

Privacy Notice for Public Protection

Introduction

This notice is provided within the context of the changes required by the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

This document will therefore be subject to ongoing review to ensure it continues to align with the requirements of all applicable legislation.

Service description

In order for the Thanet District Council Public Protection Team to provide an enforcement service, it is necessary for the council to collect, store and process personal data.

Where we get your information from

The Public Protection Team obtains information from a range of sources, including:

- Food Business Registration Forms
- Food Hygiene Inspection Forms
- Food Complaints
- Health and Safety at Work Complaints
- Events Department
- Licensing Applications
- Planning referrals
- Laboratory Sampling Submittal Paperwork
- Infectious Disease Control Notifications
- Shellfish Registration Forms
- RIDDOR Reporting System
- Data provided via Food Standards Agency, Trading Standards, Public Health England and the Health and Safety Executive

How your information will be used

The information you have shared with Thanet District Council may be used in a number of ways, for example:

- To enable us to meet all legal and statutory obligations and powers including any delegated functions.
- To carry out comprehensive safeguarding procedures in order to protect vulnerable adults and young people.
- To process, investigate and respond to your report or complaint.
- For statistical analysis.
- To comply with Freedom of Information Act 2008 requests.
- To prevent and detect fraud, corruption and criminal activity and where necessary, for law enforcement functions.

- To enable us to meet all legal and statutory obligations and powers including any delegated functions under the Food Safety Act 1990 and associated Regulations.
- To enable us to meet all legal and statutory obligations and powers including any delegated functions under the Health and Safety at Work Act 1974 and associated Regulations.
- To maintain a register of food business establishments as required by EC Regulation 882/2004, Article 31(1) (b).
- To enable us to meet all legal and statutory obligations and powers including any delegated functions under the Caravan Sites and Control of Development Act 1960.
- To process, investigate and respond to complaints
- To investigate cases of infectious disease as required by The Public Health (Control of Disease) Act 1984 (as amended) together with the Health Protection (Local Authority Powers) Regulations 2010 and the Health Protection (Part 2A Orders) Regulations 2010.
- For statistical analysis
- To prevent and detect fraud, corruption and criminal activity and where necessary, for law enforcement functions

What information we hold

In order to provide these services, we may need to process some personal data (name, email, date of birth, telephone number, address information, occupation and gender) as well as some sensitive data, including criminal convictions, racial or ethnic origin, mental or physical health.

Who we will share your information with

We may share your information with and obtain information about you from other agencies, including but not limited to The Food Standards Agency, Trading Standards, The Health and Safety Executive, Public Health England, Association of Inshore Fisheries and Conservation Authorities, Kent Police and Kent County Council.

We will not share your information with any other person or company, except where required to do so by law; or where you have consented for the information to be shared.

The legal basis for collecting and processing your information

Local authorities can use information to carry out task that are in the public interest, as well as to provide services that we are under a statutory obligation to provide. Most personal information is processed in order to comply with a legal obligation¹.

Some Acts of law provide a duty to share information, these include:

¹ Under Article 6 of GDPR

- To enable us to meet all legal and statutory obligations and powers including any delegated functions under the Food Safety Act 1990 and associated Regulations.
- To enable us to meet all legal and statutory obligations and powers including any delegated functions under the Health and Safety at Work Act 1974 and associated Regulations.
- To maintain a register of food business establishments as required by EC Regulation 882/2004, Article 31(1) (b).
- To enable us to meet all legal and statutory obligations and powers including any delegated functions under the Caravan Sites and Control of Development Act 1960.
- To investigate cases of infectious disease as required by The Public Health (Control of Disease) Act 1984 (as amended) together with the Health Protection (Local Authority Powers) Regulations 2010 and the Health Protection (Part 2A Orders) Regulations 2010.
- Regulation (EC) 853/2004 - Article 7 Annex III – The requirement for the Council to issue and record shellfish landings through its ports.

Additional lawful basis for processing other categories of data

Some of the information that is collected is classified as **special category personal data** or personal data consisting of **criminal convictions and offences** (including alleged offences).

In order to process special category of data, the Council needs to have an additional lawful basis to above. In this instance, special category of data is processed² for exercising specific rights of the council (under the regulations listed above). And where the Council collects and process criminal convictions information, this is done lawfully under the provisions of the Data Protection Act 2018 (DPA)³.

How long we keep your personal information

We will endeavour to only keep information for as long as it is needed in accordance with Thanet District Council Retention Policy. However, some records will need to be retained for an appropriate period, for example financial records need to be kept for 7 years and prosecution files retained for 6 years.

Once information is no longer required, it will be deleted or destroyed confidentially.

Your rights

The Data Protection Act 2018 in conjunction with the General Data Protection Regulation (GDPR) grants a number of other rights. These include the right to rectify errors in your

² Under Article 9 of GDPR

³ The DPA 2018 [Part 2, para. 5 (1&2) and para. 6(1&2)] supplements the GDPR by providing the legal basis for processing criminal convictions and offences. In the Council's case, as a 'public authority' and when it is in the public interest to do so.

records, the right to withdraw consent given to process your data, and the right to have your data erased when you have withdrawn consent.

You have the right to be told if we have made a mistake whilst processing your data and we will self-report breaches to the Information Commissioner.

The Council's General Privacy Notice can be found at: <https://www.thanet.gov.uk/privacy-statement/>

Further information

If you would like to know more about how we use your information, please contact the Data Protection;

Officer (DPO) at Thanet District Council:
Data Protection Officer
Thanet District Council
Cecil Street
Margate
CT9 1XZ
Email: dataprotection@thanet.gov.uk
Tel: 01843 577 000

How do I Complain?

If you wish to complain about how we are processing your personal information please contact:

The Data Protection Officer
Thanet District Council
Cecil Street,
Margate
CT9 1XZ
Email: dataprotection@thanet.gov.uk
Tel: 01843 577000

You also have the right to complain to the Information Commissioner's Office, at:

The Information Commissioner
Wycliffe House, Water Lane, Wilmslow, Cheshire
SK9 5AF
Tel: 0303 123 1113
Website: www.ico.org.uk