

Privacy Notice for Environmental Health, Trading Standing and Licensing

This privacy notice is for the use of service users/customers of Herefordshire council's Environmental Health, Trading Standards and Licensing in fulfilment of our responsibility as a data controller under data protection law.

The Environmental Health, Trading Standards and Licensing service are responsible for the following areas:

- Air and Water Quality;
- Animal Health;
- Community Protection: Dog fouling, Littering, Abandoned Vehicles, etc;
- Contaminated Land and Closed Landfill Sites;
- Child Licensing and School Absence;
- Environmental Health Commercial: Food Hygiene, Health & Safety, Infectious Disease, etc;
- Environmental Health Housing;
- Environmental Health Protection: Noise, Odour & Smoke Nuisance;
- General Licensing (including the sale of alcohol etc);
- Gypsy and Travellers;
- Taxi Licensing;
- Technical Support: Call Centre, Data Collection and Information Processing;
- Trading Standards.

Information we collect and use?

In order to provide the Environmental Health, Trading Standards and Licensing service, it is necessary for us to collect and hold personal information about you. This information will include:-

- Name, address, telephone number, email address;
- For individuals and businesses who make an application, the service will also hold details of the date of birth and gender;
- Details of fees paid and fees outstanding;
- For Child Licensing: Parents name, address, along with their contact details and child's place of work;
- For School Absence: school dates missed and reasons given;
- Details of the complaint, incident or issue;
- Details of inspections undertaken (whether compliant or non-compliant);
- Details of advice given together with details of any formal action taken by the department;
- Details of criminal investigation or convictions;
- Type of business being operated; the number of staff employed; the source of water supply (whether public or private);
- For residents on permanent sites, the service will also hold details of benefits claims (i.e. housing benefit), electric, rent and water payments and site arrears data;
- GP name and contact details; date of birth; parents details if the individual affected is a minor; symptoms of the infectious disease; places visited which the disease may be attributed to; details of accident/incident; injury sustained, location and date of accident/incident;
- Details of pests to be treated, advice given and action taken, if applicable - map of premises indicating sites to be treated and location of bait points;
- For taxi drivers, the service will hold previous conviction information, medical history details, details of the vehicles they operate as taxis;
- For landlords: property and tenure details;

- Other Agencies involved;
- Risks and vulnerabilities [for example we will record if there is a risk of violence / we will record if the individual is nervous around men / women] (special category – further details below);
- Health (physical / mental) information (special category – further details below);

Who is processing my data?

All personal data held, is processed in accordance with data protection law. The Data Controller for the information outlined in this privacy notice is Herefordshire Council.

Children Licensing & School Absence:

- Schools and Academy's within Herefordshire may be the Data Controller they hold information which is referred onto Herefordshire Council.

Taxi Licensing

- Hoople who undertake DBS checks on behalf of the authority

Environmental Health Commercial:

- Health and Safety Executive (HSE) may be the Data Controller for accident notifications.
- Gov UK may be the Data Controller where the food business has completed the online Food Business Registration form.
- Public Health England (PHE) may be the Data Controller for infectious disease notifications.

Environmental Health Housing

- DCHLG may be the Data Controller for Rogue Landlord and Property Agent Database.

Trading Standards

- Consumer Helpline (CAB) may be the Data Controller where the consumer has contacted this agency in the first instance.

How will we use the Information we hold about you?

We will collect information about you (where applicable):-

- To deliver an effective Environmental Health, Trading Standards and Licensing service providing advice and support on behalf of Herefordshire Council;
- Where the processing is necessary to comply with legal obligations:
 - for the protection of consumers and local businesses;
 - for the protection of farm animals;
 - for the protection of (vulnerable) adults and children;
 - for the protection of the natural environment;
 - for the protection of council owned land and property;
 - for the prevention and control of disease;
 - for the prevention of pests and protection of wildlife;
- Where the information will be used for the purpose of performing any of our statutory enforcement duties and reporting responsibilities to affiliated government agencies;
- Sign-post you to other services for support (with your consent).
- To prevent or help investigate crime

What is the legal basis for us to process your data?

The legal basis for processing the data is:-

- our legal obligation under Environmental Health, Trading Standards and Licensing related legislation;
- the protection of your vital interests;
- in the public interest or in the exercise of official authority;

Special category data

Special category data is information which is deemed particularly sensitive and which unlawful processing could create risks to you. We need to collect and use the special category data detailed at the start of this form and we are relying on the following lawful basis for this processing:

- Where it is necessary in order for us to carry out our obligations in relation to employment and social security and social protection law;
- Where it is necessary for the purposes of preventive and occupational medicine, for assessment of working capacity of an employee, medical diagnosis or for the provision and management of health or social care systems and treatment.
- Necessary for reasons of public interest in the area of public health;
- Necessary for reason of substantial public interest;
- Necessary for archiving purposes in the public interest, scientific or historic research.

Who we will share your information with?

We use your information to progress requests to access our services, or to administer our function as local authority. Your information may be manually and / or digitally processed through our systems. These may be internal council staff or external staff, other public authorities, contractors and other agencies.

We may share the information we hold with:-

- The Police;
- DEFRA;
- DHCLG;
- DWI;
- APHA;
- BCMS;
- CAB – Consumer Helpline;
- Health & Safety Executive;
- Public Health England;
- Rural Payments Agency;
- Local Hospitals and GP Surgery's;
- RSPCA;
- Her Majesty Customs & Excise;
- Environment Agency;
- Other Local Authorities;
- Her Majesty Customs & Excise;
- Her Majesty Court and Tribunal Service;
- Herefordshire Schools and Academy's;
- Hoople Limited (Herefordshire Council's Strategic Partnership);
- Wye Valley NHS Trust;
- Department of Work and Pensions;
- Utility companies in relation to Gypsy and Traveller plots on Council Owned site;
- Expert Witnesses employed by the Council as part of a prosecution process.

We will not normally share your information with organisations other than our partner organisations without your consent, however, there may be certain circumstances where we would share without consent such as where we are required to do so by law, to safeguard public safety, and in risk of harm or emergency situations. Any information which is shared will only be shared on a need to know basis, with appropriate individuals. Only the minimum information for the purpose will be shared.

How long do we keep your records

We will only keep your information for the minimum period necessary. The information outlined in this privacy notice will be kept for the period required by the council for legal and audit purposes. All information will be held securely and destroyed under confidential conditions.

Your rights

You have a number of rights under data protection law, including the right to request your information and to request that the information be amended or erased if it is incorrect.

To request your records, you will need to put your request in writing and provide proof of identification to the Information Governance Team, Herefordshire Council, Plough Lane, Hereford HR4 0LE or via email, informationgovernance@herefordshire.gov.uk

You also have a right to make a complaint about our handling of your personal data to the Information Commissioner's Office <https://ico.org.uk/>

Providing accurate information

It is important that we hold accurate and up to date information about you in order to assess your needs and delivery the appropriate services. If any of your details have changed, or change in the future, please ensure that you inform us as soon as possible so that we can update your records.

Further information

If you have any questions or concerns about how your information is used, please contact Environmental Health, Trading Standards and Licensing in the first instance on 01432 261761. You can also contact the Data Protection Officer, Carol Trachonitis, at Herefordshire Council, Plough Lane, Hereford HR4 0LE, telephone (01432) 260616, email: informationgovernance@herefordshire.gov.uk

More information about data protection and how it applies to you can be found on the Information Commissioner's Office website at <https://ico.org.uk/>