

## Cumbria Trading Standards - Privacy notice

### Your personal data

“Personal data” is any information about a living individual, which allows them to be identified from that data (for example a name, photographs, videos, email address, or address).

Identification can be by directly using the data itself or by combining it with other information, which helps to identify a living individual.

The processing of personal data is governed by legislation relating to personal data, which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR”) and other legislation relating to personal data and rights such as the Human Rights Act.

### What personal information is being processed and what for

Personal information is included within complaints, intelligence and inspection reports, visit sheets, investigative procedures and service requests received by the department in regards to consumer and business related matters, issues and investigations/enquiries into criminal and civil matters as well as ensuring compliance of such with legislation through a variety of activities including visits, inspections and testing.

This will include names, dates of birth, addresses (including email), telephone number, trading details of complainants, consumers, businesses, victims and witnesses. We will process this information in order to carry out our statutory duties/obligations and to ensure compliance with the law and legislation, for public safety interests and the prevention and detection of crime. At times this will include the sharing of information and intelligence with other enforcement agencies and local authorities.

We will record and share details and activities relating to those suspected of criminal offences under investigation.

### Why we are allowed to use your information

The legal basis for using the information you provide us is for:

- The prevention and detection of crime.
- Legal obligation: the processing is necessary for you or others to comply with the law (not including contractual obligations).
- Public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.
- In some circumstances - Vital interests: the processing is necessary to protect someone’s life.

We also use your personal data for some or all of the following purposes;

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services.
- To confirm your identity to provide some services.
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter,);
- To help us to build up a picture of how we are performing.
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions.
- To enable us to meet all legal and statutory obligations and powers including any delegated functions.
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury.
- To seek your views, opinions or comments
- To send you communications which you have requested and that may be of interest to you. These may include information about campaigns, appeals, other new projects or initiatives.
- To allow the statistical analysis of data so we can plan the provision of services.

The information is being processed in the public interest ( GDPR Article 9 (2)(g)) and in fulfilling the statutory duties of Cumbria County Council Trading Standards.

We will usually seek your consent prior to processing or sharing your information, however, if there is a legal reason, we may not require your consent, e.g. where the disclosure is necessary for the purposes of the prevention and/or detection of crime.

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.

## Who we will share your information with

Information will be shared with:

- Internal/External enforcement agencies e.g. HMRC , National Crime Agency, DWP , Illegal Money Lending Team, Insolvency Service, Environment Agency, Licensing, Action Fraud, Environmental Health, Council Tax, Legal Department and Trade Associations.
- Citizens Advice Consumer Service
- National Trading Standards and Regional Investigations Teams
- Local Authority Trading Standards Departments
- Central Government Departments e.g. Office for Product Safety and Standards
- Police Forces and Fire and Rescue services
- Community Safety Partners
- With members of the public under certain Data Protection or Freedom of Information conditions
- We may also need to share your personal data we hold with them so that they can carry out their responsibilities to the council.

## Where we get your information from

From consumers, individuals, witnesses, victims, businesses, internal and external partners and agencies (as above) and enforcement agencies and following initial advice provided by the Citizens Advice Consumer Service.

## How long we will keep your personal information

Any records kept on the internal Trading Standards database will be kept for six years from the date of submission, or six years from the date of resolution of the complaint, and then destroyed. There are a limited number of exceptions to this.

## How your information is stored

Information is stored electronically and physically within controlled Council owned buildings and furthermore within locked secure units or electronic systems/files with secure access for authorised officers only.

## What happens if you don't provide us with your information

If information is not supplied then services, duties and functions of the department will not be fulfilled and complaints/investigations could not be actioned.

## Will your information be used to make automated decisions

Yes. Information may be used in intelligence analysing and problem profiling in order to target resources for inspection regimes and tackling criminal activity, in such cases information will be pseudonymised.

## Will this information be transferred abroad

No

## Your rights

You have a number of rights regarding your personal data, including withdrawing your consent where we have asked for it. You can also ask for a copy of the information we hold about you and ask us to correct anything that is wrong. For detailed information about your rights please see our privacy notice at .....