



Adult Care Complaints Privacy Notice

This Privacy Notice explains how we collect and process personal data to enable us to investigate and administer a complaint, and to carry out our statutory duty under the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

Redcar and Cleveland Borough Council strive to provide a high standard of social care for adults and are continually looking to enhance our services for residents of the borough. We use information gathered through our complaints process to ensure we meet those standards, to identify any areas of improvement and to gain a better understanding of an individual's experience of the service.

Why we need your information and how we use it?

We will use personal information you provide to us to carry out an investigation into your complaint, provide a response and agree appropriate actions, and to improve our services or make changes to our policies/processes.

Type of personal information we collect

We will contact details such as

- your name, address, telephone number(s) and email address,
- family members details (if relevant),
- information about your finances such as bank details, income, and any benefits you receive (if relevant to the complaint),
- details of the complaint and/or incident.

As well as personal data, we may collect and share further information about you known as “**special categories of personal data**” (this used to be known as sensitive personal data) where appropriate. This includes:

- race or ethnic origin,
- religious or philosophical beliefs,
- data concerning a person's sex life or sexual orientation,
- gender,
- genetic data,
- data concerning health conditions or disabilities you may have.

Should your complaint relate to someone else, we will be required to contact them to gain their consent for you to act on their behalf if this is not already recorded on our case management system.

How personal information is collected

Your personal information is collected from on-line forms, handwritten complaint forms, by email and/or letters received through the post.

All personal data collected through the complaints handling procedure will be processed in accordance with UK Data Protection Legislation.

Who we share your data with?

We share your personal data internally with identified members of Adult Care staff to fully understand the situation and to carry out the investigation. We may be required to share information about you with organisations who are involved in your care and support.

The Local Government Act 1974 gives powers to the Local Government & Social Care Ombudsman (LGSCO) to investigate a complaint referred to them by a member of the public should they remain dissatisfied with the outcome of their complaint to us. We are required under this Act to share with the LGSCO details of our investigation and the outcome.

Your personal data will only be shared with third parties where we are required to do so by law i.e. for safeguarding purposes, where we believe there is a risk of harm, where there is a public health concern (infectious diseases) or where a formal court of order has been issued.

What legal reason(s) we have to use your personal data

Under the General Data Protection Regulation (GDPR), the lawful bases we rely on for processing this information, as set out in Article 6, are:

- we have a legal obligation
- we need it to perform a public task carried out in the public interest.

Where we process “special categories of personal data” (such as health, race, ethnicity, sexual orientation), we rely on processing for the provision of health and social care treatment, in compliance with Article 9 of the GDPR.

Where we store your personal data

The information we collect, and use is administered and held on a central system accessible only by staff responsible for complaints. We will also record details of the complaint on the social care record of the adult receiving a service and whom the complaint relates to.

How long we keep your personal information?

We are required to keep the information relating to your complaint for a minimum of six years after which time your information will be securely destroyed.

Your Rights

Under data protection law, you have rights based on our lawful basis for processing your personal data.

Your right of access - You have the right to ask us for copies of your personal information. This is called a "Subject Access Request".

Your right to rectification - You have the right to ask us to correct personal information you think is wrongly recorded. You also have the right to ask us to complete information you think is incomplete.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

We will always try to comply with your request however we may be required to hold or use your information to comply with a legal requirement under the Acts as cited above.

For further information about your rights, including the circumstances in which they apply, [see the guidance from the UK Information Commissioner's Office \(ICO\) on individuals' rights under GDPR.](#)

Access to Personal Data (Subject Access Request)

The Data Protection Act 2018 allows you to find out what information is held about you, on paper and computer records. This is known as 'right of subject access' and entitled to receive a copy of your records free of charge, within a month.

In certain circumstances access to your records may be limited, for example, if the records you have asked for contain information relating to another person.

If you wish to see a copy of your records you should contact the Council's Data Protection Officer, details of which are provided below.

Data Protection Officer

If you have any concerns about our use of your personal information or wish to make a Subject Access Request, you can contact the Council's Data Protection Officer at informationsecurity@redcar-cleveland.gov.uk or Telephone: 01642 774774.

Your right to lodge a complaint

You can also complain to the Information Commissioner's Office (ICO) if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office

Wycliffe House, Water Lane

Wilmslow, Cheshire

SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

Adult Care Contact Details:

<p>Address: Directorate of Adults & Communities Adult Care Redcar and Cleveland Borough Council Seafield House Kirkleatham Street Redcar, Yorkshire TS10 1SP</p>	<p>Contact numbers, email and website: Telephone: 01642 065070 Email: contactus@redcar-cleveland.gov.uk Website: www.redcar-cleveland.gov.uk</p>
<p>Our normal office hours are: Monday to Thursday: 8.30 am - 5.00 pm Friday: 8.30 am - 4.30 pm</p> <p>If you need help in emergency when our offices are closed, you can contact the Emergency Duty Team: Telephone: 01642 524552.</p>	