

Privacy Notice for Hackney Carriage and Private Hire Licensing

Why we are collecting your data

Lewes District Council and Eastbourne Borough Council are data controllers and collect your personal data in order for the council to issue and manage Hackney Carriage and Private Hire licences we must collect and process personal information, including medical records, in order to determine whether a licence can be issued.

Successful applicants' details will be entered onto The Hackney Carriage and Private Hire Public Register which includes drivers name, licence number, type of licence and vehicle registration mark.

What is the legal basis for processing this data?

The legal basis we rely on to process your personal data is:

The legal basis we rely on to process your personal data is article 6(1)(c) of the UK GDPR. The processing is necessary for compliance with a legal obligation we are subject to – see below:

- Licensing Act (2003)
- Local Government (Miscellaneous Provisions) Act (1976)
- Town Police Clauses Act (1847)
- Under the local Government (Miscellaneous Provisions) Act 1976 the council has powers to issue and manage taxi licences. We also have a duty under this act to ensure only fit and proper persons hold a licence.

Where we need to process 'special category' data, such as health and medical information, the lawful basis is provided by UK GDPR article 9(1)(g) – the processing is necessary for reasons of substantial public interest (with a basis in law); and by the Data Protection Act 2018, Schedule 1, Part 2, paragraph 6 – the processing is necessary for the exercise of a function conferred on a person by an enactment and is necessary for reasons of substantial public interest and Paragraph 18 safeguarding of children and of individuals at risk.

You will not be able to hold a licence without the personal data you provide us with.

What personal data will we be collecting?

The personal data we may collect:

- Contact details, including name, address, email address, telephone number etc
- Date of birth
- Proof of identity

- National identifiers such as; LA numbers
- Location service
- Visual Images
- Licences or permits held
- Physical or mental health details
- Racial or ethnic origin
- Gender
- Offences (including signed offences)
- Criminal proceedings, outcomes and sentences

It may be necessary to process data for the purposes of carrying out investigations and undertaking enforcement action, which may result in licences being suspended or revoked

The licensing authority also provides training for drivers, in which case we will need to process data to ensure you are eligible as only licenced drivers can attend.

Who will your information be shared with?

To ensure our record keeping is efficient and to be able to provide services quickly across Lewes and Eastbourne we hold your personal information in a centralised customer record.

We may check information provided by you, or information about you provided by a third party, with other information we hold. We may also get information from third parties or give information to them to check the accuracy of information, to prevent or detect crime, or to protect public funds, if the law allows it. These third parties include the Police and government departments such as Immigration.

Your information may also be shared externally with the council's independent medical advisor, Disclosure Barring Service, insurance providers, legal representatives, the courts, American Express Community Stadium and WiSE, for driver training. We may use the information we hold about you to assist in the detection and prevention of crime or fraud which may mean sharing with other public bodies, such as the Police, Revenues and Customs, UK Visa and Immigration and the Department of Work and Pensions. Your information may also be shared with the NR3 Register run by the National Anti-Fraud Network to ensure only fit and proper persons are licenced. Those who have been refused a licence or had a licence revoked will be entered on to the register. Should this person try to gain a licence from another authority they can check against the register and request further information from us regarding why the licence was refused or revoked. Likewise, we can also request information from other authorities.

We are also required to provide driver and vehicle information to the Department for Environment, Food and Rural Affairs so they can keep a record for air quality purposes. We also share information with the National Fraud Initiative run by central government.

We may also share information with other bodies that are responsible for auditing or administering public funds, including the Cabinet Office. The Cabinet Office requires councils to participate in data matching exercises to assist in the prevention and detection of fraud. Councils are required to provide particular sets of data to the Cabinet Office for this purpose and cannot refuse to hand over this data.

We may use contact details for communication purposes to support licence holders. This may include updates in legislation and on road and traffic news.

We may also use it to communicate with you in relation to the prevention and detection of crime, for example we may ask to witness to events or email you missing person alerts.

Data may be collected and processed in order to respond appropriately to complaints or queries, including lost property. Information provided may be used in investigations and enforcement action, as well as for communication purposes in relation to the complaint or query.

At times we may collect and process data because you have given your consent for us to do so. In most instances you will be asked to give your consent at the point of collection.

Where we need to disclose sensitive information such as medical details to a third party, we will do so once we have obtained your explicit consent, or where we are legally required to. We may disclose information when necessary to prevent risk of harm to an individual.

We will not

- Use your information for marketing or sales purposes without your prior explicit consent.
- Send or store your data abroad
- Make decisions about you based on automated processing.

How long will we hold your data for?

The council we keep your data in line with the councils retention schedule which can be found here: [Data retention, storage and disposal](#)

Your rights

You are entitled to request a copy of any information about you that we hold.

If the information we hold about you is inaccurate you have a right to have this corrected and you have the right to request completion of incomplete data.

You have the right to request that we stop, or restrict the processing of your personal data, in certain circumstances. Where possible we will seek to comply with your request, but we may be required to hold or process information to comply with a legal requirement.

If you are dissatisfied with how the councils have used your personal information you have a right to complain to the Information Commissioner's Office at casework@ico.org.uk

Identity of the Data Protection Officer

Data Protection Officer – Oliver Dixon, Senior Lawyer

Contact details

Lewes and Eastbourne Councils, Town Hall, Grove Road, Eastbourne, BN21 4UG

Email: acesstoinformation@lewes-eastbourne.gov.uk

Tel: 01323 410000