



Privacy Notice – Licensing

Introduction

The Licensing Team have provided this privacy notice to help you understand how we collect, use and protect your information whilst we administer licences and permits.

The document below will describe how we may collect and process your personal information.

The purpose of this document is to clearly acknowledge the Council's responsibilities in relation to the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

Definitions

Personal Data means any information related to an identified or identifiable natural (living) person ('**data subject**') i.e. a person that can be directly or indirectly identified by reference to a name, ID reference number, email address, location data, or physical, physiological, genetic, mental, economic, cultural or societal identifier

Special Personal Data previously known as 'sensitive personal data', relates to race, ethnic origin, politics, religion, trade union membership, genetic data, biometric data, health, sex life or sexual orientation. Records of criminal personal data must also be treated in a similar way.

Data Controller determines the purposes and means of processing personal data.

Data Processor is responsible for any operation which is performed on personal data on behalf of the controller e.g. collection, recording, organisation, structuring, storage, adaption or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or making available, alignment or combination, restriction, erasure or destruction.

Third Party is someone / somebody who is not the Data Controller, the Data Processor or the Data Subject.

Who we are

The Licensing Team administer licences and permits for alcohol sales, entertainment, taxi and private hire services, gambling premises, stage performances of hypnotism, pleasure boats and charitable collections.

The Council is the 'data controller' for the information which is collated and processed. This means we are responsible for deciding how we can use your information. If you want more information regarding the services delivered, please go to our [website](#).

The Council regards lawful and correct treatment of personal information as critical to their successful operations, maintaining confidence between the Council and those with whom they carry out business. The Council will ensure that they treat personal information correctly in accordance with the law.

The services provided by the Licensing team are statutory and are governed by (and any subsequent amendments):

- Licensing Act 2003
- Gambling Act 2005
- Local Government (Miscellaneous Provisions) Act 1976 and 1982
- Town Police Clauses Act 1847
- Public Health Act 1875 (Public Health Amendment Act 1907)
- Hypnotism Act 1952
- Police Factories etc. (MP) Act 1916
- House to House Collections Act 1939
- Local Government Act 1872
- Air Quality (Taxi and Private Hire Vehicles) (England and Wales) Regulations 2019
- Safeguarding Vulnerable Groups Act 2006
- The Immigration (Restrictions on Employment and Residential Accommodation) (Prescribed Requirements and Codes of Practice) and Licensing Act 2003 (Personal and Premises Licences) (Forms) Order 2021
- Finance Act 2021
- Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022

The Data Protection Officer for ESC is Siobhan Martin, Head of Internal Audit, and can be contacted at dataprotection@eastsoffolk.gov.uk

How the law protects you

UK GDPR says that we are allowed to use personal information only if we have a proper reason to do so. More information on how the law protects you can be found on the [East Suffolk website](#).

Our Responsibilities

UK GDPR provides us with main responsibilities for processing personal data. All personal information provided by you is held securely and in confidence by us in our computerised and other records. When we process your personal information, we do so in compliance with UK GDPR.

For further information on our responsibilities, please see the [East Suffolk website](#).

Your Rights

The UK GDPR provides you with the following rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing

6. The right to data portability
7. The right to object
8. Rights in relation to automated decision making
9. The right to withdraw consent
10. The right to complain

Requests in relation to your rights with regards to the personal data we hold should be made verbally or in writing to the Data Protection Officer.

For further information on your rights, please see the [East Suffolk website](#).

Your responsibilities

You are responsible for making sure you give us accurate and up to date information, and to let us know if any personal information we hold is incorrect.

When do we collect information about you?

We collect information about you from different places, including:

- The information you supply on application forms.
- Criminal Record checks (Disclosure & Barring Service).
- The Driver and Vehicle Licensing Agency (DVLA).
- Information supplied on Medical Certificates.
- National Register of Taxi Licence Revocations & Refusals (NR3)
- Home Office
- HMRC

What information do we maintain?

The information about you which we will maintain will include:

- Your name and address.
- Your contact details.
- In some cases, your date of birth.
- In some cases, your National Insurance number.
- Vehicle information.
- Your nationality, citizenship status or right to residency/work only where this is necessary.
- Medical information.
- Decision Notices where it has been necessary to take your case to a Licensing Sub-committee.

How do we use your information?

We will be using your information to:

- Check your eligibility for the licence you have applied for.
- Carry out licensing and enforcement functions.
- Provide you with updates and information regarding the law and new policies.
- Fulfil a statutory requirement to submit vehicle information under the Air Quality (Taxi and Private Hire Vehicles) (England and Wales) Regulations 2019

We will not use your personal data for other purposes other than for what it was collated unless we have obtained your consent or for other lawful purposes (e.g. detection and prevention of fraud).

How long do we keep your information?

We will hold your personal information for the life of the licence and then six years; Limitation Act 1980.

Data Sharing

We will only share your personal information where permitted by law.

We may share your data internally with other council departments or externally with the following:

- The Police
- Other Responsible Authorities
- Other Local Government departments
- National Anti-Fraud Network (NAFN) (for the purposes of NR3), once shared this information will be held by NAFN for a period of 25 years.
- Disclosure and Barring Service

Transferring your information overseas

Currently, we do not transfer any personal information outside of the European Economic Area (EEA).

National Fraud Initiative (NFI)

We may share information provided to us with other bodies responsible for auditing, or administering public funds, or where undertaking a public function, in order to prevent and detect fraud. For further information, see the [East Suffolk website](#).