

Privacy notice- Food and health and safety team (commercial safety)

Legal basis for processing

The Food and Health and Safety team uses personal identifiable information about residents, businesses and users of its services to enable it to carry out specific functions relating to food safety, health and safety and public health and for which it is responsible.

Any personal information processed by the team is done so under Article 6(1)(e) of the General Data Protection Regulations (GDPR), because it is necessary to enable us to exercise our official authority, for example to undertake our various statutory functions, duties or powers as laid down by law. Any sensitive data (special category data) is only processed when it also falls under condition (g) of Article 9(2) of the GDPR, for example where the processing is necessary for reasons of substantial public interest on the basis of legislation for which the team have statutory obligations.

Examples of the legislation under which the team have legal responsibilities include, but is not limited to:

- Food and Environmental Protection Act 1985
- Official Feeds Food Controls(England) Regulations 2009
- Food Safety Act 1990
- Products of Animal Origin(Import and Export) Regulations 1996
- Food Safety and Hygiene(England) Regulations 2013(as amended)
- Products of Animal Origin(third country imports)(England)(amendment) Regulations 2010
- Health Act 2006(Part 1) and any other Regulations made thereunder
- Public Health (Control of Disease) Act 1984
- Health and safety at work Act 1974
- Health Protection(Part 2A Orders) Regulations 2010
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982

The department also processes criminal offence data under Article 10 of the GDPR and maintains a comprehensive register of criminal convictions. It does so in its official capacity having regard to its enforcement duties.

The type of personal information we collect

The type of personal information processed by the team depends on the specific function being undertaken. In the majority of situations it is restricted to any of the following:

- Your name, address, contact telephone number, contact email address
- Your date of birth, NHS number, other national identifier

- Details of conversations and correspondence between you and the team
- Information about you, your family, or other members of your household
- Details about your lifestyle and social circumstances
- Employment and education details

It may at times however include more sensitive information such as:

- The names and contact details of your close relatives and/or carers
- Your physical and mental health details
- Details of any health, social care or other services you are accessing
- Details of any relevant vulnerabilities or risks to your health or wellbeing
- Information about your situation given to us by your family, carers or other agencies
- Details of any communication needs you may have
- Details of your legal status, for example: immigration and power of attorney
- Details of any relevant offences (including alleged offences)
- Details of any relevant criminal proceedings, outcomes and sentences

Sharing your data

In carrying out its statutory obligations, the team may need to share your personal information with other council services as well as other external organisations such as government bodies, the police, health organisations and educational establishments. In all such circumstances, the team ensures that the processing is proportionate to the aim pursued and that appropriate safeguards are in place to protect the data processed.

We only share personal information on a strict need to know basis for the purposes of minimising public and environmental health risks and ensuring that individuals receive the support that they need. Personal information may also be shared if there is a lawful reason to do so for crime prevention or detection purposes or where it is in the interest of maintaining public safety.

Retention

The personal information held by the team will be deleted when it is no longer needed in accordance with the timescales specified in the team's information asset register, a copy of which is available on request. After this time, your personal information will be deleted and paper copies shredded.

Your rights

You have the right as the data subject to access your data. If you feel the data we hold is inaccurate or incomplete, you are entitled to have your personal data rectified. In some instances you may also have the right to have your personal data deleted; unless there is a legal obligation to retain it. Please contact the

council's Data Protection Officer Joanne Billington on 01253 887372 or visit wyre.gov.uk for further information.

You also have the right to contact the [Information Commissioner](#) if you are unhappy with how we are handling your personal data.