



## Bridgend County Borough Council Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

### Complaints Privacy Notice

This privacy notice tells you what information the Complaints Team collects and uses, and your rights regarding your information.

The categories of this information that we collect, process, hold and share include:

- personal information (name and contact information such as address, phone number and email address)
- the specific details of your complaint which you have provided
- information held on our systems about you which we have accessed in order to investigate your complaint

### Why we collect and use this information

Bridgend County Borough Council (BCBC) Complaints Team stores and uses your personal data to:

- enable us to carry out an investigation into your complaint
- provide a response and agree appropriate actions
- learn from the experience to inform change in policy and/or process

### Who we share this information with

When a complaint is escalated, we may share your information with:

- Other departments of the Council
- Independent Investigating Officers (IIO). For Social Service complaints this will be on a statutory basis under the Social Services and Wellbeing (Wales) Act 2014, the Social Services Complaints Procedure (Wales) Regulations 2014 and the [Statutory guidance “A guide to handling complaints and representations by local authority in social services in Wales”](#).
- Where appropriate we may also share information with the NHS.



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The Public Services Ombudsman (Wales) Act 2005 gives powers to the Ombudsman to investigate complaints by members of the public about the service they have received from the Council. We are required under Section 14 of the Act to furnish the PSOW with any information which they request in order to investigate the complaint. This will include your personal data.

### **Why we share this information**

BCBC may share complaint data with IIOs where the complaint has progressed to stage 2 of the social service complaints process, and/or the PSOW where they are considering an investigation.

We do not share information about individuals without consent unless the law and our policies allow us to do so. We share information securely. Anyone who receives information from us is legally required to keep it confidential.

### **Data collection requirements**

The Department may share anonymised information about Statutory Complaints for:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

BCBC has robust processes in place to ensure the confidentiality of our data is maintained and there are stringent controls in place regarding access and use of the data.

In some cases the law may require that personal information has to be shared with other agencies without your agreement, this will be to protect adults or children with care and support needs who might be at risk of harm. In the event that an adult at risk lack capacity to share their information a decision will need to be made as to whether this is in their best interests and should follow the principles below.

Any personal information should be shared on the basis that it is:

- necessary for the purpose for which it is being shared
- shared only with those who have a need for it
- accurate and up to date
- shared securely and in a timely fashion
- not kept for longer than necessary for the original purpose.



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To be granted access to Statutory Complaint information, organisations must comply with strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

### **The lawful basis on which we use this information**

The Council is required to have a published complaints procedure to enable members of the public who are in receipt of any service to make a complaint about that service. The investigation of complaints is a task carried out in the public interest.

The legal basis for processing your information in accordance with the Data Protection Act 2018 is because it is necessary for the performance of a task carried out by the Council in the public interest.

### **Storing this information**

We hold personal data relating to the investigation of complaints for the following time periods:

Corporate Complaints: 6 years

Statutory complaints concerning adults: 6 years

Statutory complaints concerning children: 10 years

### **Requesting access to your personal data**

Under data protection legislation, individuals have the right to request access to information about them that we hold. To make a request for your personal information contact [foi@bridgend.gov.uk](mailto:foi@bridgend.gov.uk)

You also have the right to:

- know whether your personal data is being processed and if so, the right to have a copy
- have inaccurate personal data rectified without undue delay.
- in certain circumstances you have the right to have your personal data erased or deleted
- in certain circumstances you have the right to restrict us from processing your information
- receive the personal data which you have given us in a structured, commonly used and machine-readable format



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- object at any time to the processing of your personal data. We will no longer process your data unless we can show that there is a good reason to do so.
- you have the right, subject to exemptions, not to be subject to a decision when it is based on automated processing.

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with the Data Protection Officer in the first instance at [foi@bridgend.gov.uk](mailto:foi@bridgend.gov.uk). Alternatively, you can contact the [Information Commissioner's Office](#).

### **Further information**

You can read our corporate privacy notice at <https://www.bridgend.gov.uk/my-council/freedom-of-information/data-protection/>

If you would like further information about this privacy notice, please contact the Data Protection Officer at [foi@bridgend.gov.uk](mailto:foi@bridgend.gov.uk) or tel (01656) 643565.