



Privacy Notice: Public Protection

Introduction

Under data protection legislation, you have the right to be informed if your personal data is being used. This privacy notice is intended for members of the public who use Warrington Borough Council Public Protection Services who are responsible for the following:-

- Environmental Health
- Trading Standards
- Licensing
- Environmental Crime
- Planning Enforcement

Who Will Be Responsible For My Data Once It Is Collected?

The Public Protection Service which is part of Warrington Borough Council will be responsible for the data once it is collected.

Why Do You Need My Information?

We need your information in order to perform our public tasks and official functions and duties under various regulatory and licensing regimes. It may also be required to process a payment for services, to send booking confirmations and payment receipts, to update you on your service request or application, inform you of any changes or updates in relation to any licences you may hold and where appropriate, to send customer service updates and reminders.

Examples of where we will collect personal data includes but is not exclusive to: -

- When you make a complaint about a potential breach of the law and where processing is necessary for the prevention and or detection of crime.
- When we are subject to legal requirements placed on us.
- When we investigate complaints or concerns made about you as an individual, your property or your business.
- When we carry out visits to both private and commercial premises
- When we acquire evidence as part of an investigation
- When you apply for a license, permit or consent.
- When you pay for services we provide
- When you attend a training course
- Where we maintain statutory registers.
- Where we communicate with you and or survey our customers
- Where we provide service updates in the forms of letters, emails and newsletters relevant to your trade and/or license conditions.

- Where you have consented to the processing if this is not covered by public task or contract for example if you choose to opt in to email news and alerts such as those provided by the Warrington Consumer Alert Network (iCAN) or any other alerts that the public protection team may provide.

Please note: we may sometimes obtain information from third parties including but not limited to responsible agencies such as the Police and Fire Service, solicitors, the Citizens Advice Consumer helpline, other customers and members of the public. If you raised your complaint or sought advice via the Citizens Advice Consumer Helpline service, your personal data will have been supplied to us by them if you consented to this at the time.

What Allows You To Use My Information?

Personal Information

The lawful basis for processing the information is Article 6 of the GDPR 'Lawfulness of Processing' (Section 1, e))

(e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

Where you have opted to sign up for Warrington Consumer Alert Network (iCAN) alerts for the purpose of receiving alerts regarding any or all of the following:-

- Education or training
- Free services
- Acting as our eyes and ears
- Scams/consumer information
- Social events organised by the council, charities or voluntary groups

The lawful basis for processing the information is Article 6 of the GDPR 'Lawfulness of Processing' (Section 1, a))

(a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.

Special Category Data

The lawful basis for processing the information is Article 10 of the GDPR 'Preventing or detecting unlawful acts'

Article 10(1) This condition is met if the processing—

(a) is necessary for the purposes of the prevention or detection of an unlawful act,

(b) must be carried out without the consent of the data subject so as not to prejudice those purposes, and

(c) is necessary for reasons of substantial public interest.

The functions that may involve officers taking steps to establish whether another person has committed an unlawful act, or been involved in dishonesty, malpractice or other seriously improper conduct include (but are not limited to):

- Trading Standards
- Alcohol and entertainment Licensing
- Animal Licensing
- Businesses and markets licensing
- Food licensing
- Gambling and lottery
- Hazardous materials licensing
- HMO Licensing
- Taxi and private hire licensing

What Type of Information Will Be Processed?

The information we will process will be your personal information. The amount of detail/information that we need is dependent on the level of support or the specific service you require.

The data we may collect includes:

- your name, address, telephone number and email address when you contact us, if this has not already been provided
- details of assistance you have requested
- your credit/debit card details if you pay for goods or services, or bank details if this forms part of proceeds of crime investigation.
- names and addresses of a business or person(s) complained or enquired about
- details collected as part of our inspections and visits, investigations and enforcement actions
- We may also be provided with information from another organisation or regulator where you gave consent for that to happen.

We may disclose personal information to third parties, where it is required by law or allowed under the Data Protection Act. The Council may also use and publish your personal data after it has been anonymised, to allow the statistical analysis of data so the Council can effectively target and plan the provision of services.

Who Will My Information Be Shared With?

We take your privacy seriously and will not share your personal data unless it is strictly necessary. We do not sell your personal data to third parties.

Examples of circumstances when we may share your personal data include:

- Statutory responses to Government agencies or to other departments of the Council for the purposes of fulfilling their public task and legal obligations of the Council.
- As part of our legal responsibility to disclose relevant information as part of a legal prosecution.
- Sharing with contractors who provide services on our behalf
- Where your personal data can be seen as part of an inspection or audit of our services

- Where we are required to share details of people objecting to licenses or consents with the applicant

We must protect public funds and may use personal data and data-matching techniques to detect and prevent fraud, collect taxes and ensure public money is targeted and spent in the most appropriate and cost-effective way.

To do this, your personal data may be shared with other bodies responsible for auditing or administering public funds, including the Department for Work and Pensions, HM Revenue and Customs, the Police and other local authorities.

Do I Have To Provide This Information And What Will Happen If I Don't?

You do not have to provide information to us, however if you choose not to share or submit your information, we may not be able to uphold our services to you for example, we may not be able to undertake any appropriate licencing activity.

How Long Will You Keep This Data For And Why?

We keep your personal data in accordance with our retention policy and in most cases this means it is retained for 6 years in line with the Limitations Act 1980, in case it's required for legal purposes.

Environmental information about land and air quality is retained indefinitely in order to maintain a historical record.

We hold personal data about those we licence or register for as long as they hold their license or registration.

How Will My Information Be Stored?

The information will be stored either electronically or in a paper record. The information will be stored securely within a secure UK data centre.

What Rights Do I Have When It Comes To My Data?

Under the General Data Protection Regulation, you might have more rights about what happens with your data. As different rights apply in different situations each request will be assessed on a case by case basis.

You have the right under the Data Protection Act 2018 (General Data Protection Regulation) to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access.

To request a copy of your data or ask questions about how it is used, please look at our [webpages on Requests for Information](#).

Who Can I Complain To If I Am Unhappy About How My Data Is Used?

If you are not satisfied with how your data has been or is being used, or if the information held about you is incorrect, you should email or write to Warrington Borough Council outlining your concerns.

If you then wish to make a complaint then please contact us using one of the methods below:

Use the [online complaints form](#)

- Email us at contact@warrington.gov.uk
- ☎ Phone us on: 01925 443322
- Write to us at: Contact Warrington, PO Box 5, New Town House, Warrington WA1 2NH
- Visit us at: Contact Warrington, 26-30, Horsemarket Street, Warrington WA1 1XL

You also have the right to complain to the Information Commissioner's Office using the following details: -

The Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

Telephone: 0303 123 1113

Website: www.ico.org.uk

Will This Information Be Used To Take Automated Decisions About Me?

No, the information will not be used to take any automated decisions about you.

Will My Data Be Transferred Abroad and Why?

No, your data will not be transferred abroad