

Service Complaints Policy - Privacy Notice

The National Church Institutions (NCIs) are committed to protecting your personal data. Personal data is any information relating to an identified or identifiable person.

This privacy notice explains what to expect when the NCIs collect your personal information if you make a complaint in accordance with the Service Complaints Policy and Procedure for the NCIs (the “Complaints Policy”), which [can be found here](#).

1. Data controller(s)

The NCIs are the data controllers, and they are:

- The Archbishops' Council, The Church Commissioners for England, The Church of England Pensions Board, Church of England Central Services, The National Society (Church of England) for Promoting Religious Education
Church House, Great Smith Street, London, SW1P 3AZ
- The Archbishop of Canterbury (in his corporate capacity)
The Office of the Archbishop of Canterbury, Lambeth Palace, SE1 7JU
- The Archbishop of York (in his corporate capacity)
The Office of the Archbishop of York, Bishopthorpe Palace, Bishopthorpe
York, YO23 2GE

2. Why we process your personal data:

We process your personal data in order that we can assess, investigate, analyse and determine your complaint effectively in accordance with our Complaints Policy. We will only process your personal data for the purposes of complying with the Complaints Policy.

3. What information we will collect about you:

Complainant information

When you make a complaint under our Complaints Policy you may provide us with personal data. We may also ask for further information about you which tells us more about you or your complaint. For us to deal with your complaint effectively, we will collect the following information about you:

- Title
- First and last name
- Contact details such as address, email address and telephone number; and
- The specific details of your complaint, which may also include information about others involved (e.g. NCI staff or third parties).
- Your image – where recording of a meeting with you about your complaint, where this is absolutely necessary as part of a reasonable adjustment to enable you to take part in the process.

Where you share details about another individual either, as part of your complaint or in a meeting about your complaint, this may be classed as the personal data of that individual. They would therefore have certain rights under Data Protection legislation to access this data (see section 7).

Individuals involved or named in the complaint

We may collect personal data about you in order to understand what has happened, to check details or to substantiate the complaint. The data we collect will include, but is not limited to:

- Name
- Job title
- Contact details
- Details relating to the complaint itself, which may include other personal data about you.

Individuals (e.g. a family member, or friend) supporting the complainant

- Name
- Contact details (if necessary)
- Relationship to the complainant
- Your image – where recording of a meeting with the complainant, where this is absolutely necessary as part of a reasonable adjustment to enable them to take part in the process.

We may process special categories of personal data about data subjects if it is relevant to the complaint. It is possible that the complaint may involve “special categories” of information, such as:

- Race
- Ethnic origin
- Politics
- Religion
- Health
- Sex life
- Sexual orientation
- Criminal convictions and offences, including criminal allegations.

4. The lawful bases for processing your personal information

We will process your personal data on the following lawful bases:

Personal data

- **Legitimate Interest (Article 6(1)(f))** – If a complaint is raised with us, we have a legitimate interest in processing your personal data in order to investigate and resolve that complaint.

Because we consider that we have a legitimate interest in processing your personal data, we have undertaken a Legitimate Interests Assessment which sets out why we consider such processing is justified.

<p>We have a specific purpose with a defined benefit</p>	<p>The purpose of the processing is to provide an explanation for and resolution to a complaint, so far as is possible, which is in the best interests of the data subject. Investigating and resolving the complaint also assists the NCIs to improve our services and helps to ensure that individuals are protected in future from, for instance, any failure to deliver services, malpractice or other seriously improper misconduct.</p>
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<p>The processing is necessary to achieve the defined benefit.</p>	<p>Without processing the data, we would not be able to investigate and determine complaints and respond effectively to the complainant, nor make necessary changes and improvements to our service delivery.</p>
<p>The processing legitimately overrides the interests of the data subject and any risks to their rights or freedoms.</p>	<p>The processing does not pose any significant risk to the rights and freedoms of individuals, as they would reasonably expect such processing in order to resolve their complaints. All complaints will be dealt with confidentially, with only those involved in handling a complaint – or who need to be contacted as part of an investigative process – able to see the data.</p>

Special categories and information relating to criminal convictions and offences

- **Substantial public Interest (Article 9(2)(g))**– We will only process any special category data which is relevant to the complaint in order that we can fully investigate a complaint in order to protect the public from dishonesty, malpractice or other seriously improper conduct; unfitness or incompetence; mismanagement or failures in any services provided by us in accordance with the Data Protection Act 2018, Schedule 1, Part 2 paragraph 11.

5. Who we collect from or share your information with:

We collect information about you in relation to the complaint from:

- The complainant directly; and
- Any NCI staff or third party mentioned in the complaint and which is relevant to the investigation of the complaint.

We will not share your data with any other third parties except where specified here. We will share your information with (where relevant):

- Any NCI staff or Trustees who are responsible for handling the complaint under the Complaints Policy
- Any independent investigator appointed under the Complaints Policy to handle the complaint
- Any NCI staff or third party who are relevant to the substance of the complaint, or have been mentioned in the complaint
- Legal advisors
- Statutory and law enforcement authorities.

6. How long does the data controller keep your information?

Your information will be kept for 6 years from the cessation or determination of your complaint, unless it is necessary to keep it for longer as required for legal purposes.

7. Your rights

You have the following rights regarding your personal data:

- The right to be informed about and request a copy of any personal data we hold about you

- The right to request that we correct any personal data if it is found to be inaccurate or out of date
- The right to request your personal data be erased where it is no longer necessary for us to retain such data
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing
- The right to object to the processing of your personal data.

To exercise these rights, please contact the Data Protection Team using the contact information provided below. The NCIs' Individual Rights Policy is available on request.

8. Complaints or concerns

If you have any concerns or queries about how the NCIs use your personal data, please contact in the first instance:

gdpr@churchofengland.org or telephone: 020 7898 1030.

You can also contact the NCIs' Data Protection Officer on the same contact details given above.

You have the right to make a complaint at any time to the Information Commissioner at <https://ico.org.uk/concerns/> or telephone: 0303 123 1113.

9. Last updated

We may need to update this privacy notice every now and then, so we recommend that you revisit this information from time to time. This version was last updated on **25 October 2021**.