

Privacy notices

Environmental Services Privacy Notice

Who we are

South Derbyshire District Council is registered as a data controller with the Information Commissioner's Office.

Our address is Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH.

The Council is committed to protecting your privacy when you use our services. This privacy notice tells you what to expect when Environmental Services collect personal information. It also explains when and why we collect this information, how we use it, the conditions under which we may disclose it to others, how we keep it secure and what rights you have in relation to the data we hold about you.

Purposes of processing your personal data

We process your personal information to carry out our statutory duties, including enforcing environmental health and environmental protection legislation, and delivering climate and sustainability services.

This includes receiving and responding to reports, investigating issues, inspecting premises, providing advice, issuing enforcement notices or penalties, and administering grant applications.

The Environmental Services team covers a wide range of functions, including:

- Environmental protection
- Food safety, health and safety at work, infectious diseases, private water supplies and welfare funerals
- Environmental crime (including fly tipping, littering, abandoned vehicles, stray dogs and dog fouling)
- Public health matters (including drainage and pest control)
- Private sector housing (including empty properties, caravan sites, licensing and houses in multiple occupation)
- Environmental management and climate change

To carry out these functions, we may process information about individuals who report concerns to us, as well as individuals who are subject to enquiries, investigations or enforcement action.

We may also process information about landowners, occupiers, business operators, witnesses, and other individuals connected to a matter, where this is necessary to carry out our duties.

How do we collect information from you?

We collect information from you when you complete forms on our website (Home | South Derbyshire District Council) or associated customer portals, when you contact us in writing, by phone, face to face, or by email or other electronic communication.

We may also collect information when you report an issue to us (for example, reporting a stray dog), when we investigate matters as part of our statutory functions, or where information is provided to us by third parties.

In some circumstances, our officers may collect information directly during visits or investigations, which may include the use of body worn video where necessary and proportionate.

What types of information do we collect from you?

Environmental Services collects different types of information about you depending on the service you are accessing and the reason we need to process your information.

This may include personal information such as your name, address, contact details, and details of any enquiry, report or complaint you make. In some cases, we may also collect information relating to payments or interactions you have had with the Council.

In limited circumstances, we may process more sensitive information where this is necessary for our statutory functions. This could include information about your health or welfare, or information relating to alleged offences or enforcement activity.

Lawful basis

Under data protection legislation, processing of this data is allowed because we have a legal obligation to do so, or because we are performing a task in the public interest and in the exercise of official authority. The lawful bases relied on can be found under Article 6(1)(c) – Legal obligation and Article 6(1)(e) – Public task (processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority).

For some processes – including returning stray dogs to their owners, microchipping, we have to charge a small fee. Under data protection legislation, processing of data for this purpose is allowed because it forms part of the performance of a contract pursuant to Article 6(1)(b) where there is a contract with the individual to provide services which involve a payment.

Where we process special category (sensitive) personal data, it is for particular circumstances that are set out in law, for reasons of substantial public interest, and / or because we have the explicit consent of the individual. Where we process special

category data, the lawful basis is Article 9(2)(g) substantial public interest, supported by Schedule 1 Part 2 DPA 2018.

In some cases, we may process information relating to criminal offences or alleged offences for enforcement purposes. This processing is carried out in accordance with Article 10 UK GDPR and Schedule 1 of the Data Protection Act 2018.

Legislation

The council's statutory duty to carry out this processing for regulatory functions is created from the following pieces of legislation (this list is not exhaustive):

- Anti-social Behaviour, Crime and Policing Act 2014
- Animal Boarding Establishment Act 1963
- Animal Welfare Act 2006
- Building Act 1984
- Caravan Sites and Control of Development Act 1960
- Clean Air Act 1993
- Control of Pollution Act 1974
- Environment Act 1995
- Environmental Protection Act 1990
- Food Safety Act 1990
- Food Hygiene (England) Regulations 2013
- Health Act 2006
- Housing Act 2004
- Local Government (Miscellaneous Provisions) Act 1976
- Noise Act 1996
- Pollution Prevention and Control Act 1999
- Prevention of Damage by Pests Act 1949
- Private Water Supplies Regulations 2016

Who has access to your information?

As part of an enquiry, investigation or enforcement action, we may have to share information with:

- Other Council departments
- The Police
- Fire and Rescue Services
- Regulatory bodies (such as the Food Standards Agency, Health and Safety Executive, DEFRA, or the Environment Agency)
- Derbyshire County Council (including services such as social care, education, and Trading Standards)
- Health services
- Housing providers
- HM Revenue and Customs

- Other local authorities

Information about abandoned vehicles is passed to a vehicle lifting company to remove the vehicle. Information about stray dogs is passed to a dog kennelling contractor who will collect the animal and provide boarding. This data sharing is done as part of the delivery of this service.

Information about dog microchipping may be shared with an approved microchipping organisation in order to register or update the animal's details on a national microchip database, in accordance with legal requirements. We are legally required to make some registers available to the public e.g. environmental permits issued to businesses.

We will not sell or rent your information to third parties. We will not share your information with third parties for marketing purposes.

Any information shared with third parties will only be where it is necessary and will be done in accordance with applicable data protection legislation.

Research and statistics

Anonymised and pseudonymised data may be used for research and statistical purposes. Any data collected may be used for research and statistical purposes relevant and compatible with the purpose that the data was collected for.

What are your rights in relation to personal data we process?

Access: You can request copies of any of your personal information held by the Council.

Rectification: You can ask us to correct any incorrect information.

Deletion: You can ask us to delete your personal information. The Council can refuse to delete information if we have a lawful reason to keep this.

Portability: You can ask us to transfer your personal data to different services or to you.

Right to object or restrict processing: You have the right to object to how your data is being used and how it is going to be used in the future.

For further information, please visit the [Data Protection Act 2018](#) section of our website. These rights are not absolute and may be limited where the Council has a legal duty to process information.

How long will we keep your information for?

Retention periods vary depending on the service provided. Enforcement records may be retained for a number of years in accordance with regulatory requirements.

We keep and dispose of all records in line with our record [retention schedule](#) and will comply with the Data Protection 2018.

What precautions are in place to protect the loss, misuse or alteration of your information?

The Council takes appropriate technical and organisational measures to protect personal data. Your personal data will be stored electronically or in hard copy files as appropriate. The Council uses a variety of different systems to process and store personal data. We are strongly committed to data security and will take reasonable and appropriate steps to protect your personal information from unauthorised access, loss, misuse, alteration or corruption. We have put in place physical, electronic, and managerial procedures to safeguard the information you provide to us. However, we cannot guarantee the security of any information you transmit to us. We recommend that you take every precaution to protect your personal information.

Keeping your data up to date

We want to ensure any information we hold is accurate. You can help us by promptly informing us of any changes to the information we hold about you.

Under 13s

If you are aged 13 or under, please get your parent/guardian's permission whenever you provide us with personal information.

Where can I get advice and more information?

We want to ensure any information we hold is accurate. You can help us by promptly informing us of any changes to information we hold about you. If you have any worries or questions about how your personal information is handled, please contact our Data Protection Officer by emailing dataprotection@southderbyshire.gov.uk or by telephoning 01283 595795.

If you are unhappy with how the Council has handled your personal data, you have the right to complain to the Information Commissioner's Office.

For independent advice about data protection, privacy and data sharing issues, you can contact the Information Commissioner's Office (ICO) at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF



Telephone: 0303 123 1113 (local rate) or 01625 545 745 (national rate number).

Email: casework@ico.org.uk.

Further guidance on the use of personal information can be found at www.ico.org.uk.