

# 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're 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

<b>Prepared by:</b> CH and AF
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<b>What is the title of this piece of work?</b> Transforming the ICO's approach to data protection complaints handling proposal.
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**Briefly describe the overall purpose of this work.**

We're proposing to change our approach to handling data protection complaints as part of our ongoing efforts to improve our processes and ensure the most effective use of our resources. It's essential that our complaint process remains accessible, fair, and focused on delivering meaningful outcomes. By transforming our process, we aim to better support people who have experienced harm and focus our resources on those cases where we can have the biggest impact.

We'll be transparent in the decisions we take, recognising that while we're required to investigate every complaint to the appropriate extent, we have discretion in determining what that extent should be based on the circumstances of each case.

We propose to use a draft framework to determine the extent to which it is appropriate to investigate each complaint. The draft framework would enable us to:

- assess complaints consistently and proportionately;
- allocate our resources effectively, focusing on the most significant issues and providing timely outcomes; and
- clarify the criteria we consider when deciding how to handle a complaint, including the extent of any investigation.

The draft framework will be subject to external consultation.

## 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.
<b>Religion or belief</b>	Neutral - there would be no negative impact on people due to their religious background or belief.	No impact.
<b>Race, nationality or cultural background</b>	<p>Neutral – there would be no negative impact on people due to their race, nationality or cultural background. The <a href="#">Office for National Statistics</a> (ONS) (England and Wales), <a href="#">Scottish Census</a>, and <a href="#">Northern Ireland Statistics and Research Agency</a>, 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:</p> <ul style="list-style-type: none"> <li>• offering the Language Line translation service. This helps provide clear information in the complainant's chosen language over the phone;</li> <li>• accepting complaints written in the complainant's chosen language. To do this, we take steps to identify a</li> </ul>	<p>We would further mitigate the impact placed upon ethnic groups that have limited digital engagement by:</p> <ul style="list-style-type: none"> <li>• creating a hard copy version of the existing online complaint form. This would give non-digital complainants the opportunity to provide the same level of information as people who use our online complaint form. The hard copy would be available to staff who take complaints over our helpline, as well as to people who request a hard copy form; and</li> <li>• ensuring that staff consider the possible and likely harm caused by the data protection issue, especially when harm-related information has been omitted from the complaint.</li> </ul>

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.
	<p>member of staff with the necessary translation skills;</p> <ul style="list-style-type: none"> <li>• accepting complaints submitted through various channels such as our online complaint form, email, post, and over the phone;</li> <li>• 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);</li> <li>• using plain language when communicating with people directly, and also with our website messaging.</li> </ul> <p>These steps would continue to be in place under the new proposals.</p> <p>The <a href="#">ONS's 'Exploring the UK's digital divide'</a> states that digital engagement and internet access vary across ethnic groups, and consequently, this might affect how different</p>	

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.
	<p>groups interact with our complaint process. Groups of digitally disengaged people may be more likely to submit their complaint through informal or unstructured mechanisms (email, post, phone) and omit key karm related information. In contrast, people who use our online complaint form are asked to provide details regarding the harm caused by the data protection issue. As harm is one of the criteria listed in the draft framework, unstructured complaints could be assessed differently to structured complaints.</p>	
<b>Disabled people</b>	<p>Neutral - there would be no negative impact on disabled people.</p> <p>We already have steps in place to ensure that our complaints process is accessible for disabled people. These steps include:</p> <ul style="list-style-type: none"> <li>accepting complaints submitted through various channels such as our online complaint form, email, post, and over the phone;</li> </ul>	<p>We would further mitigate the impact placed upon disabled groups of people that have limited digital engagement by:</p> <ul style="list-style-type: none"> <li>creating a hard copy version of the existing online complaint form. This would give non-digital complainants the opportunity to provide the same level of information as people who use our online complaint form. The hard copy</li> </ul>

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.
	<ul style="list-style-type: none"> <li>• 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;</li> <li>• offering the free BT service Relay UK for people who are deaf, or have a hearing or speech impairment;</li> <li>• considering implementing service adjustments inline with our responsibilities under the Equality Act 2010;</li> <li>• 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;</li> <li>• providing information on the ICO's online privacy notice, and within other online policies, about the accessibility</li> </ul>	<p>would be available to staff who take complaints over our helpline, as well as to people who request a hard copy form; and</p> <ul style="list-style-type: none"> <li>• ensuring that staff consider the possible and likely harm caused by the data protection issue, especially when harm-related information has been omitted from the complaint.</li> </ul>

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.
	<p>of our complaint process and website; and</p> <ul style="list-style-type: none"> <li>• using plain language when communicating with people directly, and also with our website messaging.</li> </ul> <p>These steps would continue to be in place under the new proposals.</p> <p>Ofcom's research <a href="#">on disabled users access to and use of communication devices and services</a> shows that people with mobility and learning disabilities have higher rates of digital disengagement and internet access than people without these disabilities. Groups of digitally disengaged people may be more likely to submit their complaint through informal or unstructured mechanisms (email, post, phone) and omit key harm related information. In contrast, people who use our online complaint form are asked to provide details regarding the harm caused by the data protection issue. As harm is one of the</p>	



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.
	criteria listed in the draft framework, unstructured complaints could be assessed differently to structured complaints.	
<b>Sexual orientation</b>	Neutral – there would be no detrimental impact on anyone due to sexual orientation.	No impact.
<b>Sex (see note 1)</b>	Neutral – there would be no detrimental impact on anyone due to sex.	No impact.
<b>Age</b>	<p>Neutral – there would be no detrimental impact on anyone due to age.</p> <p>We already have steps in place to ensure that our complaints process is accessible for different age groups. These steps include:</p> <ul style="list-style-type: none"> <li>• accepting complaints submitted through various channels such as our online complaint form, email, post, and over the phone;</li> <li>• 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</li> </ul>	<p>We would further mitigate the impact placed upon groups of people of different ages that have limited digital engagement by:</p> <ul style="list-style-type: none"> <li>• creating a hard copy version of the existing online complaint form. This would give non-digital complainants the opportunity to provide the same level of information as people who use our online complaint form. The hard copy would be available to staff who take complaints over our helpline, as well as to people who request a hard copy form; and</li> </ul>

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.
	<p>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</p> <ul style="list-style-type: none"> <li>• prioritising complaints from young people.</li> </ul> <p>These steps would continue to be in place under the new proposals.</p> <p><a href="#">Age UK's briefing on digital inclusion and older people</a> states 18% of people over the age of 65 don't use the internet, <a href="#">Ofcom</a> 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 unstructured mechanisms (email, post, phone) and omit key harm related information. In contrast, people who use our online complaint form are asked to provide</p>	<ul style="list-style-type: none"> <li>• ensuring that staff consider the possible and likely harm caused by the data protection issue, especially when harm-related information has been omitted from the complaint.</li> </ul>

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.
	<p>details regarding the harm caused by the data protection issue. As harm is one of the criteria listed in the draft framework, unstructured complaints could be assessed differently to structured complaints.</p> <p>Research by <a href="#">The Children's Society</a>, as well as Adrienne Katz and Dr Aiman El Asam's reports on '<a href="#">Refuge and Risk: Life Online for Vulnerable Young People</a>', '<a href="#">Vulnerable Young People and Their Experience of Online Risks</a>', and '<a href="#">Vulnerable Children in a Digital World</a>', shows that vulnerable young people, aged 10 to 17 years, have an increased risk of online harm. Whilst they may struggle to express the harm caused, they're able to express their vulnerability. The research used the term 'vulnerable groups' to mean the following five groups:</p> <ul style="list-style-type: none"> <li>• family vulnerabilities, such as being a young carer, living in care or worry about life at home;</li> </ul>	

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.
	<ul style="list-style-type: none"> <li>• communication difficulties, such as hearing loss, speech difficulty, vision loss or English as a second language;</li> <li>• physical difficulties, such as a long standing illness, vision difficulties or physical disability;</li> <li>• special educational needs, such as learning difficulties, autism or other additional needs; and</li> <li>• psychological, such as mental health difficulties, eating disorders or anger issues.</li> </ul>	
<b>Gender reassignment (see note 2)</b>	Neutral – there would be no detrimental impact on anyone due to gender reassignment.	No impact.
<b>Marital status</b>	Neutral – there would be no detrimental impact on anyone due to marital status.	No impact.

<b>Protected characteristic</b>	<b>Is there likely to be a specific impact on people with this characteristic?</b>	<b>List the mitigations proposed for each impact, stating whether the impact will be reduced or removed. Please state proposed timescale for mitigations.</b>
<b>Pregnancy and maternity</b>	Neutral – there would be no detrimental impact on anyone due to pregnancy and maternity.	No impact.
<b>Political opinions</b>	Neutral – there would be no detrimental impact on anyone due to political opinion.	No impact.
<b>People with dependants</b>	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.
<b>People without dependants</b>	Neutral – there would be no detrimental impact on anyone without dependants.	No impact.
<b>Socio-economic groups or social classes (see note 3)</b>	Neutral – there would be no detrimental impact on anyone due to socio-economic groups or social classes.  A <a href="#">Scottish Government's Scottish household survey</a> and the <a href="#">ONS's 'Exploring the UK's digital divide'</a> show that different socio-	We would further mitigate the impact placed upon people of different socio- economic groups that have limited digital engagement by: <ul style="list-style-type: none"> <li>• creating a hard copy version of the existing online complaint form. This</li> </ul>

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.
	<p>economic groups have different levels of digital engagement and internet access. Groups of digitally disengaged people may be more likely to submit their complaint through informal or unstructured mechanisms (email, post, phone) and omit key harm related information. In contrast, people who use our online complaint form are asked to provide details regarding the harm caused by the data protection issue. As harm is one of the criteria listed in the draft framework, unstructured complaints could be assessed differently to structured complaints.</p>	<p>would give non-digital complainants the opportunity to provide the same level of information as people who use our online complaint form. The hard copy would be available to staff who take complaints over our helpline, as well as to people who request a hard copy form; and</p> <ul style="list-style-type: none"> <li>ensuring that staff consider the possible and likely harm caused by the data protection issue, especially when harm-related information has been omitted from the complaint.</li> </ul>
<b>Multiple protected characteristics (see note 4)</b>	<p>Neutral – there would be no detrimental impact on anyone due to multiple protected characteristics.</p> <p>We already have steps in place to ensure the accessibility of our complaints process for people with multiple protected characteristics. These steps include:</p>	All mitigations above are applicable to this section.

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.
	<ul style="list-style-type: none"> <li>• accepting complaints submitted through various channels such as our online complaint form, email, post, and over the phone;</li> <li>• 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;</li> <li>• offering the free BT service Relay UK for people who are deaf, or have a hearing or speech impairment;</li> <li>• considering implementing service adjustments inline with our responsibilities under the Equality Act 2010;</li> <li>• including optional questions about additional support or adjustments for us to make, as well as harm caused by the data protection issue in our complaint form;</li> </ul>	

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.
	<ul style="list-style-type: none"> <li>• providing information on the ICO's online privacy notice, and within other online policies, about the accessibility of our complaint process and website;</li> <li>• using plain language when communication with people directly, and also with our website messaging.</li> </ul> <p>These steps would continue to be in place under the new proposals.</p>	

*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?

Answer: Yes, we will consult with colleagues in the Welsh Affairs office to discuss this project and what would be required if the proposal is approved.

*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](mailto: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 impact on Human Rights

## 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
<p><b>Objective 1: We will represent the communities and societies we serve</b></p> <p>We believe that diverse teams make better decisions, boost creativity and innovation, enable greater professional growth and increase our understanding of 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.</p>	<p>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.</p>
<p><b>Objective 2: Our culture will be inclusive</b></p> <p>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.</p> <p>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.</p>	<p>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.</p>



<p><b>Objective 3: We will better understand the needs of everyone to deliver services that are accessible to all</b></p> <p>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.</p>	<p>The online complaint form has been amended to include optional questions about:</p> <ul style="list-style-type: none"> <li>• additional support or adjustments needed, and</li> <li>• what harm has been caused by the data protection issue being raised.</li> </ul>
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## 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?

<i>Answer:</i>
<p>Following the consultation we would look to:</p> <ul style="list-style-type: none"> <li>• record our decision making about the factors which contributed to a complaint being forwarded to our teams to be worked on;</li> <li>• retain the information received from complaints which are logged;</li> <li>• analyse our decision making to determine whether we need to amend the complaints process;</li> </ul>

- review the complaints process to determine whether the change to the process has impacted customers with protected characteristics.

Q8. How long will these arrangements be in place?

*Answer:* Ongoing. This would be a permanent change to the way we handle data protection complaints.

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:* We'll maintain an awareness of the criteria from this EqIA throughout the consultation. We'll review the EqIA and add to it if there are any new considerations following consultation. A review will then take place every quarter until our approach is agreed and then every 12 months once it's been embedded.

## 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:* This EqIA could be published once any changes to our complaints processes have been agreed and embedded.

## 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:* CH and AF

*Date:* 13 August 2025

Approved by line manager:

*Signed by:* Helen Raftery

*Date:* 13 August 2025

You **must** send your completed form to [corporategovernance@ico.org.uk](mailto: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](mailto: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. There 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 places 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 its 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	Published
Relevant or related policies	Equality Impact Assessment Guidance
Author/owner	CH and AF
Approved by	Helen Raftery
Date of sign off	13 August 2025
Review date	31 January 2026 -three months after the consultation closes.

Version	Changes made	Date	Made by
1.0	Finalised EqIA to be published alongside DPT consultation.	13 August 2025	CH and AF