

Privacy Notice

This privacy notice tells you how the Office of the Northern Ireland Public Services Ombudsman (the Ombudsman) uses your personal information.

The Ombudsman investigates complaints of maladministration about government departments and their statutory agencies, health trusts, general health care providers, housing associations, local councils, schools and a wide range of other public service providers in Northern Ireland.

The Ombudsman acting in her role as Northern Ireland Judicial Appointments Ombudsman can investigate complaints about judicial appointments in Northern Ireland.

From 28 May 2014, councillors in Northern Ireland are required to comply with the mandatory Local Government Code of Conduct for Councillors (the Code). The Ombudsman acting in her role as the Northern Ireland Local Government Commissioner for Standards can investigate and adjudicate upon allegations that a councillor has failed to comply with the Code.

This Privacy Notice tells you what to expect when the Ombudsman's Office collects personal information and applies to information the Ombudsman's Office collects about:

- individuals who seek to or have made a complaint of maladministration
- individuals who seek to or have made a complaint about a judicial appointment
- individuals who seek to or who have made a complaint about the conduct of a councillor
- individuals who make an information request under the Information Acts¹
- individuals who make a service standards complaint about the Ombudsman's service
- members of staff of the bodies complained of
- general email and telephone enquiries
- visitors to the Ombudsman's website
- current and former members of staff and
- job applicants

If you send us an email or letter asking for information that relates to another body or organisation, we will direct you to the relevant organisation and provide you with the necessary contact information.

All of the Ombudsman's investigations are conducted in private. The Ombudsman will only share personal information when it is fair, lawful and appropriate to do so.

What information do we collect about you and how do we use that information?

Individuals who have made a complaint of maladministration

To allow us to determine how to progress your complaint, we need to collect and share your personal information. We collect personal information about you when we receive a complaint and this information is recorded on a computer and in a manual complaint file. When we initially receive your complaint, we may need to ask the organisation complained of for further details and in doing so we will share your personal information with that organisation.

We may also need information from a person with specialist knowledge (for example, a health or social care professional) to enable us to decide whether we can investigate your complaint. To allow us to obtain this advice, we will share your personal information with the relevant specialist.

In many instances, a resolution may be achieved without an investigation or there may be other reasons why we cannot progress your complaint. In these cases, we will write to you to inform you of the Ombudsman's decision.

If we decide to investigate your complaint, we will tell the organisation complained of and any other person named in your complaint. We will ask the organisation to provide us with more information and we may also seek advice from a person with specialist knowledge. On completion of the investigation, the Ombudsman will issue her report to you and the organisation complained of.

Further information regarding our investigative processes can be found in the information leaflets available in the Publications section on our website².

Other circumstances when we will share your personal information:

- **Information Commissioner's Office**

The Ombudsman can share information with the Information Commissioner in certain circumstances. Where it appears that matters concerning the Data Protection Act 1998 or Freedom of Information Act 2000 should be brought to the attention of the Information Commissioner to investigate, we will share information with the Information Commissioner. We will inform you if this information sharing occurs in relation to your complaint.

- **Health and safety risk**

The Ombudsman can share information with any person she considers appropriate where the information is to the effect that a person is likely to constitute a threat to the health and safety of any other person. Such instances are rare and we will inform you if this information sharing occurs in relation to your complaint.

- **Other ombudsmen**

The Ombudsman can share information with other ombudsmen if, at any stage in the course of considering a complaint or conducting an investigation, the Ombudsman

forms the opinion that the matter could be the subject of an investigation by a person listed in her legislation. We will inform you if this information sharing occurs in relation to your complaint.

Individuals who have made a complaint about a judicial appointment

To allow us to determine how to progress complaints about a judicial appointment, we need to collect and share your personal information. We collect personal information about you when you submit a complaint to us and this information is recorded on a computer and in a manual complaint file. We may need to ask the Northern Ireland Judicial Appointments Commission (NIJAC) for further details and in doing so we will share your personal information.

In many instances, a resolution may be achieved without an investigation or there may be other reasons why we cannot progress your complaint. In these cases, we will write to you to inform you of our decision and the reasons for that decision.

If we decide to investigate your complaint, we will inform the NIJAC whose conduct you have complained of. We will ask the NIJAC to provide us with comments and more information.

We may also need information from third parties in certain circumstances. When obtaining this information, we may need to share your personal information with those third parties in order to progress and report on the investigation.

On completion of our investigation, the Ombudsman will issue her report to you and to the NIJAC.

Individuals who have made a complaint about the conduct of a councillor

A separate Privacy Notice which provides further detail on the use of personal information in relation to a complaint about the conduct of a councillor can be accessed in the Publications section on our website.

Individuals who make a request for information under the Information Acts

When we receive a request for information under the Information Acts, we record this information on computer and in a manual file. This information will contain the identity of the person requesting the information and any other individuals involved in the request. We will only use this personal information to process the request.

If the requestor is dissatisfied with the way in which we have handled the request, he/she has the right to seek a review. If he/she remains dissatisfied the matter may be referred to the Information Commissioner. In this instance, we are required to share this information with the Information Commissioner for the purposes of investigating the complaint against us.

Individuals who make a Service Standards Complaint about our service

When we receive a Service Standards complaint, we record this information on computer and in a manual file. This information contains the personal information of the individual making the complaint and the subject of the complaint. We process this information for the purposes of dealing with the complaint.

Further information regarding our Service Standards can be found in our Services Standards leaflet in the Publications section of our website.

Information about the staff of bodies complained of

When we receive a complaint about an organisation's actions or about clinical care and treatment, sometimes the complainant can name an individual member of staff and this will involve us processing personal information that relates to that individual. Except where there is a health and safety risk as outlined above, personal information about that member of staff will only be disclosed for the purposes of an investigation and any report thereon to the complainant, the organisation itself and, in some health and social care cases, to the organisation who commissioned the relevant care and treatment.

General email and telephone enquiries

When we receive an email or telephone call about a potential complaint we record this as an enquiry. These enquiries change to complaint status once/if a written complaint is received either via post or email, otherwise they remain a telephone/email enquiry.

We do not record Calling Line Identification information unless the caller has offered to provide us with his/her contact telephone number.

If we are copied into an email or an email of general interest is sent to the Office, we will store this information in a miscellaneous folder on computer and in a file for future reference.

If we receive an anonymous telephone call, we record the content of the conversation and note that it is anonymous. We inform the caller that we will take no action. This information is collected for reporting purposes only.

Visitors to our website

When you visit the Ombudsman's website a standard internet log is produced of the different areas of our website which have been accessed through your computer. These log files are known as 'cookies' and do not contain any personal information about you. We use cookies to improve your experience on the website. Some cookies are required to ensure that the site functions correctly, for this reason some cookies may already be set when you access our website. Other cookies gather anonymous data about how you are using the website. However these will only be set if you provide your consent. The search engine on our website does not collect any information.

This Privacy Notice only covers our website. It does not cover links within this site to other websites. You should always read the Privacy Notice of any site you access.

Job applicants, current and former members of staff

When we receive job applications, we will only use the information provided to us to process the application and to monitor recruitment statistics. If we need to share personal information with a third party, for example, to obtain a reference, we will not do so without informing the job applicant beforehand unless the disclosure is required by law.

When an individual becomes a member of our staff, we collect all information relating to his/her period of employment or secondment. The information contained in this file will be kept secure and will only be used for purposes directly relevant to that individual's employment or secondment.

The security of your information

All of our enquiries and investigations are conducted in private as required by the Ombudsman's legislation. That legislation prevents the Ombudsman and her staff from disclosing any information obtained by us except for the purposes of the Ombudsman's investigations and reports and other specified purposes set out in the legislation. We will not share any personal information with anyone other than for the statutory purposes specified in the legislation. We have strict security measures in place to protect the personal information we hold.

The Ombudsman's 'Classification of Documents & Email Security Policy' provides further information in this regard and is available in the Publications section of our website.

Storage and destruction

The Ombudsman retains information collected by her Office in line with her Retention and Disposal Schedule which is available in the Publications section of our website. Information is archived in a secure storage area prior to being destroyed.

Your right to access the information we hold

You can ask to access your personal information unless an exemption in the Information Acts or the Ombudsman's legislation applies. For example, access may be refused if the information has been provided in confidence.

If you would like to make a subject access request for your personal information, please put the request in writing addressing it to the Legal Officer at:

Address: Northern Ireland Public Services Ombudsman
Progressive House
33 Wellington Place
Belfast
BT1 6HN

Email: nipso@nipso.org.uk

Changes to this privacy notice

We regularly review our privacy notice and any changes are reflected by updating the privacy notice on our website. This privacy notice was last updated April 2016.

Further Information

This privacy notice provides a brief overview of how we collect and use personal information. If you wish to request further information, including your right to access the information we hold, you may contact the Ombudsman's Legal Officer in the following ways:

Telephone: 028 9023 3821 or **Freephone:** 0800 34 34 24

Text phone: 028 9089 7789

Email: nipso@nipso.org.uk

Post: Freepost NIPSO

or

Northern Ireland Public Services Ombudsman
Progressive House
33 Wellington Place
Belfast
BT1 6HN

In Person: By calling, between 9.00am and 5.00pm, Monday to Friday, at the above address.