PASA Consultation response

ICO consultation: Draft guidance for organisations handling data protection complaints

October 2025

PASA

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Acknowledgments

PASA is grateful to the authors of the response and members of the PASA Industry Policy Committee (IPC) and their employers.

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About PASA

The Pensions Administration Standards Association (PASA) was created to provide an independent infrastructure to set, develop, guide and assess administration standards.

PASA acts as a focal point and engages with industry and government to create protocols for understanding good administration - but also appreciates there's no one size fits all. PASA has developed evidential Accreditation practices allowing benchmarking across and between the industry regardless of how the administration is being delivered.

As well as raising the profile of pension administration generally, PASA focuses on three core activities:

1. **Defining good standards of pensions administration relevant to all providers, whether in-house, third party or insurers**
2. **Publishing Guidance to support those standards**
3. **Being an independent Accreditation body, assessing the achievement of good standards by schemes**

There's no organisation providing such services across pension schemes, yet there's a demand for evidence of service quality from scheme trustees, sponsors, administrators, insurers, savers and regulators.

1 Consultation questions and answers

Q28 - Please provide any further general comments or suggestions you may have about the guidance

It would be helpful for the ICO to consider, and where appropriate provide, additional guidance on the following areas:

- **Integrated complaint handling across regimes:**

  Guidance should be provided on handling complaints which span multiple regulatory regimes, for example, where one element relates to data protection and another to occupational pensions. Treating these elements separately risks fragmenting the saver experience and exacerbating frustration. It would be helpful to clarify whether complaints can be addressed holistically under the pension's complaints process (which is governed by legislation and includes Ombudsman protection), with the data protection complaints process reserved for cases where this is the sole issue.

- **Clarifying expectations around complaints procedures:**

  The draft suggests producing a complaints procedure 'if you don't have one already'. Pension arrangements will typically have an existing procedure, but this may differ significantly from a data protection complaints process, particularly in terms of timescales and escalation process. It would be helpful for the ICO to clarify whether schemes are expected to maintain two distinct procedures, or whether existing procedures should be expanded to incorporate data protection complaints.

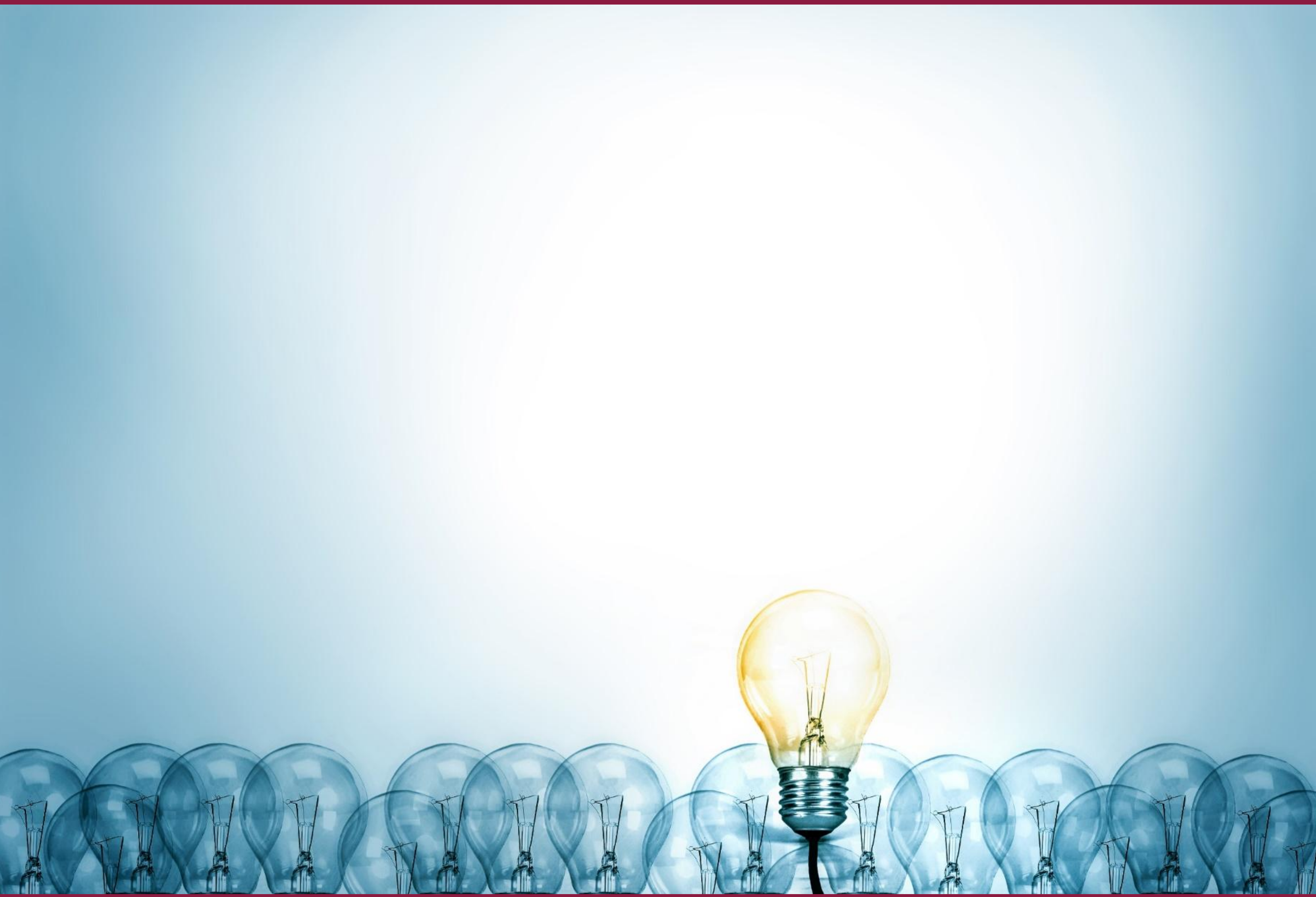
- **Post-investigation Guidance:**

  The draft should include further detail on post-investigation expectations, specifically:

  - The timeframe within which a complainant may escalate their complaint to the ICO (if applicable)
  - Recommended retention periods for complaint records and responses held by the data controller

- **Handling Subject Access Requests (SARs) linked to complaints:**

  SARs and complaints often arise concurrently, either because the complaint concerns a SAR, or because a SAR is submitted alongside other grievances, sometimes with vexatious intent. It would be beneficial for the ICO to offer guidance on managing SARs in these contexts, including what constitutes a 'reasonable and proportionate search'. Practical examples would support consistent interpretation and implementation.



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PASA is a Community Interest Company and our full name is Pensions Administration Standards Association CIC.

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