

Privacy Notice for Environmental Health and Trading Standards

Environmental Health & Trading Standards Manager
Craig Smith

Environmental Health and Trading Standards provides a wide range of services to protect and enhance the health, welfare, environment, safety and trading market places of the people of West Lothian and those using the services obtained from within West Lothian. Because of the diversity of services provided, the information we hold will vary depending on the service required or delivered. This statement outlines what types of information we may hold.

For some types of work, we will provide additional specific details on what information is collected and why.

Information We Hold

Information held about *you*

Depending on the nature of the request to us and the information provided to us, we will hold some or all the following information about you:

- Name and alternative names by which you are known;
- Organisation or business with which you are associated;
- Job Title;
- Address and changes of address, if known;
- Contact details, including telephone number(s), mobile number(s), fax number, e-mail address(es);
- Preferred contact methods and time;
- Relevant web link or address (e.g. of business or organisation)
- Safety notes for our staff;
- Other activity records with which your personal details are associated, which may include:
 - Accidents reported by employers;
 - Public health incidents / investigations;
 - Licensing enquiries and applications;
 - Statutory Notices served on you;
 - Properties with which you are associated e.g. as landlord, owner, agent, factor, manager;
 - Reports to the Procurator Fiscal;
 - Witness to a crime or possible crime;
 - Customer feedback on our Trusted Trader members

For *certain* types of work, we will require and hold some of the following *additional* information about you:

- Date of birth;
- Sex;
- Health information;
- NI number;

- Vehicle Registration;
- Passport Number;
- Unspent convictions; and
- Information associated with 'Fit and Proper Person' checks.

The types of work for which this additional information is required may include, for example:

- Accident Reports;
- Criminal activity associated with a vehicle;
- Immigration requests;
- Infectious disease investigations;
- Customer feedback on our Trusted Trader members;
- Reports to the Procurator Fiscal; and
- Licensing matters

Where you have paid for a service by cheque, we hold a record of the payment for banking purposes. The record holds payee name, account number and sort code.

Information held about *your home or property*

We will hold some or all of the following information about your home or property:

- Complaints or enquiries made about it and matters noted and information gathered during inquiries or investigation;
- Statutory Notices relating to it or a business within;
- Past, present and proposed occupiers of the property

Information held about *business premises and related activity*

We will hold some or all of the following information about your business premises and related activity. Depending on the nature of the business, provision of some of this information is a statutory requirement:

- Business operator and ownership details;
- Inspection records and assessments of compliance;
- Details of person(s) interviewed during course of inspections, and investigations;
- Complaints, enquiries made about the business;
- Customer feedback about the Trusted Trader member business; and
- Statutory notices relating to the business.

Where you have paid for a service by cheque, we hold a record of the payment for banking purposes. The record holds payee name, account no and sort code.

Information held about *your vehicle(s)*

We will hold some or all of the following information about your vehicle(s):

- Vehicle Registration Number;
- Complaints or enquiries made about it and matters noted and information gathered during inquiries or investigation;
- Statutory Notices relating to it or a business within;
- Related licence details.

The reasons for this additional information being required may include:

- Criminal activity associated with a vehicle; and
- Licensing matters

Who is Processing my Data?

All personal information is held and processed by West Lothian Council in accordance with data protection law.

We also use a commercial provider for our case management system. It is a cloud based system using the suppliers data storage services. A data processing agreement is in place strictly controlling the storage and access to data.

How will we use Information we hold about you?

We will use the information we hold about you to allow us to:

- contact you about matters you have raised with us;
- carry out our legal duties and use powers with which we are provided, an outline of which can be found at [‘About Environmental Health and Trading Standards’](#) on www.westlothian.gov.uk;
- share as required and requested with other enforcement authorities /agencies for purposes of crime prevention and detection; public health controls, licensing or consumer protection; and
- offer the opportunity to comment, for quality assurance purposes, on the service just provided.

Who will we Share your Information with?

We do not share personal information unnecessarily or without reason. The reason(s) we share information will inform what degree of information is shared. This is explained further in Appendix 1. We will share, *where necessary or required*, your information with:

Other West Lothian Council services. These may include:

- Education;
- Elected Members (Councillors) in connection with cases in which they are concerned;
- Housing;
- Legal services;
- Operational Services;
- Planning and Building Standards;
- Social Policy;

Other agencies. These may include:

- Crimestoppers;
- Crown Office Procurator Fiscal Service
- Food Standards Scotland/ Food Standards Agency;
- Health and Safety Executive;
- HMRC;
- NHS Lothian;
- Other local authorities and officers authorised by other local authorities;
- Police Scotland;
- Scottish Environment Protection Agency;
- Scottish Fire and Rescue Service; and
- Scottish Water

Contractors working on our behalf, where necessary to deliver the service. These may include:

- Other local authorities;
- Third party secure data handling providers (currently limited to Pest Control);
- Specialist advisors such as vets, and

- Specialist contractors.

Public Registers

The law requires us to make some information publicly available. Public registers published by or held by Environmental Health and Trading Standard include:

- [Building Standards Register \(online\)](#);
- Food business register (no personal information is usually included, unless business is operated from a home address);
- Notice register – Health and Safety;
- Private water supplies;
- Stray dog register (name and address of dog owner is required);

How long do we Keep Records?

We have a written record retention schedule, which is available on request. This identifies the period for which any particular information will be kept. In general terms, records are deleted (electronic) or destroyed (paper):

- **Accident Reports:** When the investigation was completed more than the current year +6 years ago.
- **Inspection Records:** When the inspection took place more than the current year + 6 years ago
- **Prosecution records:** When the case was closed more than the current year +6 years ago
- **Requests for Service:** When the enquiry was completed more than the current year +6 years ago.
- **Statutory Notices, including Fixed Penalty Notices:** When the matter was completed more than the current year +6 years ago.
- **Records of cheques received in payment for services:** When payment was made more than the current year +6 years ago.

In addition, we ensure that the following types of records do not remain on the case management system once associated cases or activities, above, have been removed:

- **Premises records:** When:
 - no related records remain on the case management system following deletion triggered by the retention schedule, or;
 - where no fresh activity has been recorded for current year + 6
- **Name and address records** (entries relating to a person at an address): Records relating to people are deleted when no related records remain on the case management system following deletion triggered by the retention schedule. *This means that no record relating to a person is kept unless there is a case or activity to which it is related remaining on the case management system*

In some cases, the law may specifically require us to do something different, which is covered in more detail in our records retention schedule.

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, in some circumstances, erased if incorrect.

For more information, see <https://www.westlothian.gov.uk/dataprotectionandprivacy>.

Providing Accurate Information

It is important that we hold accurate and up to date information about you in order to carry out our legal duties and responsibilities and to provide you with an effective, efficient service. If any of your details have changed, or change in the future, please ensure that you tell 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 see <https://www.westlothian.gov.uk/dataprotectionandprivacy> in the first instance.

If your enquiry relates to records held by Environmental Health and Trading Standards, please contact:

Information Liaison Officer
Planning, Economic Development and Regeneration
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF
pedsupportservices@westlothian.gov.uk

If your enquiry relates to records held across the council or by other parts of the council, please see <https://www.westlothian.gov.uk/dataprotectionandprivacy>, 'Who we are' for contact information.

More information about data protection and how it applies to you can be found on the [Information Commissioner's Office](#).

Appendix 1: Reasons for Sharing Information

	Obtaining supporting information in relation to a matter being dealt with by EH&TS	Ensuring a joined up / consistent / single response across council services to a matter being dealt with by EH&TS;	Ensuring a joined up / consistent / single response across agencies or other external bodies to a matter being dealt with by EH&TS;	Notifying another service of matter in which it has a locus;	Notifying another agency of matter in which it has a locus;	Transferring a matter being dealt with by EH&TS to another council service.	Transferring a matter being dealt with by EH&TS to another agency.	For the prevention or detection of crime
Other West Lothian Council services. These may include:								
Education	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
Elected Members (Councillors) in connection with cases in which they are concerned	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Housing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Legal services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Operational Services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
Planning and Building Standards	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Social Policy	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		
Other agencies. These may include:								
Crimestoppers	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Crown Office Procurator Fiscal Service	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

	Obtaining supporting information in relation to a matter being dealt with by EH&TS	Ensuring a joined up / consistent / single response across council services to a matter being dealt with by EH&TS;	Ensuring a joined up / consistent / single response across agencies or other external bodies to a matter being dealt with by EH&TS;	Notifying another service of matter in which it has a locus;	Notifying another agency of matter in which it has a locus;	Transferring a matter being dealt with by EH&TS to another council service.	Transferring a matter being dealt with by EH&TS to another agency.	For the prevention or detection of crime
Food Standards Scotland/ Food Standards Agency	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Health and Safety Executive	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
HMRC			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
NHS Lothian	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other local authorities and officers authorised by other local authorities	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Police Scotland	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Scottish Environment Protection Agency	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Scottish Fire and Rescue Service	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Scottish Water	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Contractors working on our behalf, where necessary to deliver the service. These may include:								
Other local authorities	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Specialist advisors such as vets	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

	Obtaining supporting information in relation to a matter being dealt with by EH&TS	Ensuring a joined up / consistent / single response across council services to a matter being dealt with by EH&TS;	Ensuring a joined up / consistent / single response across agencies or other external bodies to a matter being dealt with by EH&TS;	Notifying another service of matter in which it has a locus;	Notifying another agency of matter in which it has a locus;	Transferring a matter being dealt with by EH&TS to another council service.	Transferring a matter being dealt with by EH&TS to another agency.	For the prevention or detection of crime
Specialist contractors.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Data handling contractor (Pest Control)	<input checked="" type="checkbox"/>							