



## Privacy Notice

Neighbourhoods and Public Protection  
Community Protection Team

The Data Controller for the processing of personal information is Cornwall Council.  
ICO registration: [Z1745294](#)

### What is a Privacy Notice?

This privacy notice explains how we use your personal information when you contact Cornwall Council's Community Protection Team to use one of our services.

### How we obtain information?

Most of the personal information we process is provided to us directly when you contact us in respect of any of the following matters:

- ❖ Community Protection: e.g. statutory nuisance, defective private drainage
- ❖ Environmental Crime: e.g. fly-tipping, littering, abandoned vehicles,
- ❖ Dog control: including stray dogs, dog fouling, dog prohibitions

We also receive personal information indirectly, in the following circumstances:

- ❖ A person using our services refers to you in their contact with us
- ❖ From internal departments and partner organisations
- ❖ From other public authorities, regulators or law enforcement bodies
- ❖ Obtained as part of an investigation when exercising our functions

### Purpose for processing

Our purpose is to investigate and take regulatory action in accordance with our statutory duties and powers, exercising local authority regulatory functions laid down in law. Examples include, but are not restricted to:

- ❖ Environmental Protection Act 1990: waste offences; nuisance; litter; stray dogs
- ❖ Public Health Act 1936: filthy and/or verminous premises
- ❖ Prevention of Damage by Pests Act 1949: to keep land free of rats and mice
- ❖ Anti-Social Behaviour Crime and Policing Act 2014: ASB and dog control matters
- ❖ Clean Neighbourhoods & Environment Act 2005: nuisance vehicle; house alarm
- ❖ Refuse Disposal Amenity Act 1978: abandoned vehicles
- ❖ Stray dogs under the Environmental Protection Act 1990
- ❖ Building Act 1984: defective building drainage
- ❖ Licensing Act 2003: responsible authority duties
- ❖ Control of Pollution Act 1976: control of noise on construction sites

## Legal basis for processing

The legal basis on which we rely to process personal data is [Article 6\(1\)\(e\)](#) of the General Data Protection Regulation (“Public Task”): *processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller*. This allows us to process personal data when this is necessary to perform our public tasks as a regulator.

If the information you provide us in relation to your enquiry contains special category data, such health, religious or ethnic information, the legal basis we rely on to process it is [Article 9\(2\)\(g\)](#) of the General Data Protection Regulation, which also relates to our public task and the safeguarding of your fundamental rights.

As part of our statutory functions, we investigate and take enforcement action against individuals and organisations for alleged criminal offences committed under the legislation we regulate. Cornwall Council is a competent authority for the purpose of Part 3 of the DPA 2018, which applies to the processing of personal data by such authorities for law enforcement purposes.

These purposes are for the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security. It is necessary to process personal data for the performance of a task relating to one of these purposes.

## How we use your information

When we investigate alleged civil or criminal matters, we gather information and evidence which might include information about victims, suspects, witnesses and other individuals relevant to the circumstances and events. We use your information for the following purposes:

- ❖ to contact you by post telephone or email
- ❖ to enable us to fulfill our statutory and regulatory functions
- ❖ to take legal action, if appropriate
- ❖ to obtain your opinion about our service

## How long your information will be held

Your data will be held within Cornwall Council’s secure network and premises and will not be processed outside the UK. Access to your information will only be made to authorised members of staff who are required to process it for the purposes outlined above. We will keep your information for a period of up to 6 years in accordance with our [retention schedule](#).

## Who else will we share your information with?

In some circumstances, such as under a court order, we are legally obliged to share information. We might also share information with other regulatory bodies in order to further their or our objectives. We may disclose information when necessary to prevent risk of harm to an individual.

If we are considering legal action, we will share this information with our legal advisors, the courts and any co-defendants and their legal representatives. Court cases are held in public and so personal data might be made public during the course of proceedings.

When we successfully prosecute someone, we may publish the convicted individual's identity in our annual report, on our website or distribute more widely to the media. In any scenario, we will document our decision making and satisfy ourselves we have a lawful basis on which to share the information.

## What are my data protection rights?

Under data protection law, you have rights available to you that depend on the reason for processing your information. [You can read more about your data protection rights here](#). In general, your rights under GDPR are:

- ❖ to be informed if your personal data is being used by an organisation
- ❖ to request copies of your personal data (exemptions may apply)
- ❖ to have your personal data rectified if you think it is inaccurate or incomplete
- ❖ to ask us to delete your personal information (in certain circumstances)
- ❖ to ask us to restrict how we use your information (in certain circumstances)
- ❖ rights relating to decisions being made about you without human involvement
- ❖ to object to the processing of your personal data (in certain circumstances)
- ❖ rights to data portability (only applicable to data you have provided)

Please note that the right to erasure and the right to data portability do not apply to data that is processed on the basis of "public task". However, individuals do have the right to object to the processing of their personal data.

If we are processing your information for criminal law enforcement purposes, your rights are provided by Part 3 of the Data Protection Act and reflect those of GDPR. However, certain rights under GDPR, such as the right to object and the right to data portability, do not exist in Part 3. Further information on your rights in respect of processing for law enforcement purposes can be found [here](#).

We will provide further information directly to data subjects in specific circumstances. This might be the case where we are processing your personal data that was collected without your knowledge. We will not do this where doing so would be prejudicial to our investigation or for other reasons set out [s.44 \(4\) DPA 2018](#)

### How do I exercise these rights?

If you would like to access any of the information we hold about you or have concerns regarding the way we have processed your information, please contact the Data Protection Officer at:

 Cornwall Council, New County Hall, Treyew Road, Truro TR1 3AY  
 01872 326424  
 [dataprotection@cornwall.gov.uk](mailto:dataprotection@cornwall.gov.uk)  
 <https://www.cornwall.gov.uk>

### I have concerns about my data

You also have a right to raise a concern about the way we are handling your personal data. We would prefer any complaints to be made to the Data Protection Officer initially so that we have the opportunity to see if we can put things right.

If you need help in understanding anything on this Privacy Notice, or about our services, please contact the Community Protection team at:

 01209 616990  
 [cep@cornwall.gov.uk](mailto:cep@cornwall.gov.uk)

However, if you are unhappy with the way we have processed your information or responded to your request to exercise any of your rights in relation to your data, you can raise your concerns with the Information Commissioner's Office.

 0303 123 1113  
 <https://ico.org.uk/>

---

### Alternative formats

If you would like this information on audio tape, Braille, large print, any other format or interpreted in a language other than English, please contact the Equality and Diversity Team at: Cornwall Council, County Hall, Treyew Road, Truro TR1 3AY

 0300 1234 100  
 [equality@cornwall.gov.uk](mailto:equality@cornwall.gov.uk)