**National Register of Hackney Carriage and Private Hire Driver Revocations and Refusals (NR3 Register) Privacy Notice**

This privacy notice provides information on how Allerdale Borough Council (‘the Council’) collects and processes your personal data. It explains what personal information is collected, what it is used for and who it is provided to. The notice also describes why we require your data, and the legal basis on which we do this.

It provides additional information that specifically relates to this particular service and should be read together with Council’s Corporate Privacy Notice which provides more detail.

Data Controller

Allerdale Borough Council as the Licensing Authority is the data controller which is responsible for your personal data. The Council collects and uses information about applicants, currently licensed drivers and previously licensed drivers to enable it to carry out specific functions for which we are statutorily responsible.

What is your information used for?

We will only use your personal data for the purpose for which we collected it.

The Licensing Authority has signed up to the National Register of Revocations and Refusals of hackney carriage and private hire drivers’ licences (‘the Register’) with Tameside Metropolitan Borough Council as the host authority for National Anti-Fraud Network (NAFN) Data and Intelligence Services. NAFN has agreed to host the Register on behalf of member authorities which are any public authority, including Transport for London (TfL) which is responsible for carrying out functions in its area relating to the determination of applications for hackney carriage and private hire drivers’ licences (and the revocation of such licences).

Purpose

The aim of the data sharing initiative is to allow co-operation between the Licensing Authorities and enables them to share information in order to identify persons that have had a hackney or private hire drivers’ licence revoked or refused by another Licensing Authority. Licensing Authorities are required to be satisfied that a person is fit and proper to hold such a licence and this information will be used to assist in determining an application for a hackney or private hire drivers’ licence. We may share your personal data within Allerdale Borough Council.

Relevant information on the register will in future be part of the process for assessing licence applications (new and renewal) and whether an individual is a fit and proper person. All applicants will have their details checked against the register, and any relevant information taken into account in assessing the application. Where an application is refused, or where a licence is granted but subsequently revoked, this information will be entered into the register. This information will be processed in accordance with the Data Protection Act 2018 and General Data Protection Regulations 2018. If the individual makes an application to another licensing authority for a drivers’ licence at a later date, that authority will check the register, and the details of the refusal or revocation may be provided to them by the first authority, in line with their policy for disclosing information.

We may collect, use, store and transfer different kinds of personal data about you. The information input into set fields within NR3 are as follows:

 **Legal Entity Details**

 Name

 Date of Birth

 Address

 Driving Licence Number

 National Insurance Number

 Telephone Number

 Email address

 **Licensing Type**

 Hackney

 Private

 Dual

 **Licensing Action**

 Refusal

 Revocation

Legal basis for using your information

The member authorities signed up to the Register agree to only process Shared Personal Data for the following purpose:

When undertaking activities under sections 51, 59 and 61 Local Government (Miscellaneous Provisions) Act 1976, sections 13, 16 and 17 Private Hire Vehicles (London) Act 1998, section 3 Private Hire Vehicles (London PHV Driver's Licences) Regulations 2003, sections 25 and 30 London Cab Order 1934, sections 9 and 19 of the Plymouth City Council Act 1975 and section 46 of the Town Police Clauses Act 1847.

Each party shall ensure that it processes Shared Personal Data on the basis of the following grounds:

a) the 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 (GDPR Article 6 (1)(e))

Data Retention

The details will be kept for the standard retention period for Shared Personal Data in the National Register which is 25 years. It will continue to be retained in accordance with any statutory or professional retention periods applicable.

Your Legal Rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data, including the right to receive a copy of the personal data we hold about you and the right to make a complaint at any time to the Information Commissioner’s Officer, the UK regulator for data protection issues (www.ico.org.uk).

Can I see my records?

The Data Protection Act 2018 allows you to submit a ‘subject access request’ (SAR) seeking copies of your details from the register at any point.

If you wish to see a copy of your records you should contact the Council’s Data Protection officer. There is a standard form that you can complete and submit to us electronically on the Individuals’ Rights page on the website. You are entitled to receive a copy of your records free of charge, within a month.

In certain circumstances access to your records may be limited, for example, if the records you have asked for contain information relating to another person.

Do I have other rights?

The full GDPR rights for individuals are: the right to be informed, the right of access, the right to rectification, the right to restrict processing, the right to erasure, the right to data portability, the right to object and also rights around automated decision making and profiling.

It is important to note that although data subjects have the right to make these requests, the licensing authority does not have to agree to them. The fact that NR3 has been deemed necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller makes its very unlikely that an authority would agree to these rights, other than the rights to access individual data on the NR3 and the rectification of data where an error has been made. However, authorities will need to respond to these requests within thirty days, setting out their decision

You have the right to be told if we have made a mistake whilst processing your data and we will report breaches to the Commissioner.

Council assurance to individuals

The council will apply the GDPR principles when handling your data. The principles are: Lawfulness, fairness and transparency, purpose limitation, data minimisation, accuracy, storage limitation, integrity and confidentiality. The council will ensure it has the necessary documentation to prove that they are meeting their compliance requirements through technical measures and documentation.

Further information

We have appointed a Data Protection Officer (DPO). If you have any questions about this privacy notice or our data protection practices please contact the DPO.

Contact details:

Contact the Information Governance team by email.

Or

Information Governance and Data Protection Officer

Allerdale House

Workington

CA14 3YJ

Tel: 0303 123 1702

Complaints

If we have been unable to resolve your complaint, you can refer the matter to the Information Commissioners Office (ICO). The ICO is the UK’s independent body set up to uphold information rights, and they can investigate and adjudicate on any data protection related concerns you raise with them. They can be contacted via the methods below:

Website [www.ico.org.uk/](http://www.ico.org.uk/)

Tel: 0303 123 1113