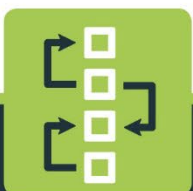




For the future you want

Privacy Notice

Compliment & Complaint Policy



Curriculum Planning &
Performance

PRIVACY NOTICE FOR THE COMPLIMENT & COMPLAINT POLICY

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 compliment or complaint. The Complaints Handling Coordinator/Investigating Officer will use this personal information to contact you with regards to your compliment or 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 compliment or complaint about the College. When your complaint is being investigated and resolved, the Investigating Officer 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 legal 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 legal 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 Coordinator and the Investigating Officer to investigate and process your complaint.

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

- relevant teams and staff at the college, such as the part of the college your complaint or compliment is about. A full investigation may not be possible without disclosing the details of a complaint or complainant
- another individual or organisation you have authorised to act on your behalf; we would only share information with them on receipt of a completed Data Subject Authorisation Disclosure form
- relevant external agencies such as the Scottish Public Services Ombudsman (SPSO).

How long do we hold the personal data? (effective from 3 May 2022)

Your information is held for six years after closure of your complaint or three years from the date of your compliment. 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 the following rights:

- The right to be informed – ie a privacy notice.
- The right of access – this means you can access your personal data and receive copies of all your data held by the College.
- The right to rectification – this means that you can update/correct inaccurate or incomplete data.
- The right to erasure (commonly known as the Right to be Forgotten [RTBF]) – this means you can request your personal data is destroyed, and the College no longer holds your personal data.
- The right to restriction – this means you can request that the processing of your personal data is restricted. This links with some of the other rights and means that if there is an issue the processing activity can be paused until the issue is resolved.
- The right to data portability – this means you can request all your data in a machine readable format (eg a .csv file) to transfer to another organisation.
- Right to know of any automated decision-making, including profiling – this means you have the right to know of any automated decision-making and not be subject to a decision made solely on automated processing.

Some of these rights are not absolute and require certain conditions. All requests made to the College must be responded to within a month of receipt of the request.

For this specific purpose, the following rights apply:

- Right to be informed
- Right of Access
- Right to Rectification
- Right to restrict processing
- Right to know of any automated decision-making, including profiling

Please note where you have consented to processing of your personal data (specifically the special category data contained in a complaint), you have the **right to withdraw your consent** at any time. To do this or 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