



## Privacy Notice Cumbria Trading Standards

When processing your personal data, the council is required under Articles 13 and 14 of the General Data Protection Regulation (GDPR) to provide you with the information contained in this document.

### Data Controller

<b>Name</b>	Cumbria County Council
<b>Address</b>	Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD
<b>Registration Number</b>	Z5623112

You can search the Information Commissioner's Register of Fee Payers at:  
<https://ico.org.uk/about-the-ico/what-we-do/register-of-fee-payers/>

### Data Protection Officer

The council's Data Protection Officer is Claire Owen. You can contact the Data Protection Officer by:

Email: [dataprotection@cumbria.gov.uk](mailto:dataprotection@cumbria.gov.uk)  
Post: Cumbria County Council, Legal and Democratic Services, 1<sup>st</sup> Floor, Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD  
Online: [Contact Form](#)

### Purpose

Trading Standards is responsible for creating and maintaining a safe and fair-trading environment for products and services, where businesses can operate and grow and consumers can engage in their economic activity with confidence.

We provide advice to businesses to support compliance with complex regulations to protect their businesses and support good customer service.

We investigate complaints and undertake inspections and testing. We prevent, detect, and prosecute crime.

## Data Collection

While providing services we collect data from our customers in the following ways:

- complaints
- enquiries
- investigative procedures
- service requests
- visits

## Data Types

The following data is required to meet legal obligations and to enable officers to reach informed and robust recommendations and decisions:

- personal identifiers, contacts and characteristics (such as name, email address, contact details and postcode)
- details of complainants, consumers, businesses, victims and witnesses
- criminal offences data.

We will process this information in order to carry out our statutory duties and ensure compliance with the law, for public safety interests and the prevention and detection of crime.

We may also collect, store and use the following 'special categories' of more sensitive personal information:

- racial or ethnic origin
- political opinion
- religious beliefs or other beliefs of a similar nature
- membership of a trade union
- genetics
- biometrics (where used for ID purposes)
- physical or mental health or condition
- sexual life

## Legal Basis for Processing Data

When we collect your personal data (such as name, age, address) we rely on the following legal bases:

- **GDPR Article 6(1) (c) Legal Obligation**

Where the council is relying on GDPR Article 6(1)(c) all [Relevant Legislation](#) is listed below.

When we collect your 'special categories of personal data', (such as health, race, ethnicity, sexual orientation) we rely on the following legal bases:

- **GDPR Article 9(2) (a) Explicit consent**

## Relevant Legislation

These legal bases above are underpinned by acts of legislation that dictate what actions can and should be taken by local authorities, including:

- Consumer Rights Act 2015
- Unfair Trading Regulations 2008
- Food Information Regulations 2014
- General Product Safety Regulations 2005
- Enterprise Act 2002
- Trademarks Act 1994
- Weights and Measures Act 1985.

## Automated Decision-Making/Profiling

We do not use your information for automated decision-making or profiling purposes.

## Data Transfers

Your personal data is not transferred to a third country or international organisation.

## Redaction

We operate a policy where we routinely redact the following details before making forms and documents available online:

- contact details e.g. telephone numbers, email addresses
- signatures
- personal or special category data
- information agreed to be confidential or commercially sensitive

Occasionally it may be considered necessary, justified, and lawful to disclose data that appears in the list above. In these circumstances the council will make all reasonable efforts to contact you if this processing is going to have an impact on your rights or privacy.

## Data Sharing

We may share your information with the following organisations:

- Internal/External enforcement agencies e.g. HMRC, National Crime Agency, DWP, Illegal Money Lending Team, Insolvency Service, Environment Agency,

Licensing, National Intelligence Databases, Action Fraud, Environmental Health, Council Tax, Legal Department and Trade Associations.

- 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
- Public interest disclosures under the Freedom of Information Act/Environmental Information Regulations

While responding to your enquiries or complaints it may be necessary to share your personal data with other parts of the council or other public bodies or organisations.

The council will make all reasonable efforts to contact you if this processing is going to have an impact on your rights or privacy.

## Data Security and Retention

All of the information you give us will be kept safe and secure whether it is written or on a computer system. We will treat any personal information confidentially and will comply with the Data Protection Act 2018. This means that if we keep any of your personal data we must:

- tell you what information we need to collect from you
- only use the information for the reason we have agreed with you
- not ask for more information than we need to provide the services
- let you see any information we have collected about you, on request
- keep the information safe, secure and confidential
- personal information will be deleted in accordance with council policy

The information you supply will be kept on a secure council system and can only be accessed by authorised employees within the Trading Standards Team.

## Your Rights - Data Subject Access

The General Data Protection Regulation (GDPR) provides you with the right to access information the council, as a public authority holds about you. Upon receipt of a valid request the council will:

- provide you with a response within one month,
- let you know if your request is subject to an extension,
- make reasonable efforts to comply with the format of your request,
- inform you if your request is going to be refused or a charge is payable.

You can make a Data Subject Access Request by contacting:

Email: [information.governance@cumbria.gov.uk](mailto:information.governance@cumbria.gov.uk)  
Post: Cumbria County Council, Information Governance Team  
Parkhouse, Baron Way, Carlisle CA6 4SJ  
Telephone: (01228) 221234  
Online: [Contact Form](#)

## Your Rights - Other

In addition to your right of access the General Data Protection Regulation (GDPR) also gives you the following rights:

- the right to be informed via the council's Privacy Notice,
- the right to withdraw your consent. If we are relying on your consent to process your data, then you can remove this at any point,
- the right of rectification, we must correct inaccurate or incomplete data within one month,
- the right to erasure. You have the right to have your personal data erased and to prevent processing unless we have a legal obligation to process your personal information,
- the right to restrict processing. You have the right to suppress processing. We can retain just enough information about you to ensure that the restriction is respected in future,
- the right to data portability. We can provide you with your personal data in a structured, commonly used, machine readable form when asked,
- the right to object. You can object to your personal data being used for profiling, direct marketing or research purposes,
- you have rights in relation to automated decision making and profiling, to reduce the risk that a potentially damaging decision is taken without human intervention.

Where our processing of your personal data is based on your consent, you have the right to withdraw your consent at any time. If you do decide to withdraw your consent, we will stop processing your personal data for that purpose, unless there is another lawful basis we can rely on – in which case, we will let you know. Your withdrawal of your consent won't impact any of our processing up to that point.

Where our processing of your personal data is necessary for our legitimate interests, you can object to this processing at any time. If you do this, we will need to show either a compelling reason why our processing should continue, which overrides your interests, rights and freedoms or that the processing is necessary for us to establish, exercise or defend a legal claim.

Unless otherwise stated above you can exercise any of these rights by contacting:

Email: [dataprotection@cumbria.gov.uk](mailto:dataprotection@cumbria.gov.uk)  
Post: Cumbria County Council, Legal and Democratic Services, 1<sup>st</sup> Floor,  
Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD  
Online: [Contact Form](#)

## Verifying Your Identity

When exercising the rights mentioned above please be aware that under GDPR Article 12(6) additional information can be requested to verify that you are the data subject if your identity is unconfirmed. Please note that:

- additional documentation is only required when the council cannot verify your identity using internal council systems that relate to the service you are requesting information about,
- the council will contact you for this documentation prior to processing your request,
- the statutory deadline for responding to your request will start when you have provided the additional documentation,
- failure to provide additional documentation may lead to the council rejecting your request.

## Complaints

If you have any concerns about the information contained in this Privacy Notice please contact: [trading.standards@cumbria.gov.uk](mailto:trading.standards@cumbria.gov.uk).

If you have concerns about the way the council has processed your data, please contact the council's Data Protection Officer via:

Email: [dataprotection@cumbria.gov.uk](mailto:dataprotection@cumbria.gov.uk)

Post: Cumbria County Council, Legal and Democratic Services, 1<sup>st</sup> Floor, Cumbria House, 117 Botchergate, Carlisle, Cumbria CA1 1RD

Online: [Contact Form](#)

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law you can complain to the Information Commissioner's Office (ICO): <https://ico.org.uk/make-a-complaint/your-personal-information-concerns/>