



## Privacy Notice – Environmental Health

### Introduction

East Suffolk Environmental Health team have provided this privacy notice to help you understand how we collect, use and protect your information whilst we provide you with services related to environmental pollution, health and safety, waste management, community and public safety, pest control, food hygiene, infectious disease control, contaminated land, animal welfare, scrap metal licensing and regulating private water supplies.

The document below will describe how we may collect and process your personal information.

The purpose of this document is to clearly acknowledge the Council's responsibilities in relation to the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

### Definitions

**Personal Data** means any information related to an identified or identifiable natural (living) person ('**data subject**') i.e. a person that can be directly or indirectly identified by reference to a name, ID reference number, email address, location data, or physical, physiological, genetic, mental, economic, cultural or societal identifier

**Special Personal Data** previously known as 'sensitive personal data', relates to race, ethnic origin, politics, religion, trade union membership, genetic data, biometric data, health, sex life or sexual orientation. Records of criminal personal data must also be treated in a similar way.

**Data Controller** determines the purposes and means of processing personal data.

**Data Processor** is responsible for any operation which is performed on personal data on behalf of the controller e.g. collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or making available, alignment or combination, restriction, erasure or destruction.

**Third Party** is someone / somebody who is not the Data Controller, the Data Processor or the Data Subject.

### Who we are

We are the Environmental Health team employed by District tier local authority for the purpose of performing statutory functions related to environmental pollution, health and safety, waste management, community and public safety, pest control, contaminated land, food hygiene, infectious disease control, animal

welfare, scrap metal licensing and regulating private water supplies.

The Council is the 'data controller' for the information which is collated and processed. This means we are responsible for deciding how we can use your information. If you want more information regarding the services delivered, please go to our [website](#).

The Council regards lawful and correct treatment of personal information as critical to their successful operations, maintaining confidence between the Council and those with whom they carry out business. The Council will ensure that they treat personal information correctly in accordance with the law.

The vast majority of the services provided by us which require the collection and processing of personal information are governed by the many acts of Parliament and statutory instruments which create the need for those services. These include (but are not limited to):

Animal Boarding Establishments Act 1963, Animal Health and Welfare Act 1984, Animal Welfare Act 2006, Anti Social Behaviour Act 2003, Anti-Social Behaviour, Crime and Policing Act 2014, Breeding and Sale of Dogs Welfare Act 1999, Breeding of Dogs Act 1973, Breeding of Dogs Act 1991, Building Act 1984, Caravan Sites and Control of Development Act 1960, Clean Air Act 1993, Clean Neighbourhoods and Environment Act 2005, Contaminants in Food (England) Regulations 2010, Contaminants in Food (England) Regulations 2013, Control of Dogs Order 1992, Control of Pollution (Amendment) Act 1989, Control of Pollution Act 1974, Dangerous Dogs Act 1991, Dangerous Wild Animals Act 1976, Environment Act 1995, Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2002 (as amended), Environmental Protection Act 1990, Environmental Permitting (E&W) Regulations 2010, Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016, European Communities Act 1972, European Community Regulation 853/2004, Fisheries Act 1981, Food Additives (England) Regulations 2009, Food Additives, Flavourings, Enzymes and Extraction Solvents (England) Regulations 2013, Food and Environment Protection Act 1985, Food Irradiation (England) Regulations 2009, Food Safety (Ships and Aircraft) (England and Scotland) Order 2003, Food Safety (Ships and Aircraft) (England) Order 2003, Food Safety Act 1990, Food Safety and Hygiene (England) Regulations 2013, General Food Regulations 2004, Guard Dogs Act 1975, Health Act 2006, Health and Safety at Work etc. Act 1974 and regulations made thereunder), Health Protection (Local Authority Powers) Regulations 2010, Hydrogen Cyanide (Fumigation of Buildings) Regulations 1951, Hydrogen Cyanide (Fumigation of Ships) Regulations 1951, Import and Export Restrictions (Foot and Mouth Disease) Regulations 2007, Kava-Kava in Food (England) Regulations 2002, Land Drainage Act 1991 & 1994, Licensing Act 2003, Local Government (Miscellaneous Provisions) Act 1982, Local Government (Miscellaneous Provisions) Act 1976, Local Government and Housing Act 1989, Materials and Articles in Contact with Food (England) Regulations 2012, Meat (Enhanced Enforcement Powers) (England) Regulations 2000, Medicines Act 1968 (and regulations made thereunder), Microchipping of Dogs (England) Regulations 2014, National Assistance Act 1947, National Assistance (Amendment) Act 1951, National Assistance Act 1948, Natural Mineral Water, Spring Water and Bottled Drinking Water (England) Regulations 2007, Noise Act 1996, Noise and Statutory Nuisance Act 1993, Official Feed and Food Controls (England) Regulations 2009, Olive Oil (Marketing Standards) Regulations 1987, Organic Products Regulations

2009, Pet Animals Act 1951, Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011, Plastic Materials and Articles in Contact with Food (England) Regulations 2010, Pollution Prevention and Control (England and Wales) Regulations 2000, Pollution Prevention and Control Act 1999, Prevention of Damage by Pests Act 1949, Private Water Supplies Regulations 2016, Public Health (Control of Disease) Act 1984, Public Health (Ships) Regulations 1979, Public Health (Ships) (Amendments) (England) Regulations 2007, Public Health Act 1936, Public Health Act 1961, Public Health Control of Disease Act 1984, Public Health (Infectious Disease) Regulations 1988, Refuse Disposal Amenity Act 1978, Regulation (EC) No 854/2004 of the European Parliament, Riding Establishments Act 1964, Riding Establishments Act 1970, Scrap Metal Dealers Act 2013, Site Waste Management Plans Regulations 2008, Specified Products from China (Restriction on First Placing on the Market) (England) Regulations 2012, Spirit Drinks Regulations 2008, Sunbeds (Regulation) Act 2010, Sunday Trading Act 1994, Town Police Clauses Act 1847, Trade in Animals and Related Products Regulations 2011, Transmissible Spongiform Encephalopathies (England) Regulations 2010, Vehicle (Crime) Act, 2001, Motor Salvage Operators Regulations 2002, Water Industry Act 1991, Zoo Licensing Act 1981, Zoo Licensing Act 1981 (Amendment) (England and Wales) Regulations 2002, Regulation (EC) 852/2004 (Hygiene of Foodstuffs), Regulation (EC) No 853/2004 (food products of animal origin), Localism Act 2011, Local Government Act 2003.

The Data Protection Officer for ESC is Siobhan Martin, Head of Internal Audit, and can be contacted at [dataprotection@eastsuffolk.gov.uk](mailto:dataprotection@eastsuffolk.gov.uk)

### How the law protects you

GDPR says that we are allowed to use personal information only if we have a proper reason to do so. More information on how the law protects you can be found on the [East Suffolk website](#).

### Our Responsibilities

GDPR provides us with main responsibilities for processing personal data.

All personal information provided by you is held securely and in confidence by us in our computerised and other records. When we process your personal information, we do so in compliance with GDPR.

For further information on our responsibilities, please see the [East Suffolk website](#).

### Your Rights

The GDPR provides you with the following rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making
9. The right to withdraw consent
10. The right to complain

Requests in relation to your rights with regards to the personal data we hold should be made verbally or in writing to the Data Protection Officer.

For further information on your rights, please see the [East Suffolk website](#).

### Your responsibilities

You are responsible for making sure you give us accurate and up to date information, and to let us know if any personal information we hold is incorrect.

### When do we collect information about you?

We collect information about you from different places, including:

- You
- Members of the public
- Your neighbours
- Your employer (if any)
- Your employees
- Your work colleagues
- Your customers
- Contractors, working on our behalf, either directly or indirectly
- Elected members of public authorities
- Other law enforcement agencies
- Other local authorities
- Owners/occupiers/tenants of property owned or occupied by you including any mortgagors, co-mortgagees
- Government departments and agencies
- Other departments within the East Suffolk Council
- The Driver and Vehicle Licensing Authority
- Public Health England, registered medical practitioners and diagnostic laboratories
- Information sources published online

### What information do we maintain?

The information about you which we will maintain may include:

- Name
- Address
- Date of birth
- Employment
- Business activities undertaken by you or on your behalf by third parties
- Details of illness, diseases and injuries
- History of offending
- Past interactions with ourselves and other departments of the East Suffolk Council
- Details (including allegations made by third parties) of anti-social behaviour
- Footage taken by enforcement officers using body worn video cameras
- Associations with other individuals
- Information and complaints from third parties alleging conduct likely to qualify for control or sanctions under the statutory provisions listed

## How do we use your information?

above

We will be using your information to:

- Health, safety and welfare in the work place
- Regulating food safety and hygiene
- Controlling infectious diseases
- Investigating and controlling pollution, including noise pollution and pollution to the air, water and land
- Investigating and controlling anti-social behaviour
- Providing advice, support and assistance to other agencies, including law enforcement agencies
- Providing advice, support and assistance to other departments within the East Suffolk Council
- Investigating and controlling matters related to the proper management, handling and disposal of waste
- Licensing, registration and regulation of people and premises to maintain appropriate standards of public safety, animal welfare, hygiene, and accountability
- Control stray dogs

We will not use your personal data for other purposes other than for what it was collated unless we have obtained your consent or for other lawful purposes (e.g. detection and prevention of fraud).

We use systems to make automated decisions about you, including calculating risks associated with your activities for the purposes of prioritising our programmes of intervention and inspection for the above purposes. This helps us to make sure our decisions are quick, fair, efficient and correct based on what we know. They are based on personal information that we have or that we are allowed to collect from others.

## How long do we keep your information?

**Statutory information:** We will hold your personal information collected in pursuance of our statutory functions as follows:

- **Data retained in perpetuity** - Data related to contaminated land, including previous uses, and the owners of said land.
- **7 years after the process ceases operations or the licence expiry date** - Data related to Environmental Permitting, licensing and registrations, including animals, scrap metal, acupuncture and electrolysis.
- **5 years after most recent action taken in respect of the record or after the supply has ceased to operate** - Data related to stray, lost and roaming dogs, and the enforcement of water quality in respect of Private Water Supplies within the districts.
- **5 years after the business has ceased trading (unless still registered as a food business proprietor)** - Data related to commercial premises (for both food hygiene and/or health and safety) operating in the area.
- **5 years after the action is completed** - Data relating to legal cases undertaken in pursuance of our statutory functions.
- **3 years after the matter is closed or the business or activity has ceased or the relevant notice has been complied with** - Data related to food safety, health & safety, contaminated land, environmental quality,

licensing, animal welfare, dealing with planning applications and licensing act applications, waste, private water supplies, disease control, contaminated land, pollution control and pests.

- **3 years after the sample results were received** - Data related to private water supplies, food safety and other matters where samples are procured for analysis.
- **3 years after the record is closed** - Data related to Infectious disease control and accident reports (RIDDOR reports)
- **Other** – Body worn video camera footage in relation to an incident being investigated is retained for the period of the investigation.

**Discretionary information:** We will hold your personal information as follows, although you can request that your personal information held for discretionary purposes is deleted at any time:

- Consultation responses – when the data is no longer relevant
- Correspondence relating to the Greenprint Forum – when opting out, or after no response from 3-yearly request to opt in.
- Community enabling projects - In line with external funding body retention policy where applicable otherwise three years after contract ends. Financial data will be retained for the statutory period.

## Data Sharing

We will share your personal information with:

- People associated with you, for example, others in your household who may be affected by the services we provide.
- Your employer (if any)
- Your landlord and his/her agent/s
- Your employees (if any)
- Other law enforcement agencies
- Other local authorities
- Other departments within the East Suffolk Council
- Government Agencies
- Public Health England, registered medical practitioners and diagnostic laboratories.

## Transferring your information overseas

Currently, we do not transfer any personal information outside of the European Economic Area (EEA).

## National Fraud Initiative (NFI)

We may share information provided to us with other bodies responsible for auditing, or administering public funds, or where undertaking a public function, in order to prevent and detect fraud. For further information, see the [East Suffolk website](#).