



Privacy Notice – Complaints (Member of Public)

May 2018

This privacy notice provides you with information about us, why we collect information from you, what we do with the information we collect from you, who we share your information with and your rights under the General Data Protection Regulation (“GDPR”) in relation to that information.

This notice applies to anyone who is not a member of staff or a student at Dundee and Angus College (therefore not already subject to a Dundee and Angus College Privacy Notice) who makes a formal complaint to the College, and by doing so, has supplied the College with their personal information, having chosen not to complain anonymously. This notice does not form part of any contract to provide services. We may update this notice at any time.

When you make a formal complaint to Dundee and Angus College and have chosen not to remain anonymous, you may provide the College with personal information, in order that we can identify you and to allow us to investigate your complaint effectively and respond to you. We process (this means to doing anything with the information such as to collect, store, use, access, destroy or share) information which relates to you in accordance with GDPR. The purpose of this notice is to make you aware how we handle your personal data.

"Personal data" means recorded information we hold about you from which you can be identified or may be identifiable. It may include your name, contact details and other personal information you have supplied us.

If you have any questions on the policy you can contact our Data Protection Officer on the contact details noted below.

Why do we collect data about you?

When you make a complaint you may provide us with personal data from you which is information which can be used to identify you. We may also ask for further information about you which tells us more about you or your complaint so that we can assess and investigate your complaint effectively and so that we can comply with any relevant legislative requirements.

We will only process your personal data where processing is necessary to undertake our obligations to you under our Complaints, Compliments and Suggestions policies or processes and you have the right to make a complaint and remain anonymous.

We may process special categories of data if it is provided by you and it is relevant to your complaint.

We will only process "special categories of data" about ethnic origin, political opinions, religious or similar beliefs, trade union membership, health or sex life where we either have your explicit consent and you have freely supplied us with such information, or if we are legally required to do so.

Data Protection Principles

We will comply with the six data protection principles in the GDPR, which say that personal data must be:

1. processed fairly and lawfully and in a transparent manner;
2. collected for specified, explicit and legitimate purposes and processed in accordance with such purposes;
3. adequate, relevant and not excessive for the purpose;
4. accurate;
5. not kept longer than necessary; and
6. processed in a way that protects the integrity and confidentiality of the personal data.

We shall ensure we can show that we have complied with the data protection principles.

Sharing your Data

Dundee and Angus College may share your data with organisations in the following categories:

- Authorised agencies of the Scottish or UK Government where we are required by law to do so, for example the Scottish Public Services Ombudsman in the event that you have escalated your complaint to them;
- An awarding body (e.g. SQA) if your complaint relates to them.
- Service providers to, or partners of the College, if your complaint relates to them.

Any sharing of data is subject to appropriate safeguards to protect your data, for example through Data Sharing Agreements with the organisations that we share data with, although in some cases the sharing of personal data is required in order to fulfil a statutory obligation.

How long will we keep your Data?

Your data will be kept in line with our Data Retention schedule which details how long we keep your data. The length of time data is retained for Complaints purposes, is 3 years.

Your Data Rights

You may have the following rights over your data, which are set out in the GDPR. These rights are not automatic and are dependent on the provisions of the GDPR. If you are unsure of your rights or wish to exercise any of your rights, you may contact the College's [Data Protection Officer](#). You may have rights to:

- Request access to your personal data;
- Request that we make corrections to your data if it is not accurate;
- Request that we erase your data (under certain circumstances as detailed in GDPR)
- Object to us processing your data or to ask us to stop processing your data (under certain circumstances);
- Withdraw consent for processing (only where consent is the lawful basis for processing your data);
- Complain to the Information Commissioner's Office;
- Know whether your data is collected to satisfy a statutory or contractual requirement and the consequences of you not providing personal data;
- Be told whether your data is used for automated decision making, including profiling, the logic involved and the consequences of the decision making (if appropriate); and
- Be told if processing beyond the original purpose of the collection of your data is to be carried out.

Data Protection & Security

We will only process your personal data for the specific purposes notified to you in this document. Your personal data will only be processed to the extent that it is necessary for the specific purposes notified to you. We will keep the personal data we store about you accurate and up to date. Data that is inaccurate or out of date will be destroyed or updated. Please notify us if your personal details change or you become aware of inaccuracies in the personal data we hold about you. The College will process your data only in accordance with the GDPR, this Privacy Notice and in adherence to the College's Data Protection Policy and other relevant policies. The College will take appropriate technical and organisational measures to protect the rights of Data Subjects. In the event of a data breach which results in high risk to your rights and freedoms, we shall communicate the nature of that breach to you including our contact details, the likely consequences of the data breach and details of the measures taken or which we plan to take to address the data breach and to mitigate its consequences.

Data Protection Officer

If you have any questions relating to your personal data, its processing or your rights as a Data Subject, you should contact the College's Data Protection Officer in the first instance:

Data Protection Officer
Dundee & Angus College
Old Glamis Road
DUNDEE
DD3 8LE

dataprotection@dundeeandangus.ac.uk

Should you be unsatisfied or you believe that your data is not being processed in accordance with the Data Protection Act or the GDPR, you may complain to the Information Commissioner's Office (ICO). Further information, including contact details can be found on the ICO's website at <https://ico.org.uk/for-the-public/>.