

## Complaints privacy notice



### Why we need your information and how we use it

It is necessary for us to collect and hold personal information about you in order to investigate and administer your complaint. If you make a complaint to Ofqual, we will hold the information you provide to us securely and use it to help us to handle and process your complaint.

Ofqual will process your personal data in order to carry out our statutory functions. In relation to complaints, this is specifically to enable Ofqual to:

- Investigate complaints regarding the development, delivery or award of regulated qualifications
- Carry out investigations of regulated awarding organisations and regulated qualifications, for the purposes of considering their compliance with Ofqual's regulatory requirements
- Take regulatory action against an awarding organisation (for example we might direct an awarding organisation to take certain actions)

For more information about how Ofqual processes personal data, please refer to our personal data protection policy.

## **What personal data we collect and who has access to it**

We will ask for your name, address, contact number and email address. We will also ask you what your complaint is about, including which awarding organisation(s) it relates to.

To ensure Ofqual deals with your complaint equally and fairly, all complaints sent to other departments in Ofqual, including the Chief Regulator or board members, will be forwarded to the complaints investigation team for review.

Your information may be shared internally with Ofqual staff in relevant departments in order that we can handle, investigate and respond to your complaint.

We may also share details of your complaint with third parties such as awarding organisations in order to investigate your request. For example, as part of our investigation into your complaint, we may contact an awarding organisation (which is the subject of your complaint) to request further information and to clarify elements of the complaint.

We may also share your information with other organisations, such as government departments, enforcement agencies and the police if we think it is necessary to do so. There may also be certain circumstances where we are required, by law, to share your information.

Ofqual publishes an annual summary of activity in relation to complaints received, including complaints accepted by the Parliamentary and Health Service Ombudsman. However, this will not include any individual's details or personally identifiable information.

## **Where your personal data is stored and how long we keep it**

Your personal data will be stored securely in Ofqual's complaints handling / case management system. It may also be stored in other Ofqual systems as we investigate your complaint, for example, in our document management and email systems. Access to this information is strictly controlled and reviewed.

Ofqual will hold details of your complaint, including your personal data, for five years.

## How Ofqual protects your personal data

Ofqual takes the security of your personal data seriously. Ofqual has internal policies and controls in place to protect your data from loss, accidental destruction, misuse or disclosure. Some of the ways in which Ofqual protects your personal data include:

- Implementing appropriate technical and organisational measures to protect the confidentiality, integrity and availability of personal data and information
- Regular review of Ofqual information assurance and security policies and procedures
- On-going training and awareness for staff on information assurance and security
- Alignment with codes of conduct, certification schemes and government guidance, including the HMG Security Policy Framework, government baseline security standards, and the National Cyber Security Centre (NCSC)
- Use of the government Supplier Assurance Framework and Crown Commercial Services frameworks when working with suppliers and third parties
- Regular review of security and cyber risks

## Your rights

Ofqual is committed to being transparent about how it collects and uses your personal data and to meeting its data protection obligations. Ofqual is a Data Controller under data protection legislation and we comply with the data protection principles when processing your personal information.

Under data protection legislation, you have a number of rights. You can:

- Access and obtain a copy of your personal data
- Require Ofqual to rectify / change incorrect or incomplete personal data
- Require Ofqual to delete / erase your personal data
- Request Ofqual restrict the processing of your personal data (in certain circumstances)
- Request your personal data in a portable format
- Object to the processing of your personal data

If you would like to exercise any of these rights, please contact Ofqual's Data Protection Officer via email at [dp.requests@ofqual.gov.uk](mailto:dp.requests@ofqual.gov.uk) or complete the online form which is available at:

<https://www.gov.uk/government/organisations/ofqual/about/personal-information-charter>.

You can also write to the Data Protection Officer at:

Ofqual

Floor 2

1 Friargate

Station Square

CV1 2GN

## **The Information Commissioner's Office (ICO)**

The Information Commissioner's Office (ICO) is the UK's independent body set up to uphold information rights. If you would like to know more about your rights under data protection legislation, and what you should expect from us, please visit the ICO website at [www.ico.org.uk](http://www.ico.org.uk).

If you believe that Ofqual has not complied with your data protection rights, please contact Ofqual's Data Protection Officer in the first instance. You can also complain directly to the Information Commissioner at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113