

# Privacy Notice

## Adult Social Care - Complaints



This Privacy Notice is designed to help you understand how and why Adult Social Care processes your personal data in relation to complaints. This notice should be read in conjunction with the Council's [Corporate Privacy Notice](#).

### Who are we?

Redcar and Cleveland Borough Council is a 'Data Controller' as defined by Article 4(7) of the UK General Data Protection Regulation (UK GDPR). Adult Social Care uses information gathered through the complaints process to ensure we meet high standards of care, identify any areas of improvement, and to gain a better understanding of an individual's experience of the service.

Data Protection Officer

Redcar and Cleveland House

Kirkleatham Street

Redcar

TS10 1RT

[InformationGovernance@redcar-cleveland.gov.uk](mailto:InformationGovernance@redcar-cleveland.gov.uk)

01642 444573

### What personal information do we collect?

We may collect the following personal information:

- name, address, telephone number(s) and email address,
- family member details (if relevant),

- details of the complaint and/or incident,
- other information relevant to the complaint e.g. financial information.

We may also collect special category data such as:

- race or ethnic origin,
- religious or philosophical beliefs,
- sex life or sexual orientation,
- data concerning health conditions or disabilities you may have.

We will only collect the minimum data necessary to enable us to investigate and respond to your complaint.

### **Why do we collect your personal information?**

We will use your personal information 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.

### **Who do we obtain your information from?**

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

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.

### **Who do we share this information with?**

We may share data within Adult Social Care in order to fully understand the complaint and carry out a thorough investigation. However, we may also share data with the following external organisations;

- Local Government & Social Care Ombudsman (LGSCO)

Personal data will only be shared where necessary and if there is a lawful basis to do so.

## How long do we keep your information for?

Data held	Retention period
Information in relation to complaints and investigations	6 years following case/complaint closure
Complaints made to the Local Government Ombudsman (LGO)	10 years following case/complaint closure
Informal complaints (Early Resolution)	3 years following closure

## What is our lawful basis for processing your information?

Redcar and Cleveland Borough Council relies on the following lawful basis to process your personal data:

UK GDPR Article 6(e) - processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

When processing special category data, the Council will rely on the following lawful basis:

UK GDPR Article 9(2)(h) – processing is necessary for the provision of health and social care services meeting Schedule 1, Part 1 of the Data Protection Act 2018 as below:

- (2) Health or social care purposes

The legislations, policies and guidance that relate to this service includes, but is not limited to:

- Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
- Local Government Act 1974

## Your rights

There are a number of rights that you may exercise depending on the legal basis for processing your personal data.

- Request a copy of the personal information the Council holds about you
- To have any inaccuracies corrected
- To have your personal data erased
- To place a restriction on the Council's processing of your data
- To object to processing
- To request your data to be ported (data portability)
- To object to any automated decision-making including profiling.

In most cases, these rights are not absolute and there may be compelling or overriding legal reasons why we cannot meet these rights in full. This will be explained to you in more detail should you contact us for any of the reasons detailed above.

**For more information about how the Council uses your data, including your privacy rights and the complaints process, please see our [Corporate Privacy Notice](#).**