

Protocol for Receiving and Investigating Complaints

Under the New York City Identifying Information Law

N.Y.C. Admin. Code § 23-1201 et seq. · Citywide Privacy Protection Policies and Protocols § 8.0

1. Purpose

This protocol establishes how the Office of the Bronx Borough President (the "Office") receives and investigates complaints concerning the collection, retention, disclosure, use, or access to identifying information under the New York City Identifying Information Law and the Citywide Privacy Protection Policies and Protocols (the "Citywide Policies"). It is adopted pursuant to Section 8.2 of the Citywide Policies.

2. Definition

A "complaint" is a notification about a suspected or known violation of the Identifying Information Law. A complaint may be submitted by a member of the public, an employee of the Office, or a contractor or subcontractor of the Office. A complaint need not use the word "complaint" or cite the Identifying Information Law to be treated as one under this protocol.

3. Designated Point of Contact and Mailbox

The Agency Privacy Officer is the Office's point of contact for receiving and investigating complaints under the Identifying Information Law.

Complaints are received at the following role-based mailbox, which is monitored by the Agency Privacy Officer and is not tied to any individual employee:

privacy@bronxbp.nyc.gov

4. How to Make a Complaint

A complaint may be submitted by any of the following methods. No method is preferred, and a complainant may use whichever is most convenient.

- Online. Complete the Office's Identifying Information Law Complaint Form, available for online submission on the Office's website at bronxboropres.nyc.gov under Services, FOIL & Privacy.
- By email. Send a description of the complaint to privacy@bronxbp.nyc.gov.
- By mail. Address a written complaint to: Agency Privacy Officer, Office of the Bronx Borough President, 851 Grand Concourse, Suite 301, The Bronx, NY 10451.
- By telephone. Call (718) 590-3500 and ask for the Agency Privacy Officer.
- In person. Ask any employee of the Office to direct you to the Agency Privacy Officer. Any employee who receives a complaint must forward it to the Agency Privacy Officer without delay.

The complaint form is available to Office personnel, to contractors and subcontractors of the Office, and to the public. A complainant may submit a complaint anonymously, but the Office may be unable to investigate fully or to report back if it cannot contact the complainant.

5. Notification to the Chief Privacy Officer

The Agency Privacy Officer must notify the Chief Privacy Officer of a complaint within twenty-four (24) hours of discovery, using the form or method prescribed by the Chief Privacy Officer. Where circumstances make the

prescribed method impossible, impractical, or imprudent, or where using it would unreasonably delay notification, the Agency Privacy Officer must notify by another means and then follow up using the prescribed method.

This twenty-four hour obligation applies whenever the Agency Privacy Officer knows or suspects that identifying information has been improperly used, disclosed, or accessed, whether or not a formal complaint has been received.

6. Investigation

Upon receipt of a complaint, the Agency Privacy Officer must promptly initiate an investigation. Each complaint is reviewed on its own facts. The investigation must, at a minimum:

- Establish what identifying information is involved, whose information it is, and how it was collected, retained, disclosed, used, or accessed.
- Determine whether the conduct was permitted under the Identifying Information Law, the Citywide Policies, and the Office's own policies.
- Assess the impact of any other applicable federal, state, or local laws, rules, or policies.
- Identify the cause and the scope of any improper collection, retention, disclosure, use, or access.
- Recommend corrective and preventive measures proportionate to the circumstances.

6.1 Internal coordination

The Agency Privacy Officer must work with internal legal, program, technical, and other staff as the facts require, including the Chief Information Security Officer where the complaint involves electronic systems, devices, or data.

6.2 External coordination

The Agency Privacy Officer must engage other City offices where they can help investigate the complaint or advise on a response, including the Chief Privacy Officer, the New York City Law Department, and New York City Cyber Command. Suspected cybersecurity incidents must be referred to Cyber Command; not every complaint that affects privacy is a cybersecurity matter, and not every cybersecurity matter begins as a privacy complaint.

7. Outcome and Records

At the conclusion of an investigation the Agency Privacy Officer must document the findings, any corrective or preventive measures taken, and any notification made to the Chief Privacy Officer or other City offices. Where the Office knows how to reach the complainant, the Agency Privacy Officer will inform the complainant that the investigation has concluded, to the extent disclosure is permitted by law.

If a contractor or subcontractor of the Office disclosed identifying information in violation of the Identifying Information Law, the Office must report the violation to the Chief Privacy Officer. This applies to covered and non-covered contracts alike.

8. Non-Retaliation

No employee, contractor, or subcontractor of the Office may retaliate against any person for making a complaint in good faith under this protocol or for participating in an investigation under it.

9. Handling of Information Submitted in a Complaint

Information submitted in a complaint is itself identifying information. The Office collects it only to receive, investigate, and resolve complaints under the Identifying Information Law, retains it in accordance with applicable records retention schedules, and discloses it only as permitted by the Identifying Information Law and the Citywide Policies — including to the Chief Privacy Officer, the Law Department, or Cyber Command where their engagement is required by this protocol. The Office has designated the receipt of complaints as a routine collection of identifying information.

10. Publication and Effective Date

This protocol and the accompanying complaint form are published on the Office's public-facing website.

Effective date: July 31, 2026

Adopted by: Robert P. Miraglia, General Counsel and Agency Privacy Officer

Last reviewed: July 31, 2026