Requests for information relating to Citizens Advice consumer service data

## Who owns the data?

### Referrals

Where data is held by the Trading Standards Service, it is their data to choose to disclose if they so wish. By ‘held’ we mean data stored in their own systems. This would include referrals from the consumer service. Where the data comes from the consumer service via referrals, the Trading Standards Service together with Citizens Advice are data controllers.

### Consumer Data Warehouse (Partner Portal)

Data held in the Citizens Advice Consumer Data Warehouse (CDW) accessed via the Partner Portal is owned by Citizens Advice and should not be disclosed to a third party without our prior permission unless provided for under section 2 of the Data Sharing Agreement (DSA) between the Trading Standards Service and Citizens Advice. Please see the Joint Investigations section below.

## To disclose or not to disclose?

### Freedom of information requests for data sourced from CDW

Sections 4.1 and 4.2 of the DSA sets out how Freedom of Information requests should be handled. For ease of reference the sections from the Citizens Advice DSA are replicated below. The DSA with Citizens Advice Scotland has the same clauses.

4.1 Where the Authority, in response to a request for Citizens Advice Consumer Information made? under the Freedom of Information Act 2000 or the Freedom of Information (Scotland) Act 2002, or the Environmental Information Regulations 2004 or the Environmental Information (Scotland) Regulations 2004, as applicable is considering disclosing Specified Consumer Information[[1]](#footnote-1) obtained from the CDW, it will promptly consult with Citizens Advice before doing so.

4.2 The Authority will, in fulfilling obligations under the Freedom of Information Act 2000 or the Freedom of Information (Scotland) Act 2002, as applicable, or the Environmental Information Regulations 2004 or the Environmental Information (Scotland) Regulations 2004, as applicable, comply with the restrictions on disclosure under Part 9 of the Enterprise Act 2002 where the Citizens Advice Consumer Information[[2]](#footnote-2) involved includes specified Information under section 238 (1) of that Act, and will comply with the Data Protection Act 1998 where the Citizens Advice Consumer Information includes personal data under that Act.

### Requests for clients’ data

If client information referred to you from the consumer service is to be disclosed this must only be done with expressed permission of the client. Such requests for information might come from the Police or the Insolvency Service. Clients give the consumer service permission to refer their case to Trading Standards and in so doing the referral information becomes their data as well as ours. The processing of personal data should not however be inconsistent with that for which it was provided i.e. in the context of the consumer service this is advice.

### Joint investigations

Section 2 of the DSAs between the Trading Standards Service and Citizens Advice sets out the circumstances under which TSS can share Consumer Service Information including compliance with part 9 of the Enterprise Act 2002 and the Data Protection Act 1998.

### Information not held

Where the information requested is not held by Trading Standards but you think that the consumer service might, please refer the requester to the Citizens Advice consumer service.

Clients, organisations or the Police who wish to request data can email

FOI requests cannot be made verbally. FOI requests can be made via email to: foirequests@citizensadvice.org.uk or by post to:

Membership and Client Services Team

Citizens Advice

20th Floor, Centre City

7 Hill Street

Birmingham

B5 4UA

(Currently due to national offices being closed, we cannot collect post.)

1. **“Specified Consumer Information”** means consumer-related information which relates to the affairs of an individual during the lifetime of that individual or which relates to any business of an undertaking, corporate entity, partnership or sole trader during the existence of that undertaking, corporate entity, partnership or sole trader. [↑](#footnote-ref-1)
2. **“Citizens Advice Consumer Information”** means any consumer-related information (including, but not limited to, personal data (as defined in the Data Protection Act 1998) and Specified Consumer Information –extracted by, or disclosed to, the Authority from the CDW [↑](#footnote-ref-2)