# PRIVACY NOTICE FOR THE COMPLAINTS PROCESS

Edinburgh College is providing you with this information to comply with data protection law and to ensure that you are fully informed and we are transparent in how we collect and use your personal data.

**Who is collecting the information?**

Edinburgh College is the Data Controller. You can contact the Data Protection Officer (DPO) by emailing: DataProtection@edinburghcollege.ac.uk.

**Why are we collecting it and what are we doing with it (Purpose)?**

Your personal information is collected to record and process your complaint. The Complaints Handing Team will use this personal information to process your complaint.

**What personal data do we collect?**

|  |  |
| --- | --- |
| **Personal Data** | **Special Category Personal Data**(Please note this is only collected if you have provided this detail in your compliment or complaint) |
| Name (Forename and Surname) | Racial or ethnic origin |
| Name of individual acting on your behalf (if applicable) | Political opinions |
| Address | Religious or philosophical beliefs |
| Email address | Trade Union membership |
| Mobile number | Health information |
| Course (if applicable) | Sex life or sexual orientation |
| Campus (if applicable) |  |
| Opinions and other relevant information in relation to investigation |  |

**How are we collecting this information? What is the source?**

The information is collected when you make a complaint about the College. When your complaint is being investigated College staff may need to collect further information, including opinions of individuals etc. The outcome of this will be detailed in your investigation outcome.

**The lawful basis for the processing**

The lawful basis for processing your personal data is UK GDPR Article 6(1)(c) “processing is necessary for compliance with a legal obligation to which the controller is subject.” In this instance as the College is a public body it is required under the Scottish Public Services Ombudsman Act 2002 to investigate and resolve complaints received from members of the public.

If you have provided any special category/sensitive personal data within your compliment or complaint, the basis for processing is UK GDPR Article 9(2)(a) “processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law …” and Data Protection Act 2018 Schedule 1, Part 2(6) “Statutory etc and government purposes”.

**Who we share the information with**

Your data will be shared with:

* the Complaint Handling Team and any other relevant College staff to investigate and process your complaint. A full investigation may not be possible without disclosing the details of a complaint or complainant.

To address your complaint fully and to take further action where necessary, we may also share with:

* another individual or organisation you have authorised to act on your behalf; we will only allow them to raise the complaint for you and have access to your personal data (as required to process the complaint) on receipt of a ‘Complaints Authorisation Form’ completed by you.
* relevant external agencies such as the Scottish Public Services Ombudsman (SPSO).

**How long do we hold the personal data?**

Your information is held for six years after closure of your complaint. After that, your information will be destroyed securely and in line with College procedures.

**Individuals’ rights in relation to this processing**

Under data protection law, individuals have certain rights; the rights that apply here are:

* The right to be informed – i.e., this privacy notice.
* The right of access – you can access your personal data and receive copies of your data held by the College.
* The right to rectification – you can update/correct inaccurate or incomplete data.
* The right to restriction – you can request that the processing of your personal data is restricted in certain circumstances.

To exercise any of your rights, please contact the College data protection mailbox at DataProtection@edinburghcollege.ac.uk.

**Complaints to UK Information Commissioner’s Office (ICO)**

If you are concerned about how your personal data is being used by the College, in the first instance please can you contact the College Data Protection Officer (DPO) at DataProtection@edinburghcollege.ac.uk. If you are not satisfied with the outcome then you can complain to the regulator of data protection, the UK Information Commissioner’s Office (ICO). The ICO has guidance on their website here: <https://ico.org.uk/your-data-matters/raising-concerns/>.

You can email them at casework@ico.org.uk or call them on 0303-123-113 or you can send a letter to them at the following address:

Customer Contact

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

SK9 5AF