

## Data Protection Privacy Notice: Individuals Making a Complaint to the University

### Introduction

The University of Strathclyde is committed to transparency and to complying with its responsibilities under data protection legislation. This privacy notice sets out important information regarding how we will use your information and your rights under the legislation.

### The Legislation

This notice is intended to meet the new transparency requirements of the General Data Protection Regulation (GDPR) and to ensure that all complainants understand how their data will be used.

### Who will process my personal information?

Under data protection legislation the University is the 'data controller'. This means that the University is responsible for how it uses and processes your personal data and for complying with requests from you in relation to your personal data, where appropriate under the legislation.

### How we use your information

We have set out below how we will use your information and have tried to explain where we obtain your data, how we will use your information, who it is shared with etc.

### What information about you do we collect and use?

When you make a complaint to the University we will create a complaint file for you. This consists of the information provided in your complaint and other additional information we may ask you to provide during investigation of the complaint. Personal information may be held in electronic or hard copy format on various University systems relating (but not limited) to:

- personal and contact information;
- social circumstances (if appropriate);
- employment information (if appropriate);
- financial information (if appropriate);
- student record (if appropriate);
- disciplinary and attendance records (if appropriate);
- other University procedures or services that you have accessed (if appropriate);

When gathering evidence as part of an investigation, due regard will be given to information that may be confidential, sensitive, restricted or covered by data protection legislation. Subject to those considerations and unless expressly requested or otherwise agreed, any documentation submitted by you, or your appointed representative, in relation to a complaint will form part of the complaint file and be shared appropriately with relevant parties.

### The place of useful learning

'Special category' personal data may also be processed, where it is relevant to your complaint. In most cases you have the option whether or not to provide this information. This data is subject to additional protections and includes the data below:

- racial or ethnic origin;
- political opinions;
- religious or philosophical beliefs;
- trade union membership;
- genetic data or biometric data (for the purpose of uniquely identifying a natural person);
- health data (mental or physical);
- sex life or sexual orientation.

### **Why do we collect and use your personal data?**

The University collects, holds and uses information you give us when you raise a complaint or as part of an investigation into your complaint in order to investigate and determine the outcome of a complaint. We may also use the information to demonstrate to the Scottish Public Services Ombudsman (SPSO) that we have followed our complaints procedure if you take a complaint to them.

For each type of processing we are required, under GDPR, to identify our 'lawful basis for processing' these are set out below. We are required to adhere to the SPSO's Model Complaints Handling Procedure and to record all complaints made to the University and use 'public task' as the lawful basis to process this information.

Where it is necessary to process special category data as set out above we will seek your consent to do so.

### **Who do we share your data with?**

If you take your case to the Scottish Public Services Ombudsman (SPSO) we may share your complaint information with them as part of their investigation.

### **Is my data secure?**

Your personal data will be managed securely. Access will be restricted to only those staff or authorised agents who require it and on a 'need to know' basis. The University will employ any technical and organisational measures necessary to ensure the security of your data. You can find more information about our [Information Security policies](#) on our website.

### **How long is my data retained for?**

The University will retain basic summary information on all complaints, which will include some personal data such as contact details, for 6 years from the last action taken on the complaint. Where a complaint has been fully investigated under Stage 2 of the procedure the complete complaint file will be retained for 6 years from the last action taken on the complaint.

## Your Rights

You have the right to:

- Find out what personal data we process about you and obtain a copy of the data, free of charge within one month of your request. We may make a charge for additional copies of the same information;
- Ask us to correct inaccurate or incomplete data.
- Withdraw consent to process your personal data at any time, if you were asked for and provided consent.

If you think we are acting unfairly or unlawfully you can:

- Object to the way we are using your data;
- Complain to the [UK Information Commissioner's Office](#).

Under certain conditions you also have the right to ask us to:

- Restrict the use of your data e.g. if you have raised issues about the accuracy or use of your personal data, until we have investigated and responded to your concerns;
- Erase your information or tell us to stop using it to make decisions about you;
- Comply with your wishes where you have previously agreed to us processing your data for a particular purpose and have withdrawn your consent to further processing;
- Provide you with a portable electronic copy of data you've given us.

Please contact us if you wish to exercise/enquire about any of these rights.

## Contact Details

Data Protection Officer  
University of Strathclyde  
Information Governance Unit  
16 Richmond Street  
Glasgow, G1 1XQ  
Email: [dataprotection@strath.ac.uk](mailto:dataprotection@strath.ac.uk)

## More information

To find out more about data protection and your rights please see:

- The Information Commissioner's Office website: <http://www.ico.org.uk>.
- The University's Data Protection webpages <http://www.strath.ac.uk/dataprotection/>