



Trading Standards and Licensing Standards Privacy Notice

Trading standards covers a wide range of issues including consumer protection, trading regulations, age- restricted sales, and animal health.

Licensing standards includes the regulation of alcohol licensed premises, taxi licences, second-hand dealers, metal dealers, late hours catering, and so forth.

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.

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

The Council may obtain your details as a referral from Advice Direct Scotland if you have raised a case with them.

We also collect and process sensitive information that may include:

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

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
- 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.

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:
Consumer protection and trading regulations	<ul style="list-style-type: none"> • Consumer Rights Act 2015 • Consumer Protection Act 1987 • Tobacco and Primary Medical Services (Scotland) Act 2010
Age-restricted sales	<ul style="list-style-type: none"> • Tobacco and Primary Medical Services (Scotland) Act 2010 • Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 • Antisocial Behaviour etc. (Scotland) Act 2004 • Consumer Rights Act 2015
Animal health	<ul style="list-style-type: none"> • Animal Health Act 1981 • Animal Health and Welfare Act 1984 • Animal Health and Welfare (Scotland) Act 2006 • European Communities Act 1972
Licensed premises regulation	<ul style="list-style-type: none"> • Licensing (Scotland) Act 2005
Civic government regulation	<ul style="list-style-type: none"> • Civic Government (Scotland) Act 1982

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

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.