



JOIC

JERSEY OFFICE OF THE
INFORMATION COMMISSIONER

SERVICE COMPLAINT POLICY

What to do if you are unhappy with our service



WHAT TO DO IF YOU ARE UNHAPPY WITH OUR SERVICE

The Jersey Data Protection Authority/The Information Commissioner

The Jersey Data Protection Authority (the **Authority**) is an independent statutory body. Its mission is to promote respect for the private lives of individuals through ensuring privacy of their personal information by:

- Implementing and ensuring compliance with the Data Protection (Jersey) Law 2018 and the Data Protection Authority (Jersey) Law 2018.
- Influencing attitudes and behaviours towards privacy and processing of personal information, both locally and internationally.
- Providing advice and guidance to Island businesses and individuals and making recommendations to the Government of Jersey in response to changes in international data protection laws.

The Information Commissioner also has responsibility for oversight of the Freedom of Information (Jersey) Law 2011 and does this by promoting and enforcing the public's right to ask for information from the Government of Jersey, including determining appeals where individuals are dissatisfied with the response provided by government.

Both these functions are known collectively as the Jersey Office of the Information Commissioner (**JOIC**).

We are committed to providing a fair, transparent, impartial service and carrying out our regulatory and enforcement work to the highest professional standards.

We appreciate that we can always look to improve our services and that there may be occasions where you feel that our service levels fall short of what you expect.

This document sets out how to raise a complaint with us in those circumstances and also what we can and cannot do.

Introduction

We aim to provide our customers with the best possible service we can at all times. However, if you feel dissatisfied with our service, we would like you to contact us. This policy provides guidance on how to complain to us.



What types of complaint are covered by this policy?

The types of service complaint that we can consider are things like:

- Poor service by the JOIC e.g. delays in response; or
- Behaviour of JOIC staff (e.g. the way a member of staff speaks to or treats you).

What types of complaint aren't covered by this policy?

There are some things we can't deal with as part of this complaint procedure. These include:

- A decision/determination issued under Art.21 or Art.22 of the Data Protection Authority (Jersey) Law 2018. This is because you have a statutory right of appeal to the Royal Court of Jersey; we cannot review our own determinations.
- A Decision Notice issued under Art.46 of the Freedom of Information (Jersey) Law 2011. This is because you have a statutory right of appeal to the Royal Court of Jersey; we cannot review issued Decision Notices.
- Other matters to which you have a statutory right to appeal.

How to complain

Anyone can make a complaint to us, including a representative.

You can complain by email, letter or in person (if you would like to speak to someone, please contact us to make an appointment): Our contact details are as follows:

Mrs Anne King
Operations Director
Jersey Office of the Information Commissioner
Second Floor
5 Castle Street
St Helier
Jersey
JE2 3BT

Telephone: +44 (1534) 716530

Email: complaints@jerseyoic.org

You can help us deal with your complaint swiftly by:

- addressing your correspondence with 'Complaint';
- clearly setting out the concerns that you would like us to address;
- letting us know what resolution/remedies you are seeking; and
- making any complaint as soon as the issue arises and, in any event, within 3 months of the issue complained of.



How we will deal with any complaint

We will:

- acknowledge your service complaint within 3 working days of receipt and tell you who is responsible for dealing with your complaint (this will usually be a senior member of staff);
- investigate your complaint;
- engage with you fully during the complaint handling process and give you the opportunity to fully set out your concerns;
- keep you updated; and
- aim to respond to you fully within 30 days.

We may:

- ask you to clarify certain issues including, if a complaint is complex/unclear, ask you to agree its scope;
- sometimes take longer than 30 days to review if a complaint is particularly complex. If we cannot issue a response within 30 days, we will provide you with regular updates and, where feasible, provide you with a target date for a response.

Outcomes of complaints

We will contact you within the above timeframes to respond to your complaint and provide an outcome.

If you are still dissatisfied, you may appeal the decision and the outcome will receive a second internal review.

Following a second review, all decisions are final.

Further information

At all levels of complaint-handling, the JOIC ensures that lessons are learned, and any recommendations made are followed up on and to ensure that the risk of similar issues arising in the future are reduced.