

## Environmental Health Privacy Notice

Environmental health covers a wide range of issues including noise nuisance, public health, housing standards, land contamination, air quality, water quality, port health, pest control, food safety, animal welfare, workplace safety, stray dogs, out of control dogs, dog fouling, fly tipping, smoking, and littering.

### Data Controller

Inverclyde Council is the Data Controller. Inverclyde Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Our head office is located at Municipal Buildings, Clyde Square, Greenock, PA15 1LY.

### Data Protection Officer

If you would like to contact our Data Protection Officer about a data protection matter, please contact the Information Governance Team using the contact details for the Council set out above or by email at [dataprotection@inverclyde.gov.uk](mailto:dataprotection@inverclyde.gov.uk).

### What information do we need?

We collect and process the following information:

- Name
- address
- contact details e.g. phone or email address
- visual images
- video or audio recordings

We also collect and process sensitive information that may include:

- physical health details
- offences (including alleged offences)
- criminal proceedings, outcomes and sentences

The Council may obtain your details as a referral from the following public bodies:

- Public Health Protection Unit (NHS Greater Glasgow and Clyde) – in accordance with the Public Health etc. (Scotland) Act 2008 which places a duty on local authorities and local health boards to co-operate
- Health and Safety Executive (HSE) – the Health and Safety at Work etc. Act 1974 places a duty on local authorities and the HSE to enter arrangements with each other to exchange information
- Food Standards Scotland (FSS) – the Official Feed and Food Controls (Scotland) Regulations allow the exchange and provision of information by FSS and Inverclyde Council for the enforcement of Food Law
- DVLA – Inverclyde Council may obtain the name and address of the registered keeper of a vehicle from the DVLA for any purpose connected with the investigation of an offence, in accordance with Road Vehicles (Registration and Licensing) Regulations 2002

### Why we need this information?

Your information is being collected for the following purposes:

- providing council services and responding to enquiries
- processing and determination of any complaints
- fulfilling our legal obligations
- regulatory, licensing and enforcement functions
- crime prevention and prosecution of offenders, including the use of CCTV
- financial transactions (including processing of grant applications)

- service improvement and planning
- contacting you by post, email, or telephone
- maintaining our records

## Legal basis for collecting and using information

Inverclyde Council collect and process information about you so that the Council can carry out its functions as a Local Authority.

### Performance of a contract

- Provision of pest control services – environmental health offer a chargeable service for the treatment of rats, mice and wasps

### Legal obligation

Inverclyde Council has a legal obligation to process personal data relating to:	Applicable laws include but are not limited to:
Registration of food establishments (joint data controller with Food Standards Scotland)	<ul style="list-style-type: none"> <li>• Regulation (EC) No 852/2004</li> <li>• Regulation (EC) No 2017/625</li> </ul>
Keeping a register of private water supplies	<ul style="list-style-type: none"> <li>• The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017</li> <li>• The Private Water Supplies (Scotland) Regulations 2006</li> </ul>
Keeping a register of explosives storage licences	<ul style="list-style-type: none"> <li>• Health and Safety at Work etc. Act 1974</li> <li>• The Explosives Regulations 2014</li> </ul>
Registration of private landlords (Scottish Government and Registers of Scotland are the joint data processors)	<ul style="list-style-type: none"> <li>• Antisocial Behaviour etc. (Scotland) Act 2004</li> </ul>

### Public task

Inverclyde Council carries out the following tasks in the public interest or in the exercise of official authority:	Applicable laws include but are not limited to:
Protection of the environment	<ul style="list-style-type: none"> <li>• Environmental Protection Act 1990</li> <li>• Clean Air Act 1993</li> <li>• Contaminated Land (Scotland) Regulations 2000</li> </ul>
Health and safety in the workplace	<ul style="list-style-type: none"> <li>• Health and Safety at Work etc. Act 1974</li> </ul>
Food safety enforcement (Joint Data Controller with Food Standards Scotland)	<ul style="list-style-type: none"> <li>• Food Safety Act 1990</li> <li>• The Food Hygiene (Scotland) Regulations 2006</li> </ul>
Investigating complaints of noise	<ul style="list-style-type: none"> <li>• Environmental Protection Act 1990</li> <li>• Antisocial Behaviour etc. (Scotland) Act 2004</li> <li>• Control of Pollution Act 1974</li> </ul>
Detection and investigation of statutory nuisances	<ul style="list-style-type: none"> <li>• Environmental Protection Act 1990</li> </ul>
Protection of public health	<ul style="list-style-type: none"> <li>• Public Health etc. (Scotland) Act 2008</li> <li>• The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017</li> <li>• Water (Scotland) Act 1980</li> <li>• Water Services etc. (Scotland) Act 2005</li> </ul>
Dealing with certain pest problems	<ul style="list-style-type: none"> <li>• Prevention of Damage by Pests Act 1949</li> </ul>
Keeping a record of cooling towers	<ul style="list-style-type: none"> <li>• Health and Safety at Work etc. Act 1974</li> <li>• The Notification of Cooling Towers and Evaporative Condensers Regulations 1992</li> </ul>
Dealing with sub-standard housing	<ul style="list-style-type: none"> <li>• Housing (Scotland) Act 1987</li> <li>• Housing (Scotland) Act 2006</li> <li>• Building (Scotland) Act 2003</li> <li>• Civic Government (Scotland) Act 1982</li> </ul>

Inverclyde Council carries out the following tasks in the public interest or in the exercise of official authority:	Applicable laws include but are not limited to:
Dealing with stray dogs	<ul style="list-style-type: none"> <li>• Environmental Protection Act 1990</li> </ul>
Processing and determination of private water supply grants	<ul style="list-style-type: none"> <li>• The Private Water Supplies (Grants) (Scotland) Regulations 2006</li> </ul>
Enforcement of dog fouling, fly tipping, littering, statutory nuisance, and smoking offences	<ul style="list-style-type: none"> <li>• Dog Fouling (Scotland) Act 2003</li> <li>• Environmental Protection Act 1990</li> <li>• Smoking, Health and Social Care (Scotland) Act 2005</li> </ul>
Processing and determination of certain licences and certificates (including monitoring licence conditions)	<ul style="list-style-type: none"> <li>• Animal Boarding Establishments Act 1963</li> <li>• Breeding of Dogs Act 1973</li> <li>• Pet Animals Act 1951</li> <li>• Riding Establishments Act 1964</li> <li>• Zoo Licensing Act 1981</li> <li>• Caravan Sites and Control of Development Act 1960</li> <li>• The Petroleum (Consolidation) Regulations 2014</li> </ul>
Dealing with out-of-control dogs	<ul style="list-style-type: none"> <li>• Control of Dogs (Scotland) Act 2010</li> </ul>
Alarm key holder registrations	<ul style="list-style-type: none"> <li>• Control of Pollution Act 1974</li> </ul>
Processing and determination of street trader certificates	<ul style="list-style-type: none"> <li>• Civic Government (Scotland) Act 1982</li> </ul>

Where Inverclyde Council processes your information as part of a statutory function for a law enforcement purpose then it is necessary for the performance of a task by a competent authority.

The law gives certain types of information special significance because of its sensitivity e.g. health information. If The Council processes this type of information about you we do so for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law.

### What will we do with your information?

All of the information we collect from you will be processed by staff in the United Kingdom.

Inverclyde Council will sometimes need to share information internally as well as with other organisations, such as the recipients or categories of recipients listed below:

- public bodies such as HMRC or other Local Authorities
- judicial agencies e.g. courts for prosecution of offenders or civil action
- Police Scotland and other law enforcement agencies
- health and social care organisations such as the NHS
- external regulators such as Food Standards Scotland or Health & Safety Executive
- Registered Social Landlords
- Renfrewshire Valuation Joint Board

Inverclyde Council will only share information with these organisations where it is appropriate and legal to do so.

This Council is required by law to participate in National Fraud Initiative (NFI) data matching exercises and information may be provided to the Cabinet Office for NFI purposes and will be used for cross-system and cross-authority comparison for the prevention and detection of fraud.

In general the Council does not transfer personal data outside either the UK or the European Union and on the rare occasions when it does so the Council will inform you. The Council will only transfer data outside the UK and the EU when it is satisfied that the party which will handle the data and the country it is processing it in will provide adequate safeguards for personal privacy.

### How long will we keep your information?

The Council maintains a Policy for the Retention and Disposal of Documents and Records Paper and Electronic which sets out how long we hold different types of information for. This is available on the Council's website at [Data Protection Policy - Inverclyde Council](#) or you can request a hard copy from the contact address previously stated above.

## Your Rights

Your personal data belongs to you and you have the right to:

- withdraw consent at any time, where the legal basis specified above is consent.
- request access to your personal data
- object, where the Legal Basis specified above is: i) public task or ii) legitimate interests
- data portability, where the Legal basis specified above is i) consent or ii) performance of a contract
- request rectification or erasure of your personal data, as so far as the legislation permits
- restrict processing in certain circumstances, for example if the information is not accurate

## Complaints

In addition, if you are unhappy with the way the Council have processed your personal data you have the right to complain to the UK Information Commissioner who can be contacted as follows:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF

Phone: 0303 123 1113 or visit the Information Commissioner's Office's website –[Information Commissioner's Office \(ICO\)](#) but you should raise the issue with the Council's Data Protection Officer first.

## Automated Decision Making

We will not use your data for any automated decision making.

## More information:

For more details on how the Council processes your personal information visit [Privacy - Inverclyde Council](#).

If you do not have access to the internet you can contact the Council via telephone to request hard copies of our documents.