

# Worcestershire Trading Standards Service Privacy Notice

This privacy notice applies to the Worcestershire Trading Standards Service provided by Worcestershire County Council and should be read in addition to Worcestershire County Council's [Full Privacy Notice](#).

The privacy notice will cover:

- [Purpose for processing](#)
- [Personal information collected and lawful basis](#)
- [Who we may share your information with](#)
- [How long we will hold your information](#)
- [Your information rights](#)

## Purpose for processing

The Privacy Notice below explains how Worcestershire Trading Standards Service uses information about you and the ways in which we protect your privacy.

The services process personal information in order to enable it to discharge a range of duties that the County Council is required by law to be undertaken, either directly or jointly, with partners and commissioned private and third sector providers. This includes:

- Receiving and investigating consumer complaints
- Intelligence and inspection reports
- Visit sheets
- Investigative procedures and service requests received by the department regarding consumer and business-related matters
- Issues and investigations/enquiries into criminal and civil matters
- Ensuring compliance with legislation through a variety of activities including visits, inspections and testing

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

- To deliver public services including understanding your needs to assist with the provision of tailored services
- To confirm your identity to provide some services
- To contact you by post, email, telephone or using social media (e.g., Facebook, X)
- To help us assess the quality of our services and evaluate and improve our policies and procedures
- For safeguarding procedures (including due diligence and complaints handling) in accordance with best practice, ensuring that children and adults-at-risk are given safe environments and to protect individuals from harm or injury
- 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

## Personal information collected and lawful basis

The service processes personal information relevant to individual cases, which may include, but is not limited to, the following:

- Name
- Date of birth / age
- Gender
- Marital status
- Addresses (including email)
- Telephone number
- National Insurance Numbers
- Job/profession and other information about employment history and current employment
- Photographs, audio and video records
- Income and financial records
- Other details of complaints, consumers, businesses, victims, and witnesses
- Any other personal data you disclose to us

We may also process some special category (sensitive) data, which is relevant to individual cases and may include some of the following but is not limited to:

- Racial or ethnic origin
- Political opinions
- Religious or philosophical beliefs
- Trade union membership
- Genetic and biometric data
- Sexual orientation
- Health
- Criminal offence data

The legal bases for processing this personal data are:

- **Legal obligation** (UK GDPR Article 6(1)(c)) – processing is necessary to comply with the law, including but not limited to:
  - Consumer Protection Act 1987
  - The Consumer Protection from Unfair Trading Regulations 2008
  - Consumer Rights Act 2015
  - Enterprise Act 2002
  - Trade Marks Act 1994
  - Weights and Measures Act 1985
- **Vital interests** (UK GDPR Article 6(1)(d)) – processing is necessary to protect someone's life (in limited circumstances)
- **Public task** (UK GDPR Article 6(1)(e)) – processing is necessary for the performance of a task carried out in the public interest or in the exercise of our official authority under legislation

The special category condition for processing is:

- **Vital interests** (UK GDPR Article 9(2)(c)) – processing is necessary to protect the vital interests of an individual (in limited circumstances)
- **Legal claims and judicial acts** (UK GDPR Article 9(2)(f)) – processing is necessary for the establishment, exercise or defence of legal claims
- **Substantial public interest** (UK GDPR Article 9(2)(g)) – we rely upon the ‘preventing or detecting unlawful acts’, ‘protecting the public against dishonesty etc.’ or ‘preventing fraud’ as the conditions from Schedule 1 of the Data Protection Act 2018

In respect of the use of information about criminal convictions and offences, our lawful bases for processing criminal offence data under Schedule 1, Part 3 of the Data Protection Act 2018 are where processing is necessary for:

- Protecting individual’s vital interests
- Personal data in the public domain
- Legal claims
- Extension of conditions in Part 2 of Schedule 1 of the Data Protection Act 2018, including: preventing or detecting unlawful acts, protecting the public against dishonesty and preventing fraud.

Trading Standards will also process personal information for law enforcement purposes (Part 3 of the Data Protection Act 2018), the legal basis for this processing is:

- Processing is necessary for the performance of a task carried out for that purpose by a competent authority (Data Protection Act 2018 Section 35 (2)(b))

## Who we may share your information with?

We may need to share the personal information you have given to us or we’ve collected about you with partner organisations where relevant to the individual and/or their care provision. These include but are not limited to:

- Internal/external enforcement agencies, for example: Her Majesty’s Revenue and Customs, National Crime Agency, DWP, Financial Conduct Authorities Illegal Money Lending Team, Insolvency Service, Environment Agency, Licensing, Action Fraud, Environmental Health, Council Tax
- 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

Information will only ever be shared when it is strictly necessary to help us provide effective services and you may have the right to refuse. We will not pass it onto any other parties unless required to do so by law or in all reasonable circumstances the disclosure is fair and warranted for the purposes of processing or subject to a data protection exemption.

We have specific data sharing agreements in place with some agencies and sometimes the law requires that we may have to pass your details on to a third party, for example, to prevent crime.

## How long we will hold your information

The standard record retention for the information identified above is 6 years from the date it is collected or date of resolution.

More information about our retention periods can be found in our Retention Schedule or the Council's [summary Disposal Schedule](#).

Please note stated retention periods may be subject to any legal holds imposed under the Inquiries Act 2005 that may concern the information and override standard retention periods.

## Your information rights

You are entitled to a copy, or a description, of the personal data we hold that relates to you, subject to lawful restrictions. Please go to our [Make a Data Protection Request webpage](#) to find out how to make a request.

You may be entitled to rectification, restriction, objection, and erasure of your personal information depending on the service and legal basis. Please in the first instance contact [TSEnquiries@worcestershireTS.gov.uk](mailto:TSEnquiries@worcestershireTS.gov.uk) or Telephone: **01905 822 799** to exercise these Information Rights or call the main Worcestershire County Council contact telephone number of **01905 765765**.

Please see our overarching Privacy Notice (<http://www.worcestershire.gov.uk/privacy>) for further contact details and if you have a complaint about your information rights.

## Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on this web page. This Notice was last updated on 14 March 2015.