

Annex 2: Service complaint performance update

- Q3 2025/26

Report Title:	Service Complaint Performance Update
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Executive summary

- **Timeliness:** 94%–98% of service complaints were answered within 30 calendar days in Q3, meeting the 90% service standard.
- **Volume:** 121 complaints were received and 144 were processed in Q3.
- **Outcomes:** 33% of processed complaints were upheld; 48% were upheld or partially upheld (Q2: 47%).
- **Late responses:** 7 of 144 processed complaints fell outside the published service standard (Q2: 17 of 111).
- **Reporting cadence:** Members are invited to confirm whether quarterly reporting remains helpful, or whether an annual report (supported by internal monitoring) would provide sufficient assurance.

This is a quarterly performance briefing on the corporate processing and consideration of service complaints and reviews.

This paper is the third quarterly briefing provided to the Audit and Risk Committee. It provides oversight of service complaint volumes, timeliness, outcomes and learning, drawing on management information from Power BI alongside supporting manual reports.

In light of sustained operational pressures and high casework volumes across customer-facing services, the Committee is invited to consider whether the current quarterly cadence remains the most helpful way of providing assurance. Members may wish to consider whether an annual report, alongside ongoing internal monitoring, would be sufficient.

Overview of 2025/26 service complaints

Table 1: Q3 2025/26 service complaints (received, processed, timeliness and outcomes)

This table summarises the number of service complaints received and processed in Q3 2025/26, the percentage answered within 30 calendar days, and outcomes (upheld, partially upheld and not upheld). Figures are shown by month, with Q3 totals.

Period	Complaints received	Complaints processed	Answered on time	Upheld	Partially upheld	Not upheld
October	67	48	94%	13	8	27
November	42	49	98%	19	9	21
December	12	47	94%	16	4	27
Q3 total	121	144	94%–98%	48	21	75

We aim to respond to 90% of service complaints within 30 calendar days. In Q3, performance ranged between 94% and 98% each month, meaning we met the service standard throughout the quarter.

We processed 144 service complaints during Q3, with an upheld rate of 33% (Q2: 111 processed; 26% upheld). Including partially upheld cases, 48% of complaints in Q3 were upheld or partially upheld (Q2: 47%). For context, DP Complaints, and FOI Complaints combined received 22,937 cases in Q3 (Q2: 21,394). Service complaints therefore made up less than 1% of total complaints received.

Service complaints related to data protection enquiries and complaints account for 73% of all service complaints.

Delayed responses

Below are the details of complaints to which responses were delayed, with brief details of why they were late.

Reason for delay	Count
No clear reason for delay	3
Administration / human error	0
Further information needed or requested	0
Complex complaint	1
System issues	0
Staff absence	0
High workload / backlog	3
Withdrawn	0
Total	7

Outcomes and impacts

Please see below a table showing the split of complaint type and outcomes.

Complaint category	Upheld	Partially upheld	Not upheld	Total
Timeliness	25	8	10	43
Dissatisfied with ICO staff	15	10	51	76
S.51 failure	0	0	0	0
General service complaint	4	3	13	20
Outside time limits	3	0	0	3
Additional steps required	0	0	0	0
S.50 failure	1	0	1	2
Unassigned	0	0	0	0
Prioritisation framework	0	0	0	0
Total administered	48	21	75	144

- Nearly 53% of complaints were about dissatisfaction with ICO staff of which 20% were upheld.
- Complaints about timeliness constituted 30% of all service complaints with 58% of these complaints upheld.
- As reported in the executive summary, with a continued focus on service complaints and regular monitoring of service reviews through the Power BI report, we are dealing and responding to the vast majority of service complaints within our service standards. Further information about how we are addressing this is in the annex.

Recommend and review

Dissatisfaction with ICO staff features in over half (53%) of all service complaints, with the majority of these arising from disagreement with the

decision reached. Of the complaints relating to staff dissatisfaction, 20% were upheld, rising to 33% when partially upheld complaints are included.

While the proportion of service complaints citing staff dissatisfaction in this quarter has increased, the percentage that are upheld and partially upheld has decreased to 33% compared to 47% last quarter.

Where complaints of this nature are upheld or partially upheld, a feedback loop is in place to ensure that learning is shared with relevant team members so that similar issues can be avoided in future. The reduction in in the proportion of complaints that are upheld or partially upheld suggests this approach is beginning to take effect. Annex one provides some examples of how this learning has been applied in individual cases.

PADPCS are also trialling a department wide review team to handle manager and service reviews. This is supporting quicker responses to all reviews. The trial began in February with impacts to be reported in Q4.

Risks and Challenges

The following new risks and challenges have been identified in Q3:

- The risk of service complaints not being picked up on time continues, due to the large volume of new cases being received despite the mitigations in place.

In Q2 the following risks and challenges were observed from the data and remain relevant:

- Manager workload or absence preventing responses to service reviews being made in time
- There remains the risk of service reviews not being picked up on unallocated cases unless a process is put in place to address this

In Q1 the following risks and challenges were observed from the data and remain relevant:

- In the challenging context of high caseloads, the 48 hour call back SLA and 14 day email SLA may continue to be a source of upheld service complaints (further information in Annex).

Summary of PHSO Complaints

All customers are advised that they can complain to the PHSO if they are unhappy with the way in which the ICO has handled their complaint.

Table 2: PHSO complaints (Q3 2025/26)

Category	Total
Complaints received	97
Not properly made	44
General discretion	31
Premature	16
Out of remit	0
Specific discretion	1
Complaint withdrawn	0
Other	1
Resolution	0
Accepted for detailed investigation	0
Total concluded at initial checks and primary investigation	93

- Out of 97 service complaints escalated to the PHSO in Q3 2025/26 none were accepted for detailed investigation.
- In the 2024/25 financial year, a total of 265 complaints were escalated to the PHSO. 75 complaints were referred to the PHSO in Q2 and 97

complaints were referred to the PHSO in Q3 of this financial year. Whilst we are experiencing an increase in the number of cases being escalated to the PHSO, in the context that we have received 81% more DP complaints and 40% more FOI complaint cases this year compared to last, an increase is to be expected and is proportionate to the overall intake of work being received.

- As a consequence to the overall volume increase in our casework receipts, we expect to see a marginal uptick on complaints being referred to the PHSO this year compared to last year.

Annex 1 – Dip sample

We have completed a dip sample of cases which meet the following criteria:

- The complaint is upheld; and
- the complaint is about 'dissatisfied with ICO staff'

With an aim of understanding:

- Common themes across what we are upholding.
- Reflections on what this tells us we may need to do around general learning/training/quality assessment.
- Specific reference to what we are defining as 'part upheld' and any recommendations/reflections on this.
- Reflections on what the themes tell us about the breadth of this category and changes we may want to think about from an ICE perspective to give us more nuance (e.g. we discussed whether a chunk of this linked to failures to do a call back at the right time and if this may be worth separating out).

- Themes from the actions/recommendations we have taken forward on the back of the elements of a complaint we have upheld and assurance that these are being delivered as described in the review outcome.

The outcome of this dip sample is detailed below.

The type of complaint that meets this categorisation

The following themes were noticed in the dip sample:

- Failure to communicate effectively or missing SLAs, eg call back not being made within 48 hours, emails not being responded to within 14 days, or not notifying complainant about a closure.
- Reasonable adjustments being missed.
- Concerns about staff professionalism including, reference to the wrong organisation in correspondence and oversharing of personal experience with a previous employer on a helpline call.
- Failure to follow process, eg a service complaint or an FOI request has not been spotted.
- Lack of clarity or inadequate explanation of our decisions or process.
- The case officer unnecessarily complicating a complaint or making it unnecessarily convoluted.
- Unacceptable delay issuing an FOI decision notice and failure to keep the customer updated.
- Failure to reasonably search for supplementary documentation that had been sent in, on an FOI complaint without a reference number.
Not fully explained the role of the ICO or provided an explanation for their view.

What actions have we taken?

We have:

- Reinforced service standards with colleagues, including 48-hour call-backs and 14-day written response SLAs.
- Reviewed all IA Team service complaints in Q3: one upheld data breach (incorrect SAR postal address) was addressed with appropriate remedial action; remaining complaints were redirected to the appropriate review routes.
- Launched a trial department-wide review function to handle case reviews and non-staff service complaints, with potential extension to QA activity; learning from the trial will inform future delivery decisions, with impacts reported in Q4.
- Improved routing of customer concerns by strengthening guidance on when issues should be treated as case reviews rather than service reviews, and supporting managers to decline out-of-scope service complaints; similar steps are being taken in FOI to prevent premature or inappropriate service reviews.
- Continued to share learning and best practice across our PADPCS, FOI and IA teams.