

## Audit Assurance Division Privacy Notice - Local Authority Information

### 1. Introduction

- 1.1 This privacy statement explains how Food Standards Scotland's (FSS) Audit Assurance Division use and protect any data held about you or your Local Authority. This statement also summarises your rights in relation to that data.

### 2. Who is the data controller?

- 2.1 When FSS uses data about you, FSS does so as a data controller.
- 2.2 In this privacy statement, **'we', 'us' and 'our'** refers to FSS.
- 2.3 Our Information and Records Manager is responsible for responding to questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the Information and Records Manager:

**Information and Records Manager,  
Food Standards Scotland,  
4th Floor Pilgrim House,  
Old Ford Road,  
Aberdeen AB11 5RL**

**email: [dataprotection@fss.scot](mailto:dataprotection@fss.scot)**

### 3. What kinds of data may we access or hold about you?

- 3.1 Personal data, or personal information, means any information about an individual from which that person can be identified directly or indirectly. It does not include data where the identity has been removed (anonymous data).
- 3.2 We process data where we have a clear legal basis for doing so and where it is proportionate and necessary in pursuance of our role and responsibilities. In practice, this means that we may potentially collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- 3.2.1 **Identity Data** could include names, marital status, title, date of birth, nationality and gender.
- 3.2.2 **Contact Data** includes address, email address and telephone numbers.
- 3.2.3 **Work Data** includes details about your work for an Authority, including details and records of your role at the Authority, training undertaken, authorisation(s) and qualifications held, and correspondence between you and colleagues at the Authority, or between you and people who interact with the Authority.

## 4. How do we collect your personal data?

- 4.1 Most of the data we hold about you is data you have provided through an audit or an information gathering exercise.
- 4.2 In this statement we use the word ‘audit’ to refer to the work we carry out in relation to FSS’s statutory functions:
  - 4.2.1 **‘Audit’** refers to the audits that we are required to carry out by law. You can find out more about our audit [work here](#)
- 4.3 **Data collected for audits.** When we audit an Authority, we collect information from that Authority.

## 5. How do we use your information?

- 5.1 We will only use your personal data when the law allows us to do so. Most commonly, we will use your personal data in the following circumstances:
  - 5.1.1 Where it is necessary in order for us to carry out our statutory functions.
  - 5.1.2 Where it is necessary for us to comply with a legal or regulatory obligation.
- 5.2 We have set out below, in a table format, a description of all the ways we use your personal data, and which of the legal bases we rely on to do so.
- 5.3 Note that we may process your personal data for more than one lawful basis depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data.

Purpose	Type of data	Lawful basis for processing
To conduct an Audit or information gathering exercise that legislation requires us to	Contact, Work	The processing is necessary for us to carry out

conduct, or where FSS have agreed to act as a statutory auditor, including reporting the results of the audit.		statutory functions.
To respond to correspondence from you.	Any data you include in correspondence.	The processing is necessary for us to carry out the statutory functions.

5.4 We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

5.5 If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

5.6 Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## 6. Who do we share your personal data with?

6.1 We may have to share your personal data with third parties that are legally entitled to receive the data. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 7. How do we keep your data secure?

7.1 We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

7.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 8. How long do we keep your data?

8.1 FSS operates a Records Retention and Disposal Schedule to ensure that information is not kept for any longer than necessary in accordance with the

storage limitation principle of Data Protection Act 2018 (DPA) and UK General Data Protection Regulation (GDPR).

## 9. What are your rights?

9.1 You have the right to:

9.2 Request **access** to your personal data (commonly known as a “data Subject Access Request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

9.3 **Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

9.4 **Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law.

9.5 **Object to processing** of your personal data where the processing is based on our exercise of our statutory functions. However, due to a particular situation, you wish to object to processing on the grounds that you feel it impacts on your fundamental rights. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override any objections.

9.6 **Request restriction** of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data’s accuracy; (b) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (c) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

9.7 **Withdraw consent** at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

9.8 The rights listed above are subject to some exceptions and limitations. If those are relevant when you ask to exercise your rights, we will inform you.

## 10. How can you exercise your rights?

10.1 If you wish to exercise any of the rights set out above please contact us using the details at the start of this privacy statement.

10.2 We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10.3 You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the opportunity to deal with your concerns before you approach the ICO, so please contact us in the first instance at [dataprotection@fss.scot](mailto:dataprotection@fss.scot)

## 11. Changes to this privacy statement

11.1 This version was published in October 2022. We will update this statement as necessary.