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<b>Service Area:</b>	Public Protection
<b>Work Area:</b>	Licensing
<b>Contact Details:</b>	01443 866750 <a href="mailto:licensing@caerphilly.gov.uk">licensing@caerphilly.gov.uk</a>
<b>Privacy Notice Name:</b>	Taxi applications in accordance with Local Government (Miscellaneous Provisions) Act 1976 & Town Police Clauses Act 1847.
<b>Description of Privacy Notice:</b>	This privacy notice will explain how Caerphilly County Borough Council will use the information you provide about yourself if you make an application for Hackney Carriage / Private Hire Driver, Hackney Carriage / Private Hire Vehicle or Private Hire Vehicle Operator licence.

## How we will use your information

### Purpose and legal basis for using your information

#### Purpose of processing

The information you provide is used to process your application(s) for hackney carriage/private hire vehicle driver's licence, Hackney Carriage or Private Hire Vehicle licence and Private Hire Vehicle Operator's licence. This information will be used to determine your or your vehicle's suitability / continued suitability for the purposes of licensing.

Where licences are determined by a Committee, the agenda is publicly available via our website. Personal details however are anonymised.

We also have a legal obligation to maintain public registers in accordance with above legislation. If relevant the following information of yours will be contained on a public register:

- Name, licence number:
- Date and period of licence granted (private hire vehicle driver's licence only)

Your information will also be used for the purposes of statutory returns, compliance and customer service reviews.

#### Source and categories of personal data

In addition to the information you provide, we may also obtain information to determine your or your vehicle's suitability / continued suitability for the purposes of licensing from other sources such as other local authorities that you may have previously held a license with or the Police.

## **Legal basis for processing**

There is a public task obligation to process your information detailed below:

- Local Government (Miscellaneous Provisions) Act 1976
- Town Police Clauses Act 1847.

In order for the processing of personal data to be lawful under the General Data Protection Regulations 2016, a valid condition from Article 6 of the Regulations must be identified, which is outlined below:

- 1e. 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;

Data Protection legislation provides extra protection for certain classes of information called 'special personal data'. If any information falls within the definition of special personal data then an additional condition from Article 9 of the Regulations must be identified, as outlined below:

Data Protection Act 2018 – Schedule 1 / Part 2

- 6 (1) This condition is met if the processing—
  - (a) is necessary for a purpose listed in sub-paragraph (2), and
  - (b) is necessary for reasons of substantial public interest.
- (2) Those purposes are—
  - (a) the exercise of a function conferred on a person by an enactment or rule of law;
  - (b) the exercise of a function of the Crown, a Minister of the Crown or a government department.

Data Protection legislation also provides extra protection for personal data in relation to criminal convictions and offences. If any personal data falls within this category then an additional condition from Article 10 of the Regulations must be identified.

The condition above is both an Article 9 and Article 10 condition for processing.

## **Who will have access to your information**

### **Identity of Data Controller and Data Protection Officer**

The Data Controller for your information is Caerphilly County Borough Council. The Data Protection Officer is:

Ms Joanne Jones  
Corporate Information Governance Manager / Data Protection Officer  
Email: [dataprotection@caerphilly.gov.uk](mailto:dataprotection@caerphilly.gov.uk)  
Tel: 01443 864322

Other Data Controllers may also be responsible for your information, depending on the specific circumstances. Please contact the Service Area for further information.

### **Details of main users of your information**

The main user of your information will be the Licensing and Trading Standards Sections, who will be supported with legal advice from CCBC's Legal Services.

Where applications for licences cannot be determined by officers under delegated powers, applications are determined by a Sub Committee made up of elected members.

Where licences are determined by a Committee, the agenda is publicly available via our website. Personal details however are anonymised.

We also have a legal obligation to maintain public registers in accordance with above legislation. If relevant the following information of yours will be contained on a public register:

- Name, licence number:
- Date and period of licence granted (private hire vehicle driver's licence only)

### **Details of any sharing of your information within Caerphilly county borough council**

We may share your information with the following service areas:

- Integrated Transport Unit, Fleet Management and Social Services for the purposes of the protection of the public, including children and vulnerable adults
- Council Tax and Housing Benefits for the purpose of the detection and prevention of fraud on the public purse

### **Details of any sharing of your information with other organisations**

Your information may be shared where there is a legal basis for doing so with the following organisations:

- Insurance Companies/Providers
- Other Local Authorities, this may include sharing detailed information with other local authorities in relation to the reason for our refusal / revocation,
- Your Doctor,
- Other statutory authorities for example and not limited to Her Majesty's Revenue and Customs (HMRC), Cabinet Office, Home Office, Audit Commission, Department for Transport, Department for Work and Pensions, DVSA, Disclosure and Barring Service (DBS), Police or similar agency, where sharing your data is necessary.
- Other public bodies or organisations using data matching techniques to collect taxes, detect and prevent fraud on the public purse or to assist in the investigation and detection of crime, the prosecution of offenders, protection of property and to maintain law and order, such as the National Fraud Initiative.
- We may also be required to share your personal information with the Police, or similar agency, or another Council for the purposes of preventing and detecting fraud.
- National Register of Taxi Licence Revocations and Refusals (NR3) for the purpose of sharing information regarding driver licence revocations and refusal of applications

### **Details of any external data processors**

Diamond People Ltd (Database provider) provides updates to system and maintenance of records and/or registers). The processing of data will be in accordance with the data processor agreement in place.

### **Requests for information**

All recorded information held by Caerphilly County Borough Council may be subject to requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Data Protection Act 1998.

If the information you provide is subject to such a request, where possible Caerphilly County Borough Council will consult with you on its release. If you object to the release of your information we will withhold your information if the relevant legislation allows.

## How long will we retain your information

### Details of retention period

How long Caerphilly County Borough Council retains information is determined through statutory requirements or best practice.

In accordance with the Public Protection Data Retention Policy information is retained as follows:

- Hackney Carriage/Private Hire Vehicle Driver – Licence relevant plus 3 years and medical certifications
- Hackney Carriage/Private Hire Vehicle Driver (where licence refused or revoked) – up to 25 years
- Hackney Carriage and Private Vehicles – Licence relevant plus 1 year
- Private Hire Vehicle Operators – Licence relevant plus 5 years

## Your Rights (Inc Complaints Procedure)

### Your rights under the Data Protection

Data Protection gives data subjects (those who the information is about) a number of rights:

- The right of subject access – Application forms for this process are available on our website: [SAR Form](#)
- The right to be informed
- The right of rectification
- The right to erasure
- The right to restrict processing
- The right to object
- The right to data portability
- Rights in relation to automated decision making and profiling.

Further information on your rights is available from: [www.ico.org.uk](http://www.ico.org.uk).

To enact your rights please contact the service area detailed on the top of this form.

### Complaints Procedure

If you are unhappy with the way that Caerphilly County Borough Council has handled your request / information, you have the right of complaint. Please contact the Service Area detailed at the top of this document outlining your issues.

If you remain unhappy you also have a right of complaint to the Information Commissioner's Office. Please follow this link for further information on the complaints process.

[www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints](http://www.caerphilly.gov.uk/My-Council/Data-protection-and-freedom-of-information/Questions-and-complaints)

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# Summary Privacy Notice

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## How we will use your information

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Your identity may form part of a publicly available committee report and / or a public register. Your information will also be used for the purposes of statutory returns, compliance and customer service reviews. It will also be used for the purpose of sharing information regarding driver licence revocations and refusal of applications on the National Register of Taxi Licence Revocations and Refusals (NR3). We may obtain information about you from other sources and we may share your information with others where there is a legal basis for doing so.

Further details on how long we will keep your information are provided in the link below.

You have a number of rights in relation to the information including the right of access to information we hold about you and the right of complaint if you are unhappy with the way your information is being processed.

For further information on how we process your information and your rights please click the following link:

[{Hyperlink to Full Privacy Notice on our website}](#)