complaints from young people. These steps would continue to be in place under the new proposals. Age UK's briefing on digital inclusion and older people states 18% of people over the age of 65 don't use the internet, Ofcom found that 12% of people aged between 11 and 18 had no computer or tablet internet access. Groups of digitally disengaged people may be more likely to submit their complaint through informal or	

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.
	unstructured mechanisms (email, post, phone).	
Gender reassignment (see note 2)	Neutral – there would be no detrimental impact on anyone due to gender reassignment.	No impact
Marital status	Neutral – there would be no detrimental impact on anyone due to marital status.	No impact
Pregnancy and maternity	Neutral – there would be no detrimental impact on anyone due to pregnancy and maternity.	No impact
Political opinions	Neutral – there would be no detrimental impact on anyone due to political opinion.	No impact
People with dependants	Neutral – there would be no detrimental impact on anyone with dependants. We already accept, and would continue to accept, complaints submitted by a person on behalf of someone else as long as they have the authority to do so, for example consent or POA.	No impact
People without dependants	Neutral – there would be no detrimental impact on anyone without dependants.	No impact
Socio-economic groups or social	Neutral – there would be no detrimental impact on anyone due to socio-economic groups or social classes.	No impact

Protected characteristic	Is there likely to be a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.
classes (see note 3)		
Multiple protected characteristics (see note 4)	Neutral – there would be no detrimental impact on anyone due to multiple protected characteristics. We already have steps in place to ensure the accessibility of our complaints process for people with multiple protected characteristics, as outlined above.	All mitigations above are applicable to this section.

Note 1: you may also wish to consider gender while considering sex, although gender is not a protected characteristic under the Equality Act or s75 of the Northern Ireland Act 1998.

Note 2: you may wish to consider the impact on transgender people while considering the protected characteristic of gender reassignment. This includes if the person is proposing to undergo, is undergoing or has undergone a process.

Note 3: Socio-economic group or social class is not a protected characteristic, but we would still like to ensure that we consider the impact of our work in this area.

Note 4: Multiple protected characteristics is an opportunity to consider whether there are issues which affect people with most or all of the protected characteristics, or where there may be different impacts of the same issue on different characteristics (eg the same issue has a positive impact on people with one protected characteristic but a negative impact on people with another protected characteristic).

Q4. The ICO has a number of legal obligations in relation to the provision of Welsh language services. Is this work being delivered in Wales, or to the people of Wales, and if so will there be a need to consider the impact on the Welsh language?

Please answer: No, as Welsh language complaint cases are dealt with by the ICO Cardiff office and will not be deploying this approach.

*If you answer **Yes or Don't Know** to this question or would like further information, please contact the Welsh Regional office to discuss next steps via wales@ico.org.uk .*

Q5. In interests of best practice, you should consider whether this work may have a negative impact on or contravene any Human Rights. Click this link to find an overview of each of the human rights and further details about each. The Human Rights Act itself is available at this link. Please confirm that you have considered this and set out any actions you will take to mitigate any impacts.

Answer: No

Contributing towards the ICO's equality objectives

Q6. How does this work contribute towards the ICO's equality objectives? Please explain contributions, state ways contribution could be increased, or state 'no contribution'.

Objective	Contribution to objective
Objective 1: We will represent the communities and societies we serve We believe that diverse teams make better decisions, boost creativity and innovation, enable greater professional growth and increase our understanding of	The proposal supports the ICO's equality objectives by ensuring that we use our resources to focus on those complaints which provide us with an opportunity to improve information rights handling and have an impact within the communities and societies we serve.

Objective	Contribution to objective
the communities we regulate. As a workforce, we are the most effective and have the greatest impact when we are representative and consider different perspectives.	
Objective 2: Our culture will be inclusive We're at our best when we support and look out for one another, and when we trust and empower each other to be ourselves. That applies whether it's within the workplace or in the work that we do. We have measures in place to support our diverse workforce, such as reasonable adjustments. However, we will do more to remove the barriers that are preventing people from developing and progressing.	We would continue to be inclusive in our complaints handling by ensuring that all customers have access to, and clarity about, our complaints process. We would provide all complainants with an outcome to their complaint indicating whether we are going to investigate further or not.
Objective 3: We will better understand the needs of everyone to deliver services that are accessible to all We target our regulatory interventions on the areas of greatest harm and to make a real difference to people's lives. Technological innovation by businesses means the landscape we regulate is constantly transforming. We know we're at our best when we understand the needs of all our customers, including those who experience vulnerability and communities of unmet need.	This approach is an initiative aimed at helping us ensure we focus our resources on the cases that still require our consideration and/or intervention during a time of significant backlog. By applying this approach to our oldest cases, we are proactively filtering out the complaint cases that no longer require our intervention, which enables us to target our public resources responsibly whilst we work to tackle the backlog of cases. By not applying this approach to customers who share with us that they have a disability or impairment and have a reasonable adjustment in place, or where we identify a vulnerable customer, we are approaching the deployment of this initiative in an inclusive and accessible way.

Monitoring and evaluation

Q7. What arrangements are in place, or will be put in place, to monitor and evaluate the impact of the work on equality?

Answer: We will look to record complaint cases where we use the dormant case letter so we can track and monitor the case outcomes. We will monitor the percentage of complaint cases that continue to be dormant for +6 weeks, the number of complaints we reopen after 6 weeks and we will also closely monitor any service complaints we receive as a result of this approach.

Q8. How long will these arrangements be in place?

Answer: We expect these arrangements to be in place until we reduce our DP casework age profile below 5 months. Current estimated suggest that this could be operational for up to 6-12 months.

Q9. When do you intend to review this EqIA? This should usually be done upon any change that is made to the original piece of work that this EqIA is for.

Answer: If when we reduce the case age profile to less than 5 months, we consider applying this approach to cases in the 4-5 month age profile, we will firstly review the EqIA. Equally, if through monitoring we become aware of the need to reopen lots of cases after the 6 weeks 'window' or that we become aware of unexpected impacts to customers with protected characteristics, we will review the EqIA earlier than the intended 12 months.

Publication

Q10. As stated above and in the guidance, we intend to publish all completed EqIAs on the ICO's website. Please provide detail of any necessary redactions and the intended publication date.

You should also review the wording to ensure that it is as clear as possible for any staff or public to read.

Answer: Yes

Governance and sign-off

The person who completes this document must be content that all potential equality issues have been identified and considered, that appropriate monitoring will be in place and the publication issues have been considered.

Please tick here to confirm that you have consulted with other colleagues and those it would largely impact where appropriate. ☒

Please state here who has completed the EqIA:

Signed by: SG
Date: 29/9/2025

Approved by line manager:

Signed by: EK
Date: 30 September 2025

You **must** send your completed form to corporategovernance@ico.org.uk for storage and publication.

The EDI Board provides overall assurance that the EqIA process is operating effectively, but it is not for them to review or approve EqIAs.

If you have identified any negative impacts to any protected characteristics that you cannot fully mitigate, please contact Inclusion and Wellbeing for advice via inclusionandwellbeingteam@ico.org.uk.

Section 75 The Northern Ireland Act

To meet the NI section 75 consultation requirement, we must incorporate the following into our EqIA process. Please read through the below and implement as appropriate whilst completing your EqIA

1. We will externally publish a list of all EqIA screenings we complete. We should publish these quarterly. The spreadsheet will be 'housed' on the ICO website [Equality and diversity | ICO](#) (these will include **all** EqIA screenings we complete)
2. Where an EqIA screen results in the need for a full EqIA on a policy, procedure or change that relates directly to the ICO carrying out its external statutory functions; we will consult with key stakeholders at the earliest opportunity for 12 weeks. By law we must consult with the Northern Ireland stakeholder list, but good practice would be to include other relevant stakeholders from across the UK. The author/approval manager will be best placed to determine who these should be.
3. We have clarified that if we don't receive a response from these stakeholders to a consultation, that is fine. We record no response and move on with the policy, procedure or change.
4. We have clarified that we do not need to consult under s75 for policies that only impact our staff. Whilst it's good practice to consult with staff, TU etc about changes that impact employees, ways of working etc, this type of internal change would not engage s75. We should of course complete an EqIA at the earliest opportunity, it's just that the s75 consultation requirement is unlikely to be engaged.
5. We have agreed that it would be for the manager who approves the EqIA to determine if a s75 consultation is needed. The Inclusion and Wellbeing team can provide support, but the author and manager will know their business area and will be best placed to assess if a new/change to a policy impacts external customer and stakeholders as part of our statutory function and should therefore be consulted on.
6. We have agreed that it should be for the author/approving manager to send the EqIA screening form or full EqIA form to corporate governance.

EqIA version control (to be updated by the person completing the EqIA)

Version number	1.0
Status	FINAL
Relevant or related policies	Equality Impact Assessment Guidance
Author/owner	SG
Approved by	EK
Date of sign off	30/09/25
Review date	2 March 2026

Version	Changes made	Date	Made by
1.0	EQIA completed	30/9/25	SG