



# PCA Privacy Notice



## Privacy Notice

This privacy notice tells you what to expect when the Pubs Code Adjudicator (PCA) collects and processes personal information. It applies to information we obtain about:

- 1.1 Claimants, respondents and other individuals in relation to a potential breach of the Pubs Code etc Regulations 2016 (the Pubs Code) or an enquiry about the Pubs Code;
- 1.2 When we receive requests under the General Data Protection Regulation (GDPR) or the Freedom of Information Act 2000.
2. The data controller is the PCA. You can contact the PCA Data Protection Officer by email or post at:
  - office@pubscodeadjudicator.gov.uk; or
  - Pubs Code Adjudicator Data Protection Officer, 4<sup>th</sup> Floor, 23 Stephenson Street, Birmingham, B2 4BJ
3. The PCA will only process your data for a lawful purpose. The PCA may process your personal data for the purpose of undertaking functions in connection with enforcing the Pubs Code including collating feedback for the purpose of improving PCA services. We collect and process personal data as a necessary part of our public task of enforcing the Pubs Code, to fulfil our legal obligations or where it is in the public interest to do so.
4. In particular the PCA undertakes the following activities:

### 4.1 Telephone and online enquiries

The PCA has a dedicated team of call handlers and case workers to manage telephone and online enquiries. Personal data is collected and processed for the purpose of carrying out our public task, or where it is in the public interest to do so, in particular in relation to arbitrations and regulatory activity including investigations carried out in accordance with the Pubs Code.

The PCA may process personal data which is provided to us via social media, such as @replies or Direct Messages on the PCA's Twitter account. Personal data is collected and processed for the purpose of carrying out our public task of enforcing the Pubs Code, or where it is in the public interest to do so. This may include where information is provided which may be of relevance to an investigation under the Pubs Code or in order to address enquiries about the operation of the Pubs Code.

### 4.2 Arbitration Referrals

When a referral is made to the PCA to arbitrate a dispute, personal data is collected and processed for the purpose of carrying out our public task or where it is in the public interest to do so, in particular in relation to arbitrations and regulatory activity including investigations carried out in accordance with the Pubs Code.

### **4.3 Emails and Correspondence**

When an arbitration or investigation is undertaken by the PCA pursuant to the Pubs Code, emails and other correspondence received from the parties and others associated with the dispute is collected and processed for the purpose of facilitating that arbitration or investigation and the carrying out of the PCA's other functions.

Where correspondence is received from any person in connection with the functions of the PCA, this will be processed for the purposes of carrying out our public task, to fulfil a legal obligation or where it is in the public interest to do so.

### **4.4 Publishing Awards**

When an arbitration has been completed, a copy of the award may be published on the PCA's website. The award may contain your personal data. A copy of the award will be shared with our legal advisors who, acting as our processors, redact information as necessary. Our legal advisors will be provided with your contact details so that they are able to contact you on our behalf to seek your consent to publish your personal data within the award. If you do consent to the PCA publishing your personal data in the award, then your personal data within the award may be published on our website.

### **4.5 Consultation responses**

The PCA may conduct consultation exercises in which the public is invited to submit their views to inform matters including potential statutory guidance about the Pubs Code which the PCA is empowered to issue. The PCA collects your personal data as part of the consultation process.

This data may include your name, email and/or postal address and any personal data you volunteer by way of evidence or example in your response to the consultation. The legal basis for processing your personal data collected as part of a public consultation is to perform a task carried out in the public interest.

The PCA collects the data in order to respond to the comments made and to gathering information about the types of individuals and groups participating in the consultation. The PCA may publish responses to a public consultation online, together with a summary. The published information will include a list of business names or organisations that responded, but not people's personal names, addresses or other contact details.

5. There are occasions when we may provide your data to a party other than the PCA - where required by law, where it is in the public interest to do so or where it is necessary to perform our public task of enforcing or complying with the Pubs Code. We ensure that third parties have an equivalent level of protection and security in relation to personal data. In particular, personal data may be provided to third parties in the following circumstances:

5.1 The PCA is under a duty to appoint an independent assessor in certain circumstances specified in the Pubs Code. We may provide your data to a third party, in accordance with PCA processes, for the purpose of identifying and appointing an appropriate independent assessor in accordance with the Pubs Code.

5.2 The PCA may appoint another person to arbitrate a Pubs Code dispute referred to the PCA for arbitration. We may provide your data to a third party, in accordance with PCA processes, for the purpose of identifying and appointing an appropriate arbitrator in accordance with the Pubs Code. The PCA works with the Chartered Institute of Arbitrators (CI Arb) to facilitate the operation of the arbitration service. Data will be shared with CI Arb to enable the service to operate.

5.3 We may share your data with third party providers of IT services engaged by the PCA

for the purpose of facilitating the functions of the PCA.

5.4 We may contact you to keep you up to date with PCA publications and invitations to upcoming PCA events in the performance of our public task. Processing of your personal data may include sharing your personal data with third parties such as consultants, agents or professional advisors acting on the PCA's behalf.

6. The data you provide will not be transferred outside of the UK.
7. The provision of the information you provide is not connected with automated processing (making a decision solely by automated means without any human involvement) or profiling (automated processing of personal data to evaluate certain things about an individual).
8. To the extent that you are providing your personal data in relation to an arbitration or a query regarding the Pubs Code, the failure to provide this information may mean that we are unable to answer your query and may mean that we are unable to arbitrate your referral or take other regulatory action.
9. The information you provide to the PCA will be retained no longer than is necessary to enable us to fulfil our public task of enforcing the Pubs Code, fulfil a legal obligation or where it is no longer necessary in the public interest, including for the purposes of satisfying any legal, accounting, or reporting requirements. Details of retention periods for different aspects of your personal information are available in our [retention policy](#).
10. You have the right:
  - a. to be informed of what we will do with your data (as detailed in this notice);
  - b. to access your data;
  - c. to move, copy or transfer your data (conditions apply);
  - d. to object to or restrict the way your data is processed (conditions apply);
  - e. to have all or some of your data deleted or corrected (conditions apply);
  - f. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/> or telephone 0303 123 1113.
  - g. Where consent is given as the lawful reason for processing your data, you have the right to withdraw consent at any time.