



**WOKINGHAM
BOROUGH COUNCIL**

Privacy Notice Complaints

This notice, in conjunction with Wokingham Borough Councils overarching privacy statement, explains when as a service we collect personal information, what we use your data for, who has access, who we share it with, and what your rights are.

Who are we?

Information Services
Customer and Locality Services,
Wokingham Borough Council,
Shute End,
Wokingham,
Berkshire,
RG40 1BN

What is the lawful basis for processing the information?

The lawful basis for processing your information for corporate complaints is by consent. Whereas for Social Care complaints and Representations for Children, Young People and Others; processing is necessary for compliance with a legal obligation, as specified by the following legislation:

- Children Act 1989 Representations Procedure (England) Regulations 2006
- Children (Leaving Care) Act 2000
- Adoption and Children Act 2002
- Health and Social Care (Community Health Standards) Act 2003
- Local Authority Social Services Act 1970

How do we collect information from you?

Information is collected from you as the service user via online web forms, hard copy documents, e-mail, by telephone or through face-to-face discussion. This information will be collected from either you directly as the data subject, or from a representative acting on your behalf, eg a parent providing details for a child.

Any complaints investigated and responded to through our corporate complaints process are done so with your consent i.e. you report concerns about services you receive, and therefore consent to us receiving information relevant to said concerns to allow a sufficient investigation and response. You are at liberty to withdraw consent; however, this may mean that investigations into your complaint are brought to a close.

What type of information is collected from you?

The service collects and processes a range of information about you. The information is provided to enable the Council to carry out its duty and functions, provide you with a service, and continue to make service improvements in relation to Complaints and Social Care Complaints. We may collect the following information: Surname, Forename, Title, Age, Address, Postcode, E-mail, Phone number, Gender, Marital status, Photographs and details in relation to your complaint.

You will be informed of any other data we collect, that is not listed above, orally or through email at the time of collection of the data.

How do we use the information you have provided?

All information provided is used by Wokingham Borough Council for the purposes of;

- Used to assess, consider, and respond to your complaint
- Used to investigate your complaint and concerns
- Responding to enquiries and other matters
- Providing you with updates about our service
- Used to implement any actions that arise from your complaint
- Providing you with compensation if it is found that there is significant fault by the Council
- Analysing statistical data for service development purposes (usually anonymised)

Who has access to the information about you?

Your information is managed by staff employed in the Councils complaints team. Your information may also be shared with officers from other service areas for assistance with these matters. All personal data is stored securely; we have in place security which are intended to ensure, as far as possible, the security and integrity of all personally identifiable information.

Your data is stored securely on our systems and accessed only by authorised officers of Wokingham Borough Council by using their own Username and Password all created in-line with pre-defined user credentials. Personal data is also held in electronic files on the Councils network drives. These are only accessible through personal logon credentials and access privileges to specific drives.

Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our sites, any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorised access, and any exchanges of information carried out once we are in receipt of your data will be done securely.

Any personal data held in paper format is held in lockable filing storage, and accessed only by authorised officers, as is data held on audio or CD/DVD media. Data may be stored in paper form and is always secured in lockable cabinets when not in use. Access to Council sites is also secure requiring a person electronic pass (lanyard) to access staff only areas.

Who we may share your information with?

When contacting Information Services, your information will be shared with other Council staff to the extent required to provide you with the service you have requested. The Council shares your information with the Independent Investigator and Independent Person when your complaint has reached stage 2 of the Social Care complaints process, but is only done so with your consent.

Where the Council engages third parties to process personal data on its behalf, they do so on the basis of written instructions, are under a duty of confidentiality, and are obliged to implement appropriate technical and organisational measures to ensure the security of data.

To ensure that information is held continued to be held securely and that accuracy is maintained, there will also be instances where our system suppliers will need to access

individuals personal information. This will be on a strict need to know basis and all contracts have confidentiality clauses built in.

The Council will not transfer your information to countries outside the European Economic Area (EEA) unless this is necessary, and only to countries which have sufficient safeguards in place to protect information.

Information will be shared internally if required for better performance and efficiency of Council services and the welfare of individuals.

Wokingham Borough Council may also share personal information with the police and other local authorities under Article 23 of the General Data Protection Regulations in order to prevent or detect crime.

How long do we store your information?

The duration that the Council will hold information, and what happens at the end of that period, are as described within the Councils corporate retention schedule available on our website: www.wokingham.gov.uk/council-and-meetings/information-and-data-protection/privacy-statement

Does the service utilise automated decision-making?

Information Services does not utilise automated decision-making in the complaints service.