

Perth and Kinross Council Privacy Notice

Name of Processing Activity- Food Business Operators

Date notice written- 2019-07

1. Why is this information being processed?

The information provided by you will be used by Perth & Kinross Council to ensure compliance with Food Law.

2. Who is processing this information?

The personal information you've provided will be processed by Perth and Kinross Council, 2 High Street, Perth, PH1 5PH, enquiries@pkc.gov.uk , 01738 475000.

3. Why is it lawful for the Council to process this information?

The Council is permitted to process your personal data in this way because relevant legislation requires local authorities to maintain an up to date list of registered food business establishments in its area for the purposes of Food Law enforcement.

Formally, the processing of personal data provided to us for this purpose satisfies Article 6(1)(c) of the *General Data Protection Regulation - Processing shall be lawful...to the extent that: processing is necessary for compliance with a legal obligation to which the controller is subject.*

Relevant legislation is-

Regulation (EC) No 882/2004, which requires the Council to coordinate effectively with Food Standards Scotland (FSS), and to carry out its activities with a high level of transparency, making relevant information available to the public as soon as possible.

The **Food (Scotland) Act 2015** enables FSS to set performance standards, report on enforcement action by others and to obtain relevant information from Perth and Kinross Council.

The **Official Feed and Food Controls (Scotland) Regulations 2009** allows the exchange and provision of information between Perth and Kinross Council and FSS.

Perth and Kinross Council and FSS are required to fulfil the statutory obligations required by **Article 44 of Regulation (EC) No 882/2004**, which places a

requirement on Local Authorities and FSS to provide the information specified in that Article and to report to the European Commission.

FSS maintains a national database that can be accessed by Perth and Kinross Council. This allows information to be strategically analysed, allowing both organisations to adhere to the principles of the Scottish Regulators' Strategic Code of Practice.

4. Will any sensitive personal information (Special Category Data or information about criminal convictions etc.) be processed?

No

If so, why is it lawful for the Council to process this information?

NA

5. Will this information be shared?

Yes. The information provided will be shared with Food Standards Scotland and the European Commission as required. Please note that Food Standards Scotland are joint data controllers of information provided in respect of Food Businesses.

Information may be shared with the NHS for relevant investigations for the purposes of ensuring public health.

Some information appears on public registers of Food Business Operators.

Your personal information may also be disclosed to third parties if it's necessary for us to do so in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law. The Council may check information provided by you, or information about you provided by a third party, with other information held by us.

6. How long will this information be kept for?

Personal information held on Perth and Kinross Council systems in relation to Food Business Operators will be kept for the duration of registration plus six years following notification of the business' closure. After this it will be deleted.

7. Personal Information Rights

Individuals have rights in relation to the information the Council holds about them, including the right to request a copy of their information. You can find out more about your [Personal Information Rights](#) on our website or by contacting the Council's Information Governance team at the address below.

8. Data Protection Officer

The Council has a Data Protection Officer who you can contact in the first instance if you have any questions or complaints about how we are processing your personal information.

Please contact; Data Protection Officer, 2 High Street, Perth, PH1 5PH,
DataProtection@pkc.gov.uk, 01738 475444.

9. Information Commissioner's Office

If you want to complain about how the Council has processed your information you have the right to contact the Information Commissioner's Office (<https://ico.org.uk/> 0303 123 1113).

10. Information Governance Team

If you have any questions about how the Council processes your information, or if you would like a copy of this notice in another language or format, please contact the Information Governance team;

Information Governance

Legal and Governance Services

2 High Street

Perth

PH1 5PH

Email: DataProtection@pkc.gov.uk

Telephone:01738 477933