

MODEL PRIVACY NOTICE FOR INFORMATION HELD BY [LOCAL AUTHORITY] AND FSS FOR EXISTING FOOD BUSINESS ESTABLISHMENTS.

What we need

[Local Authority] and Food Standards Scotland (FSS) are Joint Data Controllers of the personal information you have provided to us when you registered your business with your Local Authority. The information we collect about you includes name, postal address, email address and telephone number.

Why we need it

- As Joint Data Controllers, we need to collect this information for the purposes of Food Law Enforcement
- Regulation (EC) No 882/2004 on official controls performed to ensure the verification of compliance with Food Law, requires that [Local Authority] and FSS coordinate effectively in the field of environmental and health protection, carrying out their activities with a high level of transparency, making relevant information available to the public as soon as possible.
- Each Local Authority is required to maintain an up to date list of registered Food Business Establishments in its area and divulge this information for the purposes of ensuring public health and the effective enforcement of Food Law.
- The Food (Scotland) Act 2015, enables FSS to set performance standards, report on enforcement action by others and require relevant information from [Local Authority]
- The Official Feed and Food Controls (Scotland) Regulations 2009, allows the exchange and provision of information by FSS and [Local Authority] for the execution and enforcement of relevant Food Law, and makes provision for [Local Authority] to provide FSS with Food Business information.
- [Local Authority] 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 both Food Standards Scotland and the Local Authority to which the information pertains. The reporting toolset allows information to be strategically analysed, allowing both organisations to adhere to the principles of the Scottish Regulators' Strategic Code of Practice.
- We will only collect the data that we need as required by the above regulations and legislations, and not collect any personal information from you that we do not need.

What we do with it

The information collected on this form will be retained by [Local Authority] for six years for Freedom of Information purposes. Food Standards Scotland collects food business information from [Local Authority] on a regular basis for the purposes of Food Law Enforcement. The information will be retained by FSS for 6 years, also for Freedom of Information purposes.

FSS have put in place appropriate and adequate technical and organisational measures to protect your personal information. FSS data is located within the European Union, on cloud based services procured through the government framework agreements, and assessed against the national cyber security centre cloud security principles.

[Local Authority to insert details about their technical and organisational measures in place to protect FBO personal information.]

We want to assure you that no third parties have access to your personal information unless the Law allows them to do so.

What we may also be required to do with it

The information may be shared with other Regulators in line with the principles of the Scottish Regulators Strategic Code of Practice for compliance and risk mitigation purposes. This is limited to circumstances where the law allows such sharing of information by regulators with common interests or activities and will not include personal information.

What are your rights?

You have a right to see the information we hold on you by making a request in writing to the email addresses below. If at any point you believe the information we process on you is incorrect you can request to have it corrected. If you wish to raise a complaint on how we have handled your information, you can contact our Data Protection Officers who will investigate the matter. If you are not satisfied with our response or believe we are not processing your information in accordance with the law you can complain to the Information Commissioner's Office (ICO).

If you need any further information please contact [Local Authority]'s Data Protection Officer at [Contact for LA's Data Protection Officer], or Food Standards Scotland's Data Protection Officer at: dataprotection@fss.scot.