

## How your personal Information is used by Trading Standards.

Here at Midlothian Council, we take your privacy seriously. Under the Data Protection Act 2018, you have a right to know how we collect, use and share your personal data.

This privacy notice explains the information we need in order to carry out Trading Standards services. This activity is part of the Communities and Economy provided by Midlothian Council. [More information about the Communities and Economy Service privacy notice.](#)

### Our Privacy Promise

**We promise to collect, process, store and share your data safely and securely.**

### What lets us collect your information?

If we work with you we will be acting under some, or all, of the legislation noted below:

- Consumer Rights Act 2015
- The Consumer Protection from Unfair Trading Regulations 2008
- Consumer Protection Act 1987
- European Communities Act 1972
- Weights and Measures Act 1985
- Tobacco and Primary Medical Services (Scotland) Act 2010
- Animal Health Act 1981
- Enterprise Act 2002
- Civic government Scotland Act 1982

### What kinds of personal data do we collect?

The personal data we collect might include your **name, date of birth, address, National Insurance number, or other information that identifies you.** If necessary, we might also collect what is called 'special category' data – that is, sensitive information such as medical/health information.

### How do we collect your personal data?

We collect your personal data in many different ways. You might give us your personal data yourself, by entering your information in a form on the Council website or by contacting a Council officer in person, in writing or over the phone. We might also receive your personal data from other agencies or local authorities. If we share information regularly with another organisation, the conditions for sharing your personal data are set out in an Information Sharing Agreement.

## How do we use your personal data?

Trading Standards are the local government departments responsible for enforcing a wide range of consumer protection legislation with the aim of ensuring a fair and equitable trading environment in their local authority areas. To achieve this, officers carry out investigations which can be the result of consumer complaints, inspections of trade premises or the receiving of intelligence from other organisations and agencies. Consequently, personal data can and is shared between Trading Standards and businesses and Trading Standards and other agencies. Should investigations provide sufficient evidence of criminal activity and offences, then Trading Standards has a responsibility to report cases to the Procurator Fiscal, with a view to prosecution.

We use your personal data in order to contact you and also to approach businesses on your behalf about a complaint you may have.

## Why do we share your personal data?

The sharing is necessary for the exercise of the Council's Trading Standards function under a range of Consumer Protection legislation.

## With whom do we share your personal data?

If necessary, we might share your personal data with other agencies and authorities, depending on the service being provided. We will only share your personal data if it is necessary to do so, and the appropriate conditions have been met.

The external bodies with whom we share Trading Standards information might include (organisations with a star are mandatory):

- Police Scotland
- Citizens Advice Scotland Consumer Service
- Other local authority Trading Standards departments
- Trading Standards Scotland
- Her Majesty's Revenue and Customs
- Local CABx
- Scottish Fire and Rescue Service
- Animal and Plant Health Agency
- Scottish Society for the Prevention of Cruelty to Animals
- Food Standards Scotland
- Financial Conduct Authority
- Competition and Markets Authority
- Central Government and Scottish Government
- Businesses

Personal data also might be shared between Midlothian Council services, including Schools.

## How long do we keep your personal data?

Your personal data is kept in line with Midlothian Council's Retention Schedule. The retention schedule sets out the kinds of information the Council creates and uses, how long it should be kept, and what should be done with it at the end of its 'life'. [Our retention schedule](#)

## Further Information

You can also find out more about how we use your information to detect and prevent fraud or crime, information collected through our website, recorded telephone calls, CCTV, the rights you have under the Data Protection Act, and how to contact us by referring to the overarching [Midlothian Privacy Notice](#).