



# Data Privacy Framework (DPF)

## Complaint Procedure & Submission Form

Part I - DPF Independent Recourse Mechanisms (IRM)

Part II - Procedures for DPF Complaints

Part III - Complaint Form & Acknowledgement

### **Part I. Independent Recourse Mechanism (IRM)**

#### **A. Who designates IRMs?**

Organizations based in the US that answer to the Department of Commerce or Department of Transportation can voluntarily participate in the EU-US / Swiss-US Data Privacy Frameworks & the UK-US Extension to the Data Privacy Framework (collectively, 'DPF'). Once an organization signs up to DPF ('DPF Adherents') they must implement every DPF Principle, including Principle 7 and designate an Independent Recourse Mechanism ('IRM') that is free for data subjects to use.

#### **B. Who can file a DPF Complaint?**

Individuals (natural persons) residing in the EU, EEA, UK, or in Switzerland enjoy robust data protection laws. These individuals are known as 'data subjects' when their personal data is processed by organizations bound by those data protection laws. In this context, DPF Adherents agree to process personal data in a manner that has been deemed by the European Commission to be equivalent to EU data protection laws.

#### **C. What does the IRM do?**

When Lionheart Squared (Europe) Ltd ('LH<sup>2</sup>') is the designated IRM, we provide data subjects with the means to lodge a DPF Complaint against a DPF Adherent. Data subjects should state what resolution they hope to receive for the perceived harm that arose from DPF Adherent's alleged non-compliance with the DPF Principles.

We take on the task of independently evaluating the evidence provided in the Complaint. Our aim is to obtain a 'fair outcome' for the data subject.

#### **D. What is a Fair Outcome?**

The DPF is not prescriptive about what constitutes a fair outcome, leaving such determinations to the IRM. This is one of the reasons that the designated IRM must be competent with European data protection laws, a qualification which LH<sup>2</sup> meets.

Where we are the designated IRM, we will request DPF Adherents align (or realign) their data protection practices to meet one or more of the DPF Principles that they lost sight of or did not properly implement.

Typical **Fair Outcomes** include requests for DPF Adherents to:

1. Correct or delete personal data records relating to the data subject.



2. Reverse an automated decision that produced unwanted legal effects on the data subject.
3. Temporarily or permanently stop processing personal data of data subject.
4. Compensate the data subject if actual, direct loss is proven to have occurred, which would not have occurred had the DPF Adherent complied with the applicable DPF Principle.

### **E. What valid reasons exist for dismissing DPF Complaints?**

There are many reasons why a Complaint may be validly dismissed. LH<sup>2</sup> will state the reasons when communicating this with the data subjects if that happens.

Some common reasons for dismissing Complaints include:

1. Complaint is not related to a DPF Adherent who designated us.
2. Complaint is not related to any DPF Principle.
3. Data subject did not supply their contact detail to receive a reply.
4. Complaint was unintelligible, vague, or failed to ask for an alternative language to English.
5. Data subject did not stipulate a desired outcome.
6. Data subject did not reasonably cooperate with IRM or did not allow IRM to verify alleged facts in the Complaint known to the DPF Adherent.
7. Complaint is vexatious, frivolous or is a duplicate of a prior submission.
8. The issue was resolved some other way.

### **F. Can Complaint Dismissals be Appealed?**

Yes, LH<sup>2</sup> will duly reexamine a dismissed Complaint and make a final determination as to the legitimacy of the amended Complaint within 30 days.

1. Data subjects should provide LH<sup>2</sup> any credible evidence that became available after filing the original Complaint within 15 days of receiving the Complaint Dismissal.
2. Data subjects may inform LH<sup>2</sup> of a material error they believe was made in our determination leading to the original Complaint Dismissal.

### **G. Need more information?**

Please contact us at [info@lionheartsquared.eu](mailto:info@lionheartsquared.eu) if you have questions.

## **Part II. Procedure for DPF Complaints**

### **A. Data subjects**

**Eligibility.** You are eligible to submit a Complaint to LH<sup>2</sup>, if

- your personal data was processed by a DPF Adherent that designated LH<sup>2</sup> ([list](#)), and
- you believe that they disregarded or contravened one or more DPF Principles ([list](#)), and
- you were dissatisfied with their response.

**Fee.** You will not be charged a fee for filing a DPF Complaint.

**Start Your Complaint.**

1. The DPF Complaint Form template is in Part III, below.
2. Complete the DPF Complaint Form. Verify all pertinent facts. Acknowledge that you read Part I and Part II.
3. Email your completed and signed Complaint Form to [DPF\\_Complaint@LionheartSquared.eu](mailto:DPF_Complaint@LionheartSquared.eu) or post it to our office in Ireland.
4. You should expect us to respond in the same way as we received your DPF Complaint Form, unless you also provided your email address.
5. Promptly respond to our requests for clarification or additional information. Check your spam folder occasionally in case our reply finds its way there.

**No guarantees.** You acknowledge that LH<sup>2</sup> cannot guarantee a particular result or outcome, if any.

**Top Tips for faster Complaint reviews.** Please ensure that your Complaint Form:

1. Applies to a DPF Adherent who designated LH<sup>2</sup>.
2. Relates to one or more of the DPF Principles. The main ones are Notice, Choice, Accountability for Onward Transfers, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement, and Liability.
3. Contains your correct contact details for receiving our reply.
4. Indicates whether you want communications by post or email or either.
5. Contains sufficient details for us to understand the issue and an indication of your preferred outcome for resolving the issue that you are complaining about.
6. Requests a response in a language other than English.
7. Is not a duplicate Complaint.
8. Was not already resolved by another method for the same issue.
9. Does not prevent us from verifying relevant facts and information with the concerned DPF Adherent.
10. Genuinely seeks to obtain a reasonable resolution.



## **B. LH<sup>2</sup>, as designated IRM**

LH<sup>2</sup> endeavors to issue a determination within 45 days of receiving a DPF Complaint. Data subjects can expect us to do the following:

1. Acknowledge receipt of your DPF Complaint within 5 days. We may request more information from you if necessary.
2. Evaluate the DPF Complaint and if necessary, liaise with DPF Adherent to verify facts and obtain additional information to make informed determination for a Fair Outcome.
3. Communicate the outcome of the review to you within 45 days from the date we received all the necessary information. This may include validating your identity.
4. Ensure the DPF Adherent implements the Fair Outcome, whether this is compensating the data subject in some way or updating its organizational or technical practices to measure up to the relevant DPF Principles.
5. Securely store DPF Complaint-related information for no longer than necessary (usually 24 months).
6. Record DPF Complaint metrics for aggregated reporting and annual publication on our website.

## **C. DPF Adherents**

DPF Adherents are required to cooperate with LH<sup>2</sup> as their IRM.

DPF Adherents must list LH<sup>2</sup> on their website and provide a link to our DPF Complaint Form and procedures.

LH<sup>2</sup> may receive information from DPF Adherents that is relevant to supplement your DPF Complaint. Each party applies reasonable internal organizational and security controls to protect the integrity and confidentiality of DPF Complaints.

DPF Adherents are required to implement and effectively maintain the DPF Principles, as well as implement the Fair Outcome decisions made by LH<sup>2</sup>.



## Part III. DPF Complaint Form & Acknowledgement

\* Indicates a required field. Contact us at [info@lionheartsquared.eu](mailto:info@lionheartsquared.eu) if you need help answering this form.

### 1. Information about you, the data subject

First Name*	
Middle Initial	
Last Name*	
Country you live in now*	
Country when complaint arose*	

### 2. Where should we contact you?

If you fill in both sections, we will default to email. You must choose at least one. *	
<b>Physical address</b> – means communication will be via first class post	
House/Apt number	
Street	
Street	
City	
Country	
Post Code	
<b>Email address</b> – means communications will be via electronic mail	
Email address 1	
Email address 2	

### 3. Which US company are you complaining about?

Company name *	
Company also known as (if applicable)	
Your relationship with company *	



#### 4. Which DPF Principles do you believe were breached? \*

Only Complete the rows that apply to your circumstance. Must be at least one.  
Attach additional sheet if more space is needed. Hyperlinks are provided to the official DPF Principles.

Main DPF Principle	What was your experience?	What would fix it?
<a href="#">Notice</a>		
<a href="#">Choice</a>		
Accountability for Onward <a href="#">Transfer</a>		
<a href="#">Security</a>		
Data <a href="#">Integrity</a> and Purpose Limitation		
<a href="#">Access</a>		
Recourse, <a href="#">Enforcement</a> and Liability		



**Supplemental DPF Principles.** The 16 supplemental DPF principles are not likely to apply to you.

Other DPF Principle	What was your experience?	What would fix it?

### 5. What else do you want to tell us about your DPF Complaint?

(Example: Dates you interacted with US Company about this issue and why it is not resolved to your satisfaction.)

### 6. Acknowledge & Sign

You are the data subject submitting this DPF Complaint Form, and acknowledge that:

- a. You understand the information described in Part I and the Procedure for DPF Complaints in Part II.
- b. You answered the questions truthfully and to the best of your ability in Part III.
- c. LH<sup>2</sup> will rely on the information that you have provided or will provide in connection with your DPF Complaint.
- d. LH<sup>2</sup> will process your personal data related to your DPF Complaint under the lawful basis connected to your consent for us to perform this service at your request.
- e. You can access LH<sup>2</sup>'s privacy policy ([here](#)) and can exercise your data protection rights at any time.

Your signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name: \_\_\_\_\_

### 7. Submit your DPF Complaint Form

- Email to [DPF\\_Complaint@LionheartSquared.eu](mailto:DPF_Complaint@LionheartSquared.eu) or
- Post to Lionheart Squared (Europe) Ltd (DPF)  
2 Pembroke House, 28-32 Upper Pembroke Street  
Dublin D02 EK84, Republic of Ireland

