

Complaints, Concerns or Enquiries

Purpose	Under the NHS Complaints Procedure, individuals have a right to complain about NHS services commissioned by the ICB. The ICB uses your information to handle, investigate or address your complaint, concern, or enquiry.
Type of Information	Identifiable: Personal (such as name, address, date of birth) and Special Category (health information, racial/ethnic origin religious beliefs)
How we will collect and use the Information	<p>When the ICB receives a complaint, concern, or enquiry from an individual we make up an electronic file containing the details of the complaint, enquiry, or concern. This will normally contain the identity of the complainant, the identity of the service user (where this is a different person) and any other individuals involved, plus details of the complainant, including health information.</p> <p>Anonymised information - for reporting purposes.</p> <p>Anonymised information - to publish service user stories following complaints. Consent will always be sought from the service user or where applicable their representative.</p>
Who we will share the information with.	The ICB usually has to disclose the complainant/service user's identity to the organisation the complaint is about, e.g. if it is about a service the ICB commissions at a hospital. If a complainant/service user doesn't want information identifying them to be disclosed, we will do our best to respect that.
Legal Basis for Processing Personal Data	<p>6(1)(e) 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;</p> <p>The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009</p> <p>Processing of Special Categories of Data</p> <p>9(2)(h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of Union or Member State law or pursuant to contract with a health</p>

	<p>professional and subject to the conditions and safeguards referred to in paragraph 3</p> <p>Schedule 1 part 1 (2) of DPA 2018 for 'Health or Social Care Purposes'</p>
Common Law Duty of Confidentiality	Explicit Consent
Data Processors	None
Your Rights	<ul style="list-style-type: none"> • To be informed about the processing of your information (this notice) • Request access to the information held about you • Have the information corrected, in the event that it is inaccurate • To restrict or stop processing • Object to it being processed or used • Not to be subject automated decision-taking or profiling
How long we will keep the information	<p>Your personal data will be deleted from our systems and files in line with the Records Management Code of Practice 2021.</p> <p>Records Management Code of Practice - NHS Transformation Directorate (nhsx.nhs.uk)</p> <p>Complaints, concerns and enquires will be kept for 10 years after closure.</p>