

Environmental Health and Licensing Privacy Notice

The Law

The processing of personal data in the United Kingdom is governed by the General Data Protection Regulation (the GDPR) and other legislation relating to personal data and rights such as the Human Rights act.

Under the GDPR we are required to provide Privacy Notices to inform people about the personal data we will collect, store, handle and your information rights. There are exceptions to the data protection laws which require us to share personal data wherever necessary for the purposes of safeguarding, law enforcement and prevention of fraud.

Your personal data

Personal data is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information.

The Data Controller is:

South Cambridgeshire District Council,
South Cambridgeshire Hall,
Cambourne Business Park,
Cambourne,
Cambridge CB23 6EA.

The Data Protection Officer is:

Information Management Team,
3C ICT,
South Cambridgeshire Hall,
Cambourne Business Park,
Cambourne,
Cambridge CB23 6EA
Infogov@3csharedservices.org

3C Shared Services is a strategic partnership between Cambridge City Council, Huntingdonshire District Council and South Cambridgeshire District Council.

Special categories of personal data

The personal data we process also includes sensitive or other special categories of personal data such as criminal convictions, racial or ethnic origin, mental and physical health records, details of injuries and medication/treatment received.

These types of data are described in the GDPR as “Special categories of data” and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data.

We process special categories of personal data in the following circumstances:

Where it is needed in order to carry out our specific legal obligations.

Where it is needed for a matter of substantial public interest (such as in the case of a threat to public health).

Sometimes we may process this type of personal data in relation to legal claims or to protect your vital interests (or someone else’s vital interests), and you are not capable of giving your consent. This also applies where you have already made the information public.

Our Services

People Protection and Planning

The team works to improve and maintain private sector housing including rental properties and licensing of houses in multiple occupation. We work in partnership with the fire service to ensure that fire standards are adhered to by landlords. All nuisance investigations fall under the remit of the team (this includes noise, accumulations, smoke etc) as does Animal Welfare and Licensing.

The team is also a consultee for planning applications and liaises with other Council services and enforcement agencies as appropriate.

The team undertakes air quality monitoring, regulates permitted processes and implements the contaminated land regime.

Commercial & Licensing Team

The team deals with the Regulatory activities covering commercial premises and individuals, including licensing, street trading, taxi licensing, food safety, health and safety, and infectious disease control.

Why we collect information

- Assessing an application for a licence, permit or consent
- Managing services relating to the application or licence
- Updating records
- Testing the performance, internal processes and equalities monitoring
- Following guidance and best practice from governmental and regulatory bodies
- Carrying out appropriate and necessary checks for applications, permits or consent
- Monitoring and to keep records of our communications with you and the organisation
- Providing updates and information to you about the law
- Reviewing, developing and improving services

- Complying with legal and regulatory obligations, requirements and guidance
- Upon the request for (or the referral for) a particular service

What information we ask for

- Personal contact details, so we can identify and contact you
- Your date of birth, gender and/ or age, where this is relevant for a licence type
- Your nationality, citizenship status or right to residency, only where this is relevant
- Right to Work under UK Immigration Law, only where this is relevant
- Your place of birth, only where this is relevant
- Details of beneficiaries, such as joint licence holders or business associates, so we can understand who the licence or permissions belong to
- Records of your contact with us, so we have a history of concerns and actions
- Licences and permissions you hold and payment details
- Certificate confirming medical fitness to drive (in relation to Private Hire and Hackney Carriage Vehicles).
- Confirmation that you hold relevant insurances where required for the appropriate licence or consent applied for.
- Confirmation that you meet tax conditionality requirements, where required for the appropriate licence applied for.
- The usage of our services, any inspections or investigations, call outs and complaints and details related to this
- Vehicle information, where we are required to, particularly in relation to taxis
- Information we obtain from third parties, including information about DVLA records, health for individuals, qualifications where applicable, but only where this is strictly necessary to establish that information is correct
- Criminal records information, including alleged offences, where appropriate
- Information about your health and medical conditions, where relevant for a licence or the investigation of a relevant accident or communicable disease
- Information about your employment status, if relevant.

We process all data because the following laws* tell us we must:

- ✓ Animal Health Act 1981
- ✓ Animal Welfare Act 2006
- ✓ Anti-Social Behaviour Act 2003
- ✓ Anti-Social Behaviour Crime and Policing Act 2014
- ✓ Building Act 1984
- ✓ Caravan Sites Act 1968
- ✓ Caravan Sites and Control of Development Act 1960
- ✓ Clean Air Act 1993
- ✓ Control of Pollution Act 1974
- ✓ Coronavirus Act 2020
- ✓ Criminal Justice and Police Act 2001
- ✓ Dangerous Wild Animals Act 1976
- ✓ Energy Act 2011 and 2013
- ✓ Environment Act 1995
- ✓ Environmental Permitting (England and Wales) Regulations 2016
- ✓ Environmental Protection Act 1990
- ✓ Food and Environment Protection Act 1985 (as amended)
- ✓ Food Information Regulations 2013
- ✓ Food Safety Act 1990
- ✓ Gambling Act 2005
- ✓ Health & Safety at Work etc. Act 1974
- ✓ Health Act 2006
- ✓ Home Energy Conservation Act 1995
- ✓ Housing Act 1985 and 2004
- ✓ Housing and Planning Act 2016
- ✓ Housing Grants Construction and Regeneration Act 1996
- ✓ Licensing Act 2003
- ✓ Local Government (Miscellaneous Provisions) Act 1976
- ✓ Local Government (Miscellaneous Provisions) Act 1982
- ✓ Local Government and Housing Act 1989
- ✓ Mobile Homes Act 2013
- ✓ Noise & Statutory Nuisance Act 1993
- ✓ Noise Act 1996
- ✓ Prevention of Damage by Pests Act 1949
- ✓ Protection from Eviction Act 1977
- ✓ Public Health (Control of Disease) Act 1984
- ✓ Public Health Act 1936 and 1961
- ✓ Regulation of Investigatory Powers Act 2000
- ✓ Scrap Metal Dealers Act 2013
- ✓ Sunbeds (Regulation) Act 2010
- ✓ Sunday Trading Act 1994
- ✓ The Food Safety & Hygiene (England) Regulations 2013 (as amended)
- ✓ Town Police Clauses Act 1847
- ✓ Vehicle (Crime) Act 2001
- ✓ Water Industry Act 1991
- ✓ Zoo Licensing Act 1981

*This includes any Regulations, Orders Byelaws or other subsidiary legislation made under the above and any enactments amending or replacing the same. This also includes any other legislation enacted by Parliament that may not be included in this list that is applicable to the department for Environmental Health and Licensing at South Cambridgeshire District Council.

You hold the following rights over the personal data you provide us:

Right to Access – you have the right to receive a copy of your personal data unless your request falls under a limited exception.

Right to Rectification – you can ask us to correct inaccurate information

Right to Restriction – you can ask us to restrict our use of your personal data in situations where it is inaccurate, unlawful and no longer needed for the purposes for which it was originally collected.

Further information about your rights is at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

Sharing your information

We only share where we are required to, or to ensure that the licence or permission is verified and able to be activated. We may share your personal data with the following third parties for the purposes listed above.

- Anglian Water
- Better Regulation Delivery Office (BRDO)
- British Institute of Innkeeping Awarding Body (BIIAB)
- Cambridge Water Company (South Staffordshire PLC)
- Cambridgeshire County Council
- Care Quality Commission
- Central Government
- Department for Business, Energy & Industrial Strategy (BEIS)
- Department for Environment, Food and Rural Affairs (DEFRA)
- Department for Work and Pensions (DWP)
- Disclosure & Barring Service (DBS)
- Drinking Water Inspectorate (DWI)
- Driver and Vehicle Licensing Agency (DVLA)
- Environment Agency
- Eventbrite
- Fire Service
- Food Standards Agency (FSA)
- Gambling Commission
- Health & Safety Executive
- Her Majesty's Courts and Tribunals Service
- Her Majesty's Revenue & Customs (HMRC)
- Highfield Qualifications
- Home Office
- Licence Bureau
- Local Health Board
- Medical/ Health Practitioners
- Medicine and Healthcare products
- Regulatory Agency (MHRA)
- National Anti-Fraud Network (NAFN)
- National Fraud Initiative (NFI)
- Other local authorities
- Other South Cambridgeshire District Council departments
- Our Disclosure and Barring Service provider
- Police
- Safeguarding Board
- Security Industry Authority (SIA)

- The Office for Standards in Education, Children's Services and Skills (Ofsted)
- Trading Standards Improvement and Disparities
- UK Health Security Agency and Office for Health
- Vehicle and Operator Services Agency

We may process the information you provide to prevent and detect fraud in any of our systems and may supply information to government agencies, credit reference agencies, audit or other external bodies for such purposes. We participate in the government's National Fraud Initiative.

If any of the information we have about you is incorrect, please tell us, we are reliant on you assisting us to keep your information accurate and up to date.

How long do we keep your information?

Unless we explain otherwise to you, we only keep your information based on the following criteria:

- For as long as we have reasonable business needs, such as managing our services/ licences/ permits/ consents with you and managing our operations and service delivery
- For as long as necessary in line with statutory, regulatory and legal requirements

You can find out more by looking at the [Council's Retention Policy](#) on the Council's website.

Consent and GDPR

When you are asked to consent to a data controller's use of your personal data this implies the controller is relying on "consent" as the legal basis for such use. The GDPR introduces new rules about relying on consent.

Consent may not be used as the legal basis for processing your personal data if:

- You do not have a free choice
- You have not been provided relevant privacy information (what personal data may be used, how, and why)
- Refusing consent may have a negative impact on you (this is the case where consent is a condition of receiving the service you want)

- There is an imbalance of power between the person and the organisation requesting the consent. This is likely when the organisation is a public authority (such as the council)

The GDPR provides a more appropriate basis for processing (such as for processing by public authorities in the exercise of their tasks).

The Council does not generally request consent for using your personal data as, in accordance with the rules above, it is not a valid legal basis for processing involved in carrying out our official functions and tasks.

Electronic Communications

Any email sent to us, including any attachments, may be monitored for security reasons and making sure they comply with our information governance policy. You have a responsibility to make sure any email you send to us is within the bounds of the law. Emails that we send to you or you send to us may be retained as a record of contact, and your email address stored for future use in accordance with our record retention schedule.