

PRIVACY NOTICE

Service Specific – Trading Standards



Being transparent and providing accessible information to individuals about how we use personal information is a key element of the Data Protection Act and the General Data Protection Regulation (Regulation (EU) 2016/679).

The information being processed

The Council is collecting personal data for the following purposes:

- To monitor and promote compliance with Trading Standards legislation in line with our Enforcement Policy.
- For the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties. Provided we have a statutory function to enforce the legislation in question, this is a “Law Enforcement” purpose and some restrictions on your right of access to information apply.
- To fulfil the Council’s reporting and safeguarding obligations under legislation such as the Care Act 2014 and the Modern Slavery Act 2015
- To Register and Licence activities where required by law (e.g. Animal Feed Hygiene)
- To provide services to the trade and public such as the “Buy With Confidence” scheme which promote a fair trading environment
- For Health and Safety purposes

Information Sharing

To ensure that the council provides you with an efficient and effective service we will sometimes need to share your information between teams within the council as well as with our partner organisations that support the delivery of the service you may receive. In this case, the information collected will be shared with:

- Other Local Authority Trading Standards or Regulatory services, including regional investigations teams and the England Illegal Money Lending Team
- Other Local Authority Adult Social Care services, for which we will ask your consent
- Police services
- Central Government departments or agencies with a regulatory or reporting function in an area of mutual interest.
- The criminal justice system and agencies involved in it (e.g. probation services; HM Courts Service; Witness Liaison and Victim Support services).
- Intellectual Property brand holders and other expert witnesses
- Other partner agencies to reduce crime and disorder, anti-social behaviour and safeguarding of children and adults

Sharing will only take place where legal gateways allow it and the sharing is necessary to a legitimate purpose and proportionate. We will assess the impact of any disclosure and make decisions on a case by case basis, unless formal information sharing protocols which permit otherwise are in place.

We will only ever share your information if we are satisfied that our partners or suppliers have sufficient measures in place to protect your information in the same way that we do.

We will never share your information for marketing purposes.

Retention Periods

We will only keep your information for 6 years

Purpose of Processing Personal information

As a local authority, the council delivers services to you. In order to do this in an effective way we will need to collect and use personal information about you.

The Data Protection Act 2018 and the EU General Data Protection Regulation ensure that we comply with a series of data protection principles. These principles are there to protect you and they make sure that we:

- Process all personal information lawfully, fairly and in a transparent manner.
- Collect personal information for a specified, explicit and legitimate purpose.
- Ensure that the personal information processed is adequate, relevant and limited to the purposes for which it was collected.
- Ensure the personal information is accurate and up to date.
- Keep your personal information for no longer than is necessary for the purpose(s) for which it was collected.
- Keep your personal information securely using appropriate technical or organisational measures.

Your Rights

You have certain rights under the Data Protection Act and the EU General Data Protection Regulations (GDPR), these are:

- The right to be informed via Privacy Notices such as this.
- The right of access to any personal information the council holds about yourself.
- The right of rectification, we must correct inaccurate or incomplete data within one month.
- The right to erasure. You have the right to have your personal data erased and to prevent processing unless we have a legal obligation to process your personal information.
- The right to restrict processing. You have the right to suppress processing. We can retain just enough information about you to ensure that the restriction is respected in future.
- The right to data portability. We can provide you with your personal data in a structured, commonly used, machine readable form when asked.
- The right to object. You can object to your personal data being used for profiling, direct marketing or research purposes.
- You have rights in relation to automated decision making and profiling, to reduce the risk that a potentially damaging decision is taken without human intervention.

Consent

During your contact with the council you will be informed of how you, or your children's, information will be used and shared with other services or organisations.

We will usually seek your consent prior to processing or sharing your information, If you object you must inform the council, however, if there is a legal reason, as outlined under the Data Protection Act, we may not require your consent, for example:

- To protect a child, a vulnerable adult, or member of the public
- Where the disclosure is necessary for the purposes of the prevention and/or detection of crime.
- Tax or duty assessment
- Required by court or law

Where we need to disclose sensitive or confidential information such as medical details to other partners, we will do so only with your prior explicit consent or where we are legally required to. We may disclose information when necessary to prevent risk of harm to an individual.

Details of transfers to third country and safeguards

Your personal and sensitive data will only be stored and processed on servers based within the European Economic Area (EEA).

Data Controller

Plymouth City Council is registered as a data controller with the Information Commissioner's Office (registration number: Z7262171).

Contact details for the council's data controller are:

Data Protection Officer, Plymouth City Council, Ballard House, West Hoe Road, Plymouth PL1 3BJ.
Email: dataprotectionofficer@plymouth.gov.uk