

# Privacy notice - notification of a prohibited person database

Information on the privacy policy for notification of a prohibited person database, why we require data, what we do with the data and your rights.

The Food Standards Agency is known as the 'Controller' of the personal data provided to us.

## What personal data do we hold?

The personal data we hold on you consists of: (name, business name, business type, premises address, date of order, date of offences and penalties, details of assumed names)

## Where we get this personal data from?

The Food Standards Agency obtains this data from the relevant Competent Authority (CA), (local authority) taking the prosecution.

## Why we need it

We collect and process this data to enable Local Authority Officers to perform checks on Food Business Operators for past offences and Prohibition orders across England, Wales & Northern Ireland.

## Lawful basis

We process personal data for these purposes under (Article 6 (1)(e) of UK General Data Protection Regulations (UK GDPR) and Section 8 of the Data Protection Act 2018 (DPA) in line with the performance of our statutory duties under the following powers:

England	Northern Ireland	Wales
Food Safety Act 1990		Food Safety Act 1990
Food Standards Act 1999	Food Safety (Northern Ireland) Order 1991	Food Standards Act 1999
Official Fee and Food Control (England) Regulations 2009	Food Standards Act (Northern Ireland) 1991	Official Feed and Food Control (Wales) Regulations 2009
The Food Safety and Hygiene (England) Regulations 2013	Food Hygiene Regulations (Northern Ireland) 2009	Food Hygiene (Wales) Regulations 2006
Regulation 2017/625 Official Controls and other activities performed to ensure the application of food and feed law	Regulation 2017/625 Official Controls and other activities performed to ensure the application of food and feed law	Regulation 2017/625 Official Controls and other activities performed to ensure the application of food and feed law

We will not process any personal data, which we do not need.

Where we process data relating to convictions, we do so for reasons of substantial public interest in the exercise of our function as a government department and in line with our Data Protection policy and Schedule 1, Part 2 paragraphs (6) and (36) Data Protection Act 2018.

We may also analyse the data along with other information we hold about you and information we have obtained from public and/or private sources for the purpose of helping us evaluate risk. We do this in line with the exercise of official authority vested in us under the Food Standards Act and the performance of a task carried out in the public interest.

## **How and where we store your data and who we may share it with**

We retain personal data only for as long as necessary to carry out these functions, and in line with our retention policy. This means that this data will be retained until:

- we have confirmed that the prohibition order is no longer in force
- any legal time limits relating to offences in connection with the order have expired

This personal data will be made available for CAs in compliance with FLCOP 7.2.6. The Food Standards Agency will sometimes share the data with other government departments, public bodies, and organisations which perform public functions to assist them in the performance of their official duties or when it is in the public interest. We may share the data as part of risk evaluation and analysis with public bodies or other organisations, such as Trading Standards and Port Health Authorities, for the same reasons.

For more information, please see the [How and where we store your data and who we may share it with section in our Personal Information Charter](#).

We only hold your information for as long as necessary to perform our functions.

## **International transfers**

For more information on international transfers, please see the [International transfers section in our Personal Information Charter](#).

## **EU citizens**

For more information on EU Citizens Privacy Notice, please see the [EU citizens section in our Personal Information Charter](#).

## **Your rights**

For more information on your rights, please see the [Your rights section in our Personal Information Charter](#).

## **Contact us**

If you have any queries concerning this Privacy Notice, your personal information or any questions on our use of the information, please email our Data Protection Officer in the FSA, who is the Information Management and Security Team Leader using the address below.