

Privacy Notice – Customer Complaints

Why we collect your personal information

We collect personal information about you so we can process, investigate and respond to your complaint. This may include your name; contact details, and information about the issues you have raised. Without this information, we may not be able to consider and process your complaint.

How we collect your information

We collect personal information through our complaints referral form, written correspondence you submit to the Council, and conversations with Council officers.

How we manage your information

We store the information we collect about you safely and securely on Council systems. Access is limited to staff who need it for their role e.g., complaints investigator.

Who we share your information with

To process and investigate your complaint, we may share your personal information internally with relevant Council services and externally with appropriate third parties, such as the NHS or the Care Inspectorate.

If you authorise someone to act on your behalf, such as a legal representative with a signed mandate, we may share relevant personal information with them.

If you ask the Scottish Public Services Ombudsman (SPSO) to consider your complaint, the SPSO may request information from the Council about your case.

We may also share your personal information internally with authorised Council officers where access is necessary to keep records accurate and up to date.

We may share your personal information with other Council services or external organisations where we are legally required to do so. This may include Police Scotland, Social Security Scotland, the UK Border Agency or registered professional bodies.

The Council is required by law to protect public funds against fraud. We may share personal information with internal services and external organisations responsible for auditing, administering public funds, or preventing and detecting fraud.

How long we keep your information

We will not keep your personal information for longer than necessary. Complaints information is normally retained for the current year plus five years from the date your

complaint is closed. We will dispose of your information securely when it is no longer required.

If your complaint relates to social care provision, your information may be retained for longer. Please see the [Council's Record Retention Schedule](#) for further information.

We may keep anonymised complaints data for longer periods to support trend analysis and help improve our services. Anonymised data does not identify you.

Our lawful basis for processing your personal information

Whenever the Council processes personal information, we must have a lawful basis for doing so. Our lawful basis under data protection law is UK GDPR Article 6(1)(c), because processing is necessary for the Council to comply with its legal obligations under the Scottish Public Services Ombudsman Act 2002.

Depending on the nature of your complaint, we may also need to process special category personal data, such as health information, or criminal conviction and offence data. Our legal bases for processing these types of data are:

- UK GDPR Article 9(2)(g), together with Schedule 1, Part 2, Paragraph 6 of the Data Protection Act 2018 — substantial public interest: statutory and government purposes.
- UK GDPR Article 10, together with Schedule 1, Part 2, Paragraph 6 of the Data Protection Act 2018 — criminal offence data processed under substantial public interest.

Your rights

You have rights under data protection law about how the Council handles and uses your personal information. For example, you can ask us for a copy of the personal information we hold about you. Further information about your rights can be found [here](#).

If you have concerns about how we process your personal information, you can make a data protection complaint to the Council using our [online form](#) or by emailing the Information Governance Unit at information.compliance@edinburgh.gov.uk.

For general information about how we process personal data, please contact the Council's Information Governance Unit at information.compliance@edinburgh.gov.uk.

You can also contact the [Information Commissioner's Office](#) for independent advice. It is responsible for making sure organisations process personal data lawfully and appropriately.