



## PRIVACY NOTICE – LICENSING SERVICE

### WHAT IS THE PURPOSE OF THIS DOCUMENT?

Three Rivers District Council is committed to protecting the privacy and security of your personal information.

This privacy notice describes how we collect and use personal information about you for the purposes of processing licensing applications, compliance monitoring and where required for enforcement action.

Three Rivers District Council is a “data controller”. This means that we are responsible for deciding how we hold and use personal information about you. We are required under data protection legislation to notify you of the information contained in this privacy notice.

It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

### DATA PROTECTION PRINCIPLES

We will comply with data protection legislation. This says that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

### THE KIND OF INFORMATION WE HOLD ABOUT YOU

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

In order to administer license applications, we will collect, store, and use the following categories of personal information about you:

- Personal contact details – name, address, telephone numbers, e-mail addresses
- Gender
- Date of birth
- Health information, where applicable
- Bank Details

- National Insurance Number
- Driving License
- Any other documentation required to satisfy our validation requirements.

## HOW IS YOUR PERSONAL INFORMATION COLLECTED?

We collect your personal information from you directly by asking you to complete the relevant application forms.

## HOW WE WILL USE INFORMATION ABOUT YOU

We will only use your personal information when the law allows us to.

The lawful basis for processing your personal data will be:

- Processing is necessary for compliance with a legal obligation
- 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

The situations in which we will process your personal information are listed below.

- To communicate with you in respect of your application, including issuing any licence

If you fail to provide certain information when requested, we may not be able to perform the contract we have entered into with you.

## DATA SHARING

We will share your personal information with third parties where required by law, or where it is necessary to process your application.

Your personal information will be shared with:

- Police
- Other Local Authorities
- TRDC Environmental Health
- TRDC Revenue & Benefits
- TRDC Fraud team
- Any other relevant internal departments
- HMRC
- National Anti-Fraud Network
- Central Government Agencies (e.g. HMRC Home Office, Gambling Commission for Statutory Data Returns)
- UK Police forces (under Lawful Authority Data Protection Detection of Crime powers)
- Responsible Authorities (Authority under Licensing Act and Gambling Act)
- Other TRDC Internal Departments (Under Lawful Authority, Data Protection Detection of Crime Powers)
- Licensing Services of other Local Authorities (Under Lawful Authority)
- Insurance companies
- Garages and MOT stations
- Potential litigants/Legal Services (under Data Protection provisions)

- Disclosure and Barring Service (this organisation requires you to be aware of its own Privacy Policy which can be found at: <https://www.gov.uk/government/publications/dbs-privacy-policies>)
- Immigration Border Agency (Right to reside and work in the UK)
- DVLA (Right to drive and motoring convictions)
- HMRC, DWP (Financial Matters required under statutory powers)
- UK Police forces (under Data Protection Detection of Crime powers)
- Licensing Services of other Local Authorities including the NAFN Register (Revoked and Refused Driver applicants/ licensees)
- Private Hire Operators and Hackney Radio Nets (Licence status)
- Potential litigants/Legal Services (under Data Protection provisions)
- Other Government Agencies (with statutory right of access)
- Members of the Public (if contained within a published statutory register)

Where your data is entered into our public register some of your personal information will be published on the Three Rivers District Council Website. The Council will never sell your information to anyone else.

All of the Council's third-party service providers are required to take appropriate security measures to protect your personal information in line with our policies. We do not allow our third-party service providers to use your personal information for their own purposes and they may only process your personal information for specified purposes and in accordance with our instructions.

## **DATA SECURITY**

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

Data is stored in the council's secure and password-protected computer system and in the Uniform Database Management System. The data is held on servers in England.

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

## **DATA RETENTION**

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances we may anonymise your personal information so that it can no longer be

associated with you, in which case we may use such information without further notice to you.

The Licensing Act confirms that details must be held on a public register. We will keep your information for different periods of time, depending on what we are using it for. We only keep your information for as long as we need to, after which we will securely delete the information.

Personal data in respect of Temporary Event Notices will be retained for one year following the event.

Personal data in respect of Personal Licenses will be retained in perpetuity

If a license is surrendered, records will be destroyed three years following surrender.

## **RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION**

### **Your duty to inform us of changes**

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.

### **Your rights in connection with personal information**

Under certain circumstances, by law you have the right to:

- **Request access** to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- **Request correction** of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- **Request erasure** of your personal information. This enables you to ask us to delete or remove personal information 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 information where you have exercised your right to object to processing (see below).
- **Request the restriction of processing** of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal information, or request that we transfer a copy of your personal information to another party, please contact the Data Protection Officer in writing.

### **No fee usually required**

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your

right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

## **RIGHT TO WITHDRAW CONSENT**

In the limited circumstances where you may have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. To withdraw your consent, please contact the Data Protection Officer. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

## **DATA PROTECTION OFFICER**

The Council's Data Protection Officer (DPO) is responsible for overseeing compliance with this privacy notice. If you have any questions about this privacy notice or how we handle your personal information, please contact the DPO – see [www.threerivers.gov.uk/dataprotection](http://www.threerivers.gov.uk/dataprotection) for details.

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.

## **CHANGES TO THIS PRIVACY NOTICE**

We reserve the right to update this privacy notice at any time, and we will provide you with a new privacy notice when we make any substantial updates. We may also notify you in other ways from time to time about the processing of your personal information.

## **PRIVACY NOTICE OWNERSHIP**

Position:	Head of Regulatory Services
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