



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 may obtain your personal data from yourself when you make a complaint, a representative making a complaint on your behalf or the Public Services Ombudsman for Wales if you have contacted them. BCBC 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”](#).).



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Where appropriate we may also share information with the NHS.

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

Individuals have various rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object



8. Rights in relation to automated decision making and profiling

Right to be informed

You have the right to be informed about the collection and use of your personal data. The Council must provide you with information including: purposes for processing your personal data, retention periods for that data, and who it will be shared with.

This is called 'privacy information'.

Right of access

You can obtain a copy, subject to exemptions, of your personal data held by the Council. A copy of the application form is available from:

<https://www.bridgend.gov.uk/my-council/freedom-of-information/data-protection/>

You are also entitled to obtain confirmation as to whether or not data concerning you is being processed by the Council. Where that is the case, you are entitled to the following information subject to exemptions:

- The purposes of and legal basis for the processing
- The categories of personal data concerned
- The recipients to whom the personal data has been disclosed



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- The period for which the personal data will be stored.
- Communication of the personal data undergoing processing and of any available information as to its origin.

*Please note that 'processing' means an operation or set of operations *performed on personal data such as collection, recording, organisation, structuring, storage, adaption, alteration, erasure, restriction, retrieval.*

Proof of ID and any further information needed to locate the information may be required before the Council can comply with your request.

Any request for the above information should be made in writing to the Data Protection Officer and the Council will respond within one month.

Rectification of data

You can request the Council to rectify inaccurate personal data relating to you. If the data is inaccurate because it is incomplete, the Council must complete it if it is required to do so by you.

A request should be made in writing to the Data Protection Officer and a response will be sent within one month.

Erasure or restriction of personal data

You can request that the Council erase your data or restrict any processing of your data, subject to exemptions.



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All requests should be made to the Data Protection Officer. The Council will then inform you of whether the request has been granted and if it has been refused, the reasons for the refusal.

Right not to be subject to automated decision-making

You have the right, subject to exemptions, not to be subject to a decision when it is based on automated processing and it produces a legal effect or a similarly significant effect on you. You have a right to express your point of view and obtain an explanation from the Council of its decision and challenge it.

However, it should be noted that this right does not apply to all decisions as there are exemptions for example authorisation by law, performance of a contract to which you are a party.

Right to data portability

The right to data portability allows you to obtain and reuse your personal data for your own purposes across different services.

The right only applies to information you have provided to the Council.

Right to object

You have the right to object to the processing of your personal data in certain circumstances. The Council has one calendar month to respond to an objection.

Further information

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



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If you would like further information about this privacy notice or if you have any concerns over the way BCBC handles your personal data, please contact the Data Protection Officer at foi@bridgend.gov.uk or tel (01656) 643565.

You can also raise concerns with the Information Commissioner's Office:

Information Commissioner's Office – Wales

2nd Floor, Churchill House

Churchill Way, Cardiff

CF10 2HH

Email: wales@ico.org.uk

Website: www.ico.org.uk