

Service Area and contact details

Service Area:	City Services
Contact Details:	complaints@newport.gov.uk
Privacy Notice Name:	Complaints and compliments

Source and categories of information being processed

This section is only relevant if personal data has been obtained from a source other than yourself (the data subject).

Newport City Council has obtained the following categories of your personal data:

Name
Address
Email
DOB (dependent on nature of complaint)
Telephone number

We have obtained your information from:

We may obtain personal data following a complaint/compliment that you have submitted to other service areas.

Purpose and legal basis for using your information

Here, we will explain the reason why we have collected your personal data and the reasons for processing.

Our legal basis for processing your information:

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

Further details about our legal basis for using your information and the purpose of processing:

We collect information about you to administer and investigate your complaint or compliment and to improve the provision of services we provide. Complaints received by our customer services team will either be dealt with by the customer services officer or, if necessary, sent to a member of staff within the relevant service area for investigation. That service may then contact you for further information.

Newport City Council will adhere to the following legislation which will form part of our duties when handling your complaint:

Public Service Ombudsman Act 2019
Social Services and Wellbeing Act 2014
Future Regenerations and Wellbeing Act 2014

Also considered will be regulatory bodies dependent on the nature of your complaint, to include Care Inspectorate Wales, Social Care Wales. Complaints provide a platform for ensuring services are meeting the standards we aim for are statutory obligated to meet.

We will not investigate or commence a complaint at the request of a third party unless consent is obtained by the individual the complaint is in relation to.

The right to withdraw consent

If we are relying on your consent to process your data, you have the right to withdraw your consent to this processing at any point. To do so, please contact the person named at the top of this privacy notice.

(Only relevant to consent based processing)

You must provide us with the information we need to deliver the service, if there is either:

- a) A contractual obligation to do so, or
- b) A statutory obligation to do so.

(Only relevant if the lawful basis for processing is the performance of a contract or Public duty/task obligation)

The consequences of not providing the information are as follows:

We would be unable to investigate the complaint thoroughly and provide the complainant with an outcome.

Special Category Data

(Only relevant if special category data is being processed)

Sometimes we process special category which is afforded more protection under the Data Protection Act. This is because special category data is deemed to be more sensitive. If we are processing your special category data then we need to establish a further lawful basis for processing, and we have highlighted this below:

Choose a further lawful basis.

Automatic decision making/profiling

(Only relevant if we are making an automated decision on a data subject)

Sometimes we use computers or technology to help us make decisions about the service we offer you. Below are the details of what decision making or profiling systems we have used, and how the decision was made:

Not applicable

Who will have access to your personal information?

Newport City Council is the data controller and the data protection officer is:

Digital Services Manager
 Email: information.management@newport.gov.uk
 Tel: 01633 656656

Other data controllers may also be responsible for your information, depending on the specific circumstances. Please contact the service area for further information.

The main users of your personal information are:

Complaint officers
 Independent investigating officers
 Public Services Ombudsman for Wales

We may share your information within Newport City Council:

All relevant services as dictated by the nature of the complaint/compliment

We may share your information with other, external organisations:

We may share some of your personal information with third parties. This is a non-exhaustive list as this will be dictated by the nature of the complaint/compliment. This could include social landlords, charitable organisations, other local authorities, independent investigators (who review complaint handling), central government agencies, police forces, various ombudsman agencies, CIW, advocacy services, care homes and providers, health boards and other partner agencies.

Sometimes we use the specialist help of other organisations/companies to process your data on our behalf. These companies are known as 'data processors'. In processing your data, we use the following data processors:

We will store your data on a third party software system My Council Services (MCS) provided by Abavus Ltd. Abavus Ltd hosts our customer data and as such, is recognised as data processor. We have been assured that Abavus Ltd fully comply with UK Data Protection legislation and have the appropriate level of technical and organisational security around our customer data. For more detail, further reading is available here;

<https://abavus.co.uk/how-my-council-services-supports-gdpr-compliance/>

Details of any international transfers of your personal information:
(if applicable)

Not applicable

Requests for information

All recorded information held by Newport City Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Data Protection Act.

If you would like to request a copy of the personal information that we hold about you, you can request to have a copy of our **Personal information request form** here:

Information.management@newport.gov.uk

If you would like to submit a Freedom of Information Request/Environmental Information request to us, you can submit your request to us here:

www.newport.gov.uk/FOI

Your Rights

The Data Protection Act gives you a number of rights. Please note that not all of these rights are absolute and we will need to consider your request upon receipt. You have the right to request:

- a) to have your data rectified if it is inaccurate or incomplete
- b) to have your data erased
- c) to restrict the processing of your data
- d) to exercise your right to data portability
- e) to object to the processing for the purposes of direct marketing, profiling and automated decision making

In all instances, please submit your request to:

information.management@newport.gov.uk

Complaints procedure

If you are unhappy with the way Newport City Council is using your data, you have the right to complain to us. If you would like to do this, please contact us by sending an email to this address

Information.management@newport.gov.uk

If you are not content with the subsequent outcome of your complaint, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the Councils complaints procedure. The Information Commissioner can be contacted at:

The Information Commissioners Office,
Wycliffe House, Water Lane,
Wilmslow,
Cheshire
SK9 5AF.

How long will we retain your information?

Details of retention period

7 years