

Privacy Notice for Licensing Service

Data Controller: Erewash Borough Council, Town Hall, Wharncliffe Road, Ilkeston, Derbyshire, DE7 5RP

Data Protection Officer: Rachel Fernandez, Performance and Community Manager, Erewash Borough Council, Town Hall, Wharncliffe Road Ilkeston, Derbyshire, DE7 5RP, email rachel.fernandez@erewash.gov.uk, tele: 0115 9072244

Introduction

The Council is committed to being transparent about how it collects and uses the data it collects and to meeting its data protection obligations.

The Licensing Service collects data in order to process and determine licensing applications with personal and sensitive data used to assess an applicant's suitability to hold a licence. It may also be used to prevent and detect crime and for this purpose information may be shared with other agencies.

What information does the council collect?

The council collects a range of information about you. This includes

- Your name, address and contact details, including email address and telephone number, national insurance number, date of birth and any previous names and addresses, criminal convictions, medical history, driving endorsements. Copies of documents may be retained to process
- A Disclosure and Barring Service (criminal records) check for hackney carriage and private hire vehicle driver, personal licence holders and scrap metal dealers. These may include checks of identification documents and utility bills. A full list of these documents is available on request
- Certificate of good conduct if you are unable to provide a five year continuous history of living in the UK
- Supporting documentation for the right to work in the uk
- D4 DVLA Group 2 standard medical record check
- DVLA driving licence details and any endorsements
- Passport photograph in cases endorsed by a professional person

The council may collect this information in a variety of ways, for example; as part of the application process or as a requirement for the licence holder to disclose sensitive data as a condition to hold a licence. A pre-arranged appointment can be made with a member of the Licensing team to bring in applications and supporting documents, or contact us by e-mail or in writing if you are providing us with updated information. We can be contacted by telephone, however some information must be provided in writing. If we do not require the original

documents, we may accept scanned copies from the Town Hall receptions or Merlin Way depot. Application and annual fee payments are processed by the Contact Centre. Copies of supporting documents may be retained for audit purposes whilst the licence is in force.

The council may also collect personal data about you from third parties, this will include criminal records and driving licence checks, you will be required to sign up to the Disclosure and Barring Service Update Service and confirm we can access your online record annually or if we believe that there has been a change in your circumstances. We also use Intelligent Data Systems (UK) Limited and DriveTech (UK) Limited to provide DVLA driving licence checks, a data protection mandate is signed every three years to permit access to a check on line annually or if we believe that there has been a change in your circumstances. A copy of this record is retained whilst the licence is in force.

Data will be stored in a range of different places, this may be held electronically on the Councils software and as a paper copy in secure storage. Applications will be retained for the required retention period, supporting documents will be retained for the period that the licence is in force for audit purposes and then securely disposed of.

Why does the council process personal data?

The council needs to process data to take reasonable steps at your request to entering into a contract with you. It may also need to process your data to deliver a service you have requested.

In some cases, the council needs to process data to ensure that it is complying with its legal obligations.

The Council must be satisfied that an applicant is a fit and proper person to hold a licence with public safety paramount in its decision making and to demonstrate this an applicant must provide and disclose personal sensitive data.

The Council will collect, process and store the personal information that you provide to us in order to process your application for a licence. Processing of your personal information in this way is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council.

Who has access to data?

Under legislation, we may have to share your data with other internal departments, government agencies, other licensing authorities and the emergency services.

The council will not transfer your data outside the European Economic Area.

How does the council protect data?

The council takes the security of your data seriously. It has internal policies and controls in place to ensure that your data is not lost, accidentally destroyed, misused or disclosed, and is not accessed except by our employees in the proper performance of their duties.

For how long does the council keep data?

Under S2 of the Limitation Act 1980 the Licensing Service will retain your data for 6 years after the expiry of a licence.

Your rights

As a data subject, you have a number of rights. You can:

- Access and obtain a copy of your data on request
- Require the council to change incorrect or incomplete data
- Require the council to delete or stop processing your data, for example where the data is no longer necessary for the purpose of processing; and
- Object to the processing of your data where the council is relying on its legitimate interests as the legal ground for processing.

If you would like to exercise any of these rights, please contact the Council's nominated Data Protection Officer, Rachel Fernandez, performance and community Manager. Erewash Borough Council, Town Hall, Wharncliffe Road Ilkeston, Derbyshire, DE7 5RP, email rachel.fernandez@erewash.gov.uk, tele: 0115 9072244

If you believe that the council has not complied with your data protection rights, you can complain to the information Commissioner.

What if you do not provide personal data?

The Council has a statutory obligation to process your data under The Licensing Act 2003, Gambling Act 2005, Towns Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976. An application will not be considered complete without supporting information and personal data.

Automated decision-making

The Licensing Service is not based on automated decision-making.