



Taxi Licensing Privacy Notice

Wigan Council (“a data controller”) is committed to protecting the privacy and security of your personal information.

The Licensing Team are responsible for the processing of applications and payments for the following licences. They are also responsible for ensuring holders of these licences remain compliant with the relevant legislation, byelaws and licence conditions.

- Private Hire:
 - Operators
 - Vehicles
 - Drivers
- Hackney Carriage:
 - Vehicles
 - Drivers

The purpose of this licensing is to safeguard the fare paying, travelling public by ensuring that vehicles are safe, reliable and comfortable, operators are efficient and that drivers are considered ‘fit and proper’.

To enable us to process applications and payments and ensure continued compliance with licences we collect, store and process personal and sensitive information about individuals and businesses.

To enable us to accept and investigate complaints or enquiries in relation to the above licences we will also collect, store and process personal information about individuals and businesses.

This information enables us to carry out the specific functions that we are responsible for in line with legislation.

Our core obligations under the general data protection regulations (GDPR) and commitments are set out in the [Council’s Primary Privacy Notice](#).

This notice provides additional privacy information for:

- Applicants
- Existing Licence Holders
- Members of the Public (Complainants)

It describes how we collect, use and share personal information about you:

- Before, during and after your relationship with us ends and
- The types of personal information we need to process, including information the law describes as ‘special’ because of its sensitivity.

It is important that you read this notice, together with any other privacy information so that you are aware of how and why we use your personal information.

We collect Special Information;

The law treats some types of personal information as ‘special’ because the information requires more protection due to its sensitivity. This information consists of:

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade Union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences

Purpose(s)

The main purposes for which we may process your personal information are:

- The processing of licensing applications
- The processing of payments in relation to licensing functions
- To investigate relevant complaints or enquiries
- To carry out pro-active enforcement activities to ensure compliance
- To allow us to communicate and provide relevant information in relation to licensing changes
- For the prevention and / or detection of fraud and / or crime
- To keep a public register in relation to the licences which we have issued.
- To fulfil a legal obligation

Categories of personal data

In order to carry out activities and obligations as Regulatory Services we may process personal information in relation to:

- Personal contact details, such as names (including previous names), title, addresses, telephone numbers and personal email addresses.
- Personal demographics including date of birth, gender.
- Other contact details, such as names, addresses, telephone numbers and personal email addresses.
- Other information, such as national insurance number, nationality, evidence of entitlement to work in the UK, payment information, driving licence number.

Special Categories

- Offences (including alleged offences), criminal proceedings / investigations, outcomes and sentences.
- Medical Information (to comply with the DVLA Group 2 medical standards).

The legal bases we rely on for processing your personal information are:

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

If we intend to use your information beyond legal obligations or to exercise specific rights, we will seek your consent to process your information and full guidance will be provided.

AUTOMATED DECISION-MAKING

All the decisions we make about you involve human intervention.

COOKIES

To find out how we use cookies please see our [cookie notice](#).

DATA SHARING

In addition to the general reasons for information sharing described in the Council's primary privacy notice, we may share your information with:

- Greater Manchester Police
- Internal Council Departments
- Regulation Committee
- Other Local Authorities
- Disclosure and Barring Service (DBS)
- DVLA
- HM Revenue and Customs
- Home Office
- Insurance Companies
- Other Organisations (where the disclosure is necessary for the purposes of the prevention and / or detection of crime)

We also collect or receive information from external parties such as:

- Members of the Public
- Elected Members
- Greater Manchester Police
- Internal Council Departments
- Other Local Authorities
- Disclosure and Barring Service (DBS)
- DVLA
- Home Office

DATA RETENTION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our [corporate records policy](#) to fulfil legal, statutory and regulatory requirements.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

- You have the right to ask for your information and there will not be a charge for you to do so. This is known as a [subject access request](#) and we act in accordance with this policy.
- To ask for your information to be corrected if it is inaccurate or incomplete.
- To ask for your information to be deleted or removed where there is no need for us to continue processing it. (right to be forgotten)
- To ask us to restrict the use of your information.
- To ask us to copy or transfer your information from one IT system to another in a safe and secure way without impacting the quality of the information.
- To object to how your information is used.
- To challenge any decisions made without human intervention (automated decision making).

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is in our view

unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

RIGHT TO WITHDRAW CONSENT AT ANYTIME

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of our processing prior to the withdrawal of your consent.

If you do not provide consent, we may not be able to perform the contract we have entered into with you, or we may be prevented from complying with our legal obligations as detailed above.

If you wish to withdraw consent you should contact the Licensing Section via emailing licensing@wigan.gov.uk who will process your request as a matter of priority. .

YOUR RIGHTS

In addition to the above you have legal rights in relation to your personal information.

You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Full details are contained within the [Council's Primary Privacy Notice](#) and should be read before consenting to this document.

To ask for access to your information you should submit a [subject access request](#)

DATA PROTECTION OFFICER

If you wish to raise a concern or discuss any aspect of this notice please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the Information Commissioners Office (ICO) at: <https://ico.org.uk>

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

The Information Commissioners Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

CHANGES TO THIS PRIVACY NOTICE

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.