



COMPLIMENTS, CONCERNS AND COMPLAINTS PRIVACY NOTICE

This privacy notice covers how Pembrokeshire County Council (as a Data Controller) will collect, use and share your personal data for the purposes of investigating a complaint that you may raise. We will always treat your complaint in a sensitive way and ensure your details remain confidential and secure at all times. We will share compliments received with respective departments, to understand what our customers value and what we are doing well.

Why we need your information (purpose of processing)

We collect and use your personal information so that we can investigate and resolve your complaint, and also pass on your compliments to relevant departments where you think the Council are doing well and what our customers value. In order to fully investigate your complaint we may cross check information with other departments within Pembrokeshire County Council or external services.

The information that you provide will be processed according to the UK General Data Protection Regulation, the Data Protection Act 2018, the Social Services Complaints Procedure (Wales) Regulations 2014 and the Representations Procedure (Wales) Regulations 2014.

We will also make any disclosures required by law and we may also share this information with other bodies responsible for detecting/preventing fraud/crime or auditing/administering public funds to ensure money is targeted and spent in the most appropriate and cost effective way. In order to achieve this, information will be shared with our Audit Service within Pembrokeshire County Council and with The Auditor General for Wales ([Audit Wales Privacy Notice](#)).

We will not make any disclosures to third parties for marketing purposes.

Your data will be secure and confidential at all times and we will only collect the personal information that is required to provide you with our service.

What personal data is being collected?

The categories of personal data being collected are:

- Name
- Contact details; address, email, telephone number
- We may process various types of personal and special category data in order to fully investigate your complaint.

What is our lawful basis for processing your personal data?

The UK General Data Protection Regulations (UK GDPR) requires specific conditions to be met to ensure that the processing of your personal data is lawful. These relevant conditions are below:

Article 6 (1)(e) Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

Some types of personal data are more sensitive than others, and need more protection. This is classed as 'special category data' and could include information about your racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership and the processing of genetic or biometric data, health and sex life and sexual orientation.

We process this type of special category data as it is necessary for reasons of:

Article 9 (2)(g) Substantial public interest in accordance with The Social Services Complaints Procedure (Wales) Regulations 2014 and The Representations Procedure (Wales) Regulations 2014.

(The relevant Data Protection Act 2018 conditions are – Schedule 1 Part 2: Statutory and government purposes)

Who will we share your information with?

We may need to share your personal data with internal departments, other organisations and third parties, this will include:

- Any internal department to which your complaint is regarding.
- We may also be required to make disclosures by law and share information with the Public Service Ombudsman for Wales, the Older Person's Commissioner, The Children's Commissioner and the Care Council for Wales.
- If your complaint is being investigated at formal stage in Social Services, your information will be shared with the independent investigator in addition to an independent person for complaints that relate to children. We have agreements with them as to how they will handle any personal data to ensure confidentiality.
- If the complaint is related to corporate matters and is investigated at formal stage, your information will be shared with the investigator responsible for handling the complaint. This investigator will be a Pembrokeshire County Council member of staff.

Pembrokeshire County Council has a duty to protect the public funds it manages. Therefore, the information that you have provided to us may be used for the prevention and detection of fraud and for auditing purposes both internally and externally.

The personal information we have collected from you will be shared with fraud prevention agencies who will use it to prevent fraud and money-laundering and to verify your identity. If fraud is detected, you could be refused certain services, finance, or employment. Further details of how your information will be used by us and these fraud prevention agencies, and your data protection rights, can be found by visiting <https://www.cifas.org.uk/fpn>

How long do we keep hold of your information?

Pembrokeshire County Council will only keep your information for as long as is necessary, we will retain the information provided to us for

- 10 years (plus current) from General Complaints being resolved.
- Kept in line with Children's Services records – generally 75 years from 18th birthday
- Kept in line with Adult Services records – 7 years following the end of the Authority's involvement with an individual (normally once an individual has deceased).
- 6 years from the complaint being received

Your information will be securely disposed of once it is no longer required.

Your Rights

Under the UK General Data Protection Regulation and Data Protection Act 2018, you have rights as an individual including:

- The right to **Rectification** – you have the right to ask to have your information corrected.
- The right to **Restrict** processing may apply – you may request that we stop processing your personal data however, this may delay or prevent us delivering a service to you. We will seek to comply with your request but may be required to hold or process information to comply with our legal duties.

- The right to **Object** – this is not an absolute right and will depend on the reason for processing your personal information.
- The right to **Erase** - you may request that we erase your personal data however, this may delay or prevent us delivering a service, or continuing to deliver a service. We will seek to comply with your request but may be required to hold or process information to comply with our legal duties.
- The right to not be subject to **Automated decision making and profiling**.
- The right of **Access** – you have the right to ask us for copies of your personal data. To make a request, please contact:
Access to Records
Pembrokeshire County Council
County Hall
Haverfordwest
SA61 1TP

Email: accesstorecords@pembrokeshire.gov.uk Telephone: 01437 764551

Complaints or Queries

Pembrokeshire County Council endeavours to meet the highest standards when collecting and using personal information. For this reason, we take any complaints we receive about this seriously. We encourage people to bring to our attention if they believe that our collection or use of information is unfair, misleading or inappropriate.

This privacy notice does not provide exhaustive detail of all aspects of our collection and use of personal information. However, we are happy to provide any additional information or explanation needed. Any requests for this should be sent to the address below:

Data Protection Officer
Pembrokeshire County Council
County Hall
Haverfordwest
SA61 1TP

Email: dataprotection@pembrokeshire.gov.uk
Telephone: 01437 764551

If you want to make a complaint about the way we have processed your personal information, you can contact the Information Commissioner's Office as the statutory body which oversees data protection law:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF
Email: wales@ico.org.uk
Telephone No: 0303 123 1113

Our Contact Details as Data Controller are:

Pembrokeshire County Council, County Hall, Haverfordwest, Pembrokeshire, SA61 1TP.

Telephone number: 01437 764551 or enquiries@pembrokeshire.gov.uk

Our Data Protection Officer's information is detailed above in the Complaints and Queries section.

Changes to this privacy notice

We keep our privacy notice under regular review.