

Privacy notice – trading standards and licensing standards

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, knife dealers, late hours catering, and so forth.

How to contact the Council

Inverclyde Council will act as the 'Data Controller' in regard to your personal information that we collect and process. The 'Data Controller' is based at Inverclyde Council, Information Governance, Municipal Buildings, Clyde Square, GREENOCK, PA15 1LY.

The Council's Data Protection Officer is Andrew Greer who can be contacted at dataprotection@inverclyde.gov.uk and by telephone on 01475 712498.

We collect and process the following types of information:

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

The Council may obtain your details as a referral from Citizens Advice Scotland if you have raised a case with them. Such information has been provided in accordance with their performance of a task carried out in the public interest.

We may 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

The legal basis for using your information

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

Personal Data		
Legal obligation	<i>Inverclyde Council has a legal obligation to process personal data relating to:</i>	<i>Applicable laws include but are not limited to:</i>
	Maintaining a register of feed business establishments	<ul style="list-style-type: none">• Regulation (EC) No 183/2005

Personal Data		
Public task	<i>Inverclyde Council carries out the following tasks in the public interest or in the exercise of official authority:</i>	<i>Applicable laws include but are not limited to:</i>
	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 and feed	<ul style="list-style-type: none"> • Animal Health Act 1981 • Animal Health and Welfare Act 1984 • Animal Health and Welfare (Scotland) Act 2006 • The Feed (Hygiene and Enforcement) (Scotland) Regulations 2005 • European Communities Act 1972 • Regulation (EC) No 183/2005
	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

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 the Council to process it to carry out key functions as set out in law.

What we will do with your information?

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

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

- Public bodies such as HMRC, Office for Products Safety and Standards (OPSS) or other Local Authorities;
- Judicial agencies e.g. courts for prosecution of offenders or civil action;
- Police Scotland and other criminal investigation agencies;
- Health and social care organisations such as the NHS;
- External regulators such as Food Standards Scotland or Health & Safety Executive;

The 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 <https://www.inverclyde.gov.uk/law-and-licensing/freedom-of-information> or you can request a hard copy from the contact address previously stated above.

Your Rights

When you provide information to the Council, you will have the following rights:

- To withdraw consent at any time, where the legal basis specified above is consent
- To request access to your personal data
- To object, where the Legal Basis specified above is: i) public task or ii) legitimate interests
- To data portability, where the Legal basis specified above is i) consent or ii) performance of a contract
- To request rectification or erasure of your personal data, as so far as the legislation permits

In addition, if you are unhappy with the way the Council has processed your personal data you have the right to complain to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. By phone on 0303 123 1113 (local rate) or 01625 545 745. Visit their website for more information at <https://ico.org.uk/concerns> but you should raise the issue with the Council's Data Protection Officer in the first instance.

Automated Decision Making

Not applicable.

More information:

For more details on how the Council processes your personal information visit www.inverclyde.gov.uk/privacy

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