

Privacy Notice for Complaints and Compliments

Ayrshire College (the College) is providing you with this information to comply with data protection law to ensure that you are fully informed and that we are transparent in how we collect and use your personal data.

This Privacy Notice provides essential information about how the College handles your personal data (information) and the rights you have in relation to how we use it. The College is committed to complying with all applicable Data Protection legislation.

Who are we?

Ayrshire College is the 'Controller' and is responsible for looking after the personal data that you provide.

Registered office – Ayr Campus
Dam Park, Ayr
KA8 0EU

For any queries or concerns about how your personal data is being processed you can contact the Data Protection Officer (DPO) at dataprotection@ayrshire.ac.uk

This privacy notice relates to the following process: Complaints and Compliments

Purpose for processing – why do we collect information about you?

We collect and use your information for the following purposes:

Complaints

We process data to investigate complaints, make decisions, share outcomes with the complainant, and supply the information to the Scottish Public Services Ombudsman and the Information Commissioner's Office, if required, for further investigation.

Compliments

We process data to provide feedback to staff where something has gone well.

Our lawful basis (reason) for processing your information is / are:

Complaints

- Use is necessary for the performance of a contract with you or to take steps, at your request, before entering into such a contract.

- Use is necessary for us to comply with a legal obligation.

Compliments

- Use is necessary for the performing a task in the public interest or under official authority vested in us.

The data being used includes special category (sensitive) data. Our legal reason for using this sensitive data is/are:

- Processing is necessary for reasons of substantial public interest and is authorised by domestic law proportionate to the aim pursued.

Data Protection Act 2018, Schedule 1, Part 2, 6. (2)(a) exercise of a function conferred by an enactment or rule of law

Equality Act 2010

Scottish Public Services Ombudsman Act 2002

Data Protection Act 2018

What information do we collect about you?

We collect your name and contact details to allow us to identify you and communicate with you about your complaint or compliment and any details you provide about your complaint or compliment.

We may also collect some 'special category data' (e.g. ethnicity, sexual orientation, race) if you chose to provide this as part of your complaint or compliment. This enables the College to meet its duties under the Equality Act 2010.

How do we collect it?

Your personal information is collected when you make a complaint or compliment about our services in person, on the phone, via email, via the website or any other format you chose.

If you were to withhold the information we require for this process, the consequences would be:

We would not be able to process and investigate your complaint or pass on your compliment.

Who do we share your information with?

Your personal information will, or may, be shared with the following organisations:

Scottish Public Services Ombudsman (SPSO)
Information Commissioner's Office (ICO)
Other individuals in the complaints/compliments process

Details of data transfers to any third countries or international organisations

Your information will not be shared outside of the UK.

How do we look after your information and how long do we keep it for?

We will take all reasonable steps to prevent the loss, misuse or alteration of information you give us. Your personal information will be stored securely and will only be accessed by authorised staff, agents, contractors and other organisations who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality and must comply with data protection law.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Retention

Complaints

Your information will be kept for 5 years after the end of the academic year the complaint was raised in, in line with the College's data retention schedule and then will be securely destroyed.

Compliments

Your information will be kept for 1 year after the end of the academic year the compliment was made in, in line with the College's data retention schedule and then will be securely destroyed.

Automated individual decision-making processes, including profiling.

We do not use any automated individual decision-making about you.

Your rights

Under Data Protection legislation you have certain rights in relation to how the College manages and uses your personal information:

- The right to be informed (this is the Privacy Notice)
- The right to access your personal data

- The right to rectification if the personal data we hold about you is incorrect
- The right to restrict processing of your personal data

In addition, the following rights apply only in certain circumstances:

- The right to withdraw consent at any time (if consent is our lawful basis for processing your data)
- The right to object to our processing of your personal data
- The right to request erasure (deletion) of your personal data
- The right to data portability
- The right not to be subject to automated decision making including profiling.

For more information about your rights please see www.ico.org.uk.

Contact us

If you have any issues about this notice or the way the College has handled your personal information, please contact our Data Protection Officer in the first instance:

email dataprotection@ayrshire.ac.uk
Telephone: 0300 303 0303 or write to:

Data Protection Officer
Ayrshire College, Kilmarnock Campus
Hill Street
Kilmarnock
KA1 3HY

Complaints to UK Information Commissioner's Office (ICO)

If you are dissatisfied with the response from the College, you have the right to lodge a complaint with the Information Commissioner's Office about our handling of your personal data:

Email: [Make a complaint | ICO](https://ico.org.uk/make-a-complaint)
Telephone: 0303 123 1113 or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF