

# Neath Port Talbot County Borough Council: Complaints Privacy Notice

1. In providing us with your personal information you hereby acknowledge that Neath Port Talbot County Borough Council (“the Council”) is the Data Controller for all the personal information you provide on this form (for the purpose of the General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018 (DPA)).
2. The personal data which we collect from you via this form will be used by the Council (pursuant to it carrying out its various statutory and business functions) for the following purposes:
  - For the processing and dealing of personal data collected from a complainant or representative in respect of any complaints made to the Council in line with its Corporate Comments, Compliments and Complaints Policy
3. As a Data Controller the Council is required under GDPR to inform you which of the Article 6 GDPR “Data Processing Conditions” it is relying upon to lawfully process your personal data. In this respect please be advised that in regards to the data provided by you on this form we are relying on the following two Article 6 conditions;
  - i. “The data processing is necessary for compliance with a legal obligation to which the controller is subject”. (Article 6(c) GDPR).
  - ii. “The data 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.” (Article 6(e) GDPR).
4. We may share your personal data securely with the following third parties (i.e. persons/bodies/entities outside the Council) in accordance with data sharing arrangements which we have in place with those third parties
  - The Public Service Ombudsman for Wales

- Care Inspectorate Wales
  - The Welsh Audit Office
  - Welsh Government
  - UK Government
  - Ministry of Justice
  - Any organisation exercising a regulatory function in respect of Local Government in Wales
5. The personal information collected from you on this form will be held by the Council for a period 6 years or where it relates to Social Services information in accordance with the requirements of the Social Services Wellbeing (Wales) Act 2014.
  6. Please note that we are required to collect certain personal data under statutory requirements and in such cases a failure by you to provide that information to us may result in the Council being unable to provide you with a service and/or could render you liable to legal proceedings.
  7. We would inform you that under Article 21 GDPR you have the right at any time to object to the Authority about the fact that we are processing your personal data for the purposes of carrying out a public task or exercising our official authority.
  8. The Council will not transfer any of your personal data outside of the European Union. All processing of your personal data by us will be carried out in the United Kingdom or other European Union countries.
  9. The Council will not use your personal data for the purposes of automated decision making.
  10. Please be advised that under GDPR individuals are given the following rights in regards to their personal data:
    - i. The right of access to their personal data held by a data controller.
    - ii. The right to have inaccurate data corrected by a data controller.

- iii. The right to have their data erased (in certain limited circumstances).
- iv. The right to restrict the processing of their data by a data controller (in certain limited circumstances).
- v. The right to object to their data being used for direct marketing.
- vi. The right to data portability (i.e. electronic transfer of data to another data controller).

Further information on all the above rights may be obtained from the Information Commissioner's website: [www.ico.org.uk](http://www.ico.org.uk).

- 11. In the event that you have any queries regarding our use of your personal data, you wish to have access to the same or you wish to make any complaint regarding the processing of your personal data please contact the Council's Data Protection Officer at the Directorate of Finance & Corporate Services, Civic Centre, Port Talbot, SA13 1PJ.
- 12. Please be advised that in the event that you make a request or a complaint to the Council's Data Protection Officer (see 10 above) and you are dissatisfied with the Council's response you are entitled to complain directly to the Information Commissioner's Office. Details of the Commissioner's Office contact details and further information on your rights may be obtained from the Commissioner's website – [www.ico.org.uk](http://www.ico.org.uk).