

Privacy notice – Trading Standards

The Trading Standards Service is committed to protecting and respecting your privacy when you use our services. This privacy policy states out how and when we use personal information in order to be able to assist you with your request or to enable us to investigate fully. Some of this information will be recorded and stored on our systems.

How do we collect information from you?

We collect information from you when you visit www.derby.gov.uk; when you contact us in writing, speak to us on the phone, by email or any other type of electronic communication, or talk to us face to face.

What types of information do we collect from you?

We collect different categories of information about you, depending on the service you want from us and/or the reason why we need to process information relating to you. This could be personal information (for example your name and address), or other more sensitive data that we would only collect and use in very particular circumstances that are set out in law.

Details of information obtained from third parties?

We receive information and referrals that include personal data from a wide range of partners such as HM Revenues and Customs, Public Health England, Food Standards Agency, Defra, Fire and Rescue, the Police and Citizens Advice. We also receive similar information from other Derby City Council Departments, other Local Authorities and members of the public.

How is your information used?

We use the information collected to enable us to contact you in relation to investigation of complaints or to keep you informed on new guidance or legal requirements. In the case of investigations, inspections or complaints, the information may be used to investigate breaches of the law.

We may use your information to:

- process applications
- investigate complaints
- investigate any relevant illegal activity
- check compliance with any licence, permit, consent or registration
- take legal action
- prevent crime
- prevent fraud and misuse of public funds
- issue invoices and process payments
- carry out our statutory obligations
- notify you of changes to our services
- send you communications which you have requested, or that may be of interest to you
- fulfil our legal obligations under-



- Administration of Justice Act 1970
- Agriculture Act 1970
- Agriculture (Miscellaneous Provisions) Act 1968
- Agriculture Produce (Grading and Marking) Act 1928
- Animal Health & Welfare Act 1984
- Animal Welfare Act 2006
- Anti Social Behaviour Act 2003
- Business Names Act 1985
- Business Protection from Misleading Marketing Regulations 2008
- Children & Young Persons Act 1933
- Children & Young Persons (Protection from Tobacco) Act 1991
- Classification, Packaging and Labelling of Dangerous Substances Regulations 1984
- Clean Air Act 1993
- Clean Neighbourhoods and Environment Act 2005
- Companies Acts 1985 and 2006
- Consumer Credit Act 1974
- Consumer Protection Act 1987
- Control of Pollution Act 1974
- Copyright, Designs and Patents Act 1988
- Criminal Justice Act 1988
- Criminal Justice and Police Act 2001
- Criminal Attempts Act 1981
- Consumer Protection Form Unfair Trading Regulations 2008
- Consumer Rights Act 2015
- Control of Horses Act 2015
- Disability Discrimination Act 1995
- Dogs Act 1906
- Education Reform Act 1988
- Energy Conservation Act 1981
- Enterprise Act 2002
- Estate Agents Act 1979
- European Communities Act 1972
- Explosives Act 1875
- Explosives Act 1923
- Explosives (Age of Purchase etc) Act 1976
- Fair Trading Act 1973
- Farm and Garden Chemicals Act 1967
- Food and Environmental Protection Act 1985
- Food Information to Consumers Regulations 2014
- Food Information Regulations 2014
- Food Safety Act 1990
- Food Safety and Hygiene (England) Regulations 2013
- Forgery and Counterfeiting Act 1981
- Fraud Act 2006
- General Product Safety Regulations 2005
- Hallmarking Act 1973
- Health Act 2006
- Health and Safety at Work etc Act 1974
- Insurance Brokers (Registration) Act 1977
- Insurance Companies Act 1981
- Intoxicating Substances (Supply) Act 1985



- Licensing Act 2003
- Magistrates Courts Act 1980
- Medicines Act 1968
- Mock Auctions Act 1961
- Motor Cycle Noise Act 1987
- Offensive Weapons Act 1996
- Petroleum (Consolidation) Act 1928
- Petroleum (Transfer of Licences) Act 1936
- Police and Criminal Evidence Act 1984
- Poisons Act 1972
- Prices Acts 1974 and 1975
- Proceeds of Crime Act 2002
- Property Misdemeanors Act 1991
- Protection of Animals Act 1911
- Protection of Animals (Amendment) Act 1954
- Public Health Act 1961
- Public Health (Control of Disease) Act 1984
- Regulatory Enforcement and Sanctions Act 2008
- Road Traffic Acts 1988 & 1991
- Road Traffic (Foreign Vehicles) Act 1972
- Road Traffic Regulation Act 1984
- Scotch Whisky Act 1988
- Solicitors Act 1974
- Telecommunications Act 1984
- The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013
- Theft Acts 1968 and 1978
- Timeshare Act 1992
- Tourism (Sleeping Accommodation Price Display) Order 1977
- Trade Descriptions Act 1968
- Trade Marks Acts 1938 & 1994
- Trading Representations (Disabled Persons) Act 1958 Trading Stamps Act 1964
- Unsolicited Goods and Services Act 1971
- Video Recordings Act 1984
- Weights and Measures Acts 1976 and 1985
- and all amendments, Orders and Regulations issued for the above legislation

Research & statistics

Anonymised and pseudonymised data may be used for research and statistical purposes. Any data collected may be used for research and statistical purposes that are relevant and compatible with the purpose that the data was collected for.

Who has access to your information?

We do not share your information with anyone else unless we are required to do so by law or it is necessary to provide our services to you. We may share your information with the following:

Internal:

Building Control, Community Safety and Housing – we may pass on information to enable them to meet their statutory obligations.



Environmental Protection – if your enquiry concerns issues that our colleagues may be able to assist you with, for example relating to flue extraction, noise or waste control.

Licensing – we share information with licensing if we consider a license may be required, e.g. sale of alcohol.

Food Safety – we will pass on information to enable them to meet their statutory obligations.

Land Charges – we share information with land charges if we serve a legal notice on a business.

Planning – we may need to pass on information, for example in relation to a new business, where there may be planning implications.

Social Service in relation to safeguarding

External:

Derbyshire Fire and Rescue – we may share information if possible fire safety issues arise during the course of a visit.

Public Health England – we share your information to meet their statutory obligations, especially relating to the investigation of food poisoning outbreaks.

HM Revenues and Customs - we share your information to meet their statutory obligations.

Police – we may share information, in connection with an investigation.

Food Standards Agency – we may share information/intelligence with the national regulators and other Trading Standards Departments to meet their statutory and legal obligations

We will not sell or rent your information to third parties. We will not share your information with third parties for marketing purposes.

We may share information in accordance with the National Fraud Initiative. For more information please refer to <https://www.gov.uk/government/collections/national-fraud-initiative> and <https://www.derby.gov.uk/council-and-democracy/data-protection/nfi/>.

What are your rights in relation the personal data we process?

Access – you can request copies of any of your personal information that is held by the Council.

Rectification – you can ask us to correct any incorrect information.

Deletion – you can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.

Portability – you can ask us to transfer your personal data to different services or to you.

Right to object or restrict processing – you have the right to object to how your data is being used and how it is going to be used in the future.

Right to challenge automated decisions - you have the right to challenge a decision that affects you that has been made automatically without human intervention, for example an online form with an instant decision.

How long will we keep your information for?

The information we collect is carefully stored electronically. Once the business is closed it is retained for seven years.

Information collected to fulfil our responsibility as the Petroleum Authority would be kept indefinitely.



We keep and dispose of all records in line with our record retention schedule; information about this is at <https://www.derby.gov.uk/retention-schedule/>. We will comply with the Data Protection Act 2018.

What security precautions are in place to protect the loss, misuse or alteration of your information?

We are strongly committed to data security and will take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration or corruption. We have put in place physical, electronic, and managerial procedures to safeguard the information you provide to us. However, we cannot guarantee the security of any information you transmit to us. We recommend that you take every precaution to protect your personal information.

Keeping your data up to date

We want to ensure any information we hold is accurate. You can help us by promptly informing us of any changes to the information we hold about you.

Cookies

What are Cookies and why are they used?

Cookies are small text files which identify your computer to our servers. They are used to improve the user experience. View what cookies we use and how you can manage them at <https://www.derby.gov.uk/site-info/about-cookies/>.

Under 13

If you are accessing online services and are under the age of 13, please get your parent/guardian's permission beforehand whenever you provide us with personal information.

Complaints

If you would like to make a complaint regarding the use of your personal data you can contact our Data Protection Officer:

By post: Information Governance, The Council House, Corporation Street, Derby, DE1 2FS

By phone: 01332 640763

By email: Data.protection@derby.gcsx.gov.uk

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

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

Tel: 0303 123 1113 {local rate} or 01625 545 745 if you prefer to use a national rate number.

Alternatively, visit ico.org.uk or email casework@ico.org.uk.

