

PRIVACY NOTICE FOR PUBLIC PROTECTION AND REGULATORY SERVICES

<b>IDENTITY OF DATA CONTROLLER</b>	<b>SUNDERLAND CITY COUNCIL</b>
<b>DATA PROTECTION OFFICER</b>	<b>DATA PROTECTION OFFICER</b> <b>SUNDERLAND CITY COUNCIL</b> <b>PO BOX 100 SR2 7DN</b> <b>EMAIL:</b> <a href="mailto:Data.Protection@sunderland.gov.uk">Data.Protection@sunderland.gov.uk</a> <b>TELEPHONE: 0191 561 1023</b>
<b>PURPOSES AND LEGAL BASIS FOR PROCESSING</b>	<p>We have a statutory duty to administer, enforce legislation and regulate licences, registrations and permits and related permissions (called ‘authorisations’) within the remit of Public Protection of Regulatory Services.</p> <p>The majority of information is collected on application forms you submit to us for authorisations where required or allowed by law. We may collect information by postal forms, email, on the telephone or online forms including through <a href="http://www.gov.uk">www.gov.uk</a>. We may obtain information given to us by third parties who may make complaints or referrals to us, such as members of the public or other statutory agencies and authorities.</p> <p>Some of the information we collect is classified as special category personal data (i.e. sensitive personal information) such as criminal record checks. This is processed for reason of substantial public interest in accordance with the relevant legislation. To process this type of information, we must have a relevant policy document that sets out how this information will be handled.</p> <p>Our lawful basis for processing criminal convictions data (i.e. criminal allegations, proceedings or convictions) is 'where it is necessary for the performance of a task in the public interest or in the exercise of official authority vested in the Data Controller. Additionally, we may use and</p>

	<p>share personal information relating to the alleged commission of offences or proceedings for an offence committed or alleged to have been committed. This will usually be where such processing is necessary:</p> <ol style="list-style-type: none"> <li>1. to carry out our legal obligation(s);</li> <li>2. in relation to legal claims;</li> <li>3. to protect your interests (or someone else's interests); or</li> <li>4. where you have already made the information public.</li> </ol> <p>We will hold information about criminal convictions data for example through the instigation of legal proceedings and where appropriate, we will collect information about criminal convictions as part of the licensing function or we may be notified of such information directly by you, in the course of your application for a licence.</p>
<p><b>LEGITIMATE INTERESTS (IF APPLICABLE)</b></p>	<p>Information is shared with other regulatory and enforcement authorities including, but not limited to, other Council services; the police; HM Revenues and Custom; Home Office Immigration; NHS services, and other local authorities when allowed to by law for the purposes of the administration and enforcement of authorizations, and for the purposes of the prevention and detection of crime, public safety, public health, protection of the environment and prevention of fraud.</p> <p>Certain information about authorisations (including in particular your name and the address of any premises to which an authorisation applies) may be published on a public register when we required to by law. Authorisations that have to be determined by our Councillors will be published in minutes.</p>
<p><b>RECIPIENTS OF DATA</b></p>	<ul style="list-style-type: none"> <li>• <b>You and your representative</b></li> <li>• <b>Police</b> – From time to time we get requests from the police for information that will assist them in investigating and preventing crime.</li> <li>• <b>Tyne and Wear Fire Service</b> – From time to time we get requests from the</li> </ul>

fire services for information that will assist them with regard to fire safety and in investigating and preventing fire related crime.

- **Councillors who sit on the Council's Committees** – If we refer your application to Committee for determination.
- **Officers who service the Council's Committees** – Internal Council Officers (legal officer, democratic services officer and other officer(s)) who are required to attend the Council's Committees If we refer your application to Committee for determination.
- **Internal Council Departments** – Who require access to your information for the purposes of administration, regulation and law enforcement. From time to time we may share your information with other council departments if the law allows us to do so.
- **Cabinet Office** – The Council has a legal duty to submit information to the government as part of the **National Fraud Initiative (NFI)**. You can read about the types of information we have to disclose to the NFI on their website.
- **HMRC** – The Council has a statutory duty under schedule 23 of the Finance Act 2011 to submit returns to the HRMC.
- **National Anti-fraud Network** – The Council shares information with NAFN as part of the national database of hackney carriage and private hire driver licence refusal, suspensions and revocations.
- **Government Departments** – From time to time we get requests from Government Departments (such as Home Office, Environment Agency, or Food Standards Agency) for information that will assist them. We will provide this information if the law allows us to do so.

	<ul style="list-style-type: none"> <li>• <b>Members of the Public</b> – Some limited information will be made publicly available, in accordance with the relevant legislation.</li> </ul>
<b>INTERNATIONAL TRANSFERS INCLUDING SAFEGUARDS</b>	No information will be stored or transferred to Servers based outside the European Economic Area.
<b>RETENTION PERIOD OR CRITERIA</b>	<p>We may keep your personal information indefinitely depending on the relevant legislation. However the vast majority of personal information will be kept for a maximum of seven years after the file closure. It will then be securely disposed of.</p> <p>We will keep copies of your criminal disclosure certificate until such time as your application has been granted or until such time as all legal appeals against a decision to refuse your licence have been exhausted. It will then be securely disposed of.</p> <p>We will keep any personal information contained in minutes arising from attendance before a committee indefinitely as part of the public record.</p>
<b>RIGHT TO REQUEST RECTIFICATION/PORTABILITY/OBJECTION</b>	<p>Your Information Rights are set out in data protection law. you have the right to ask to:</p> <ul style="list-style-type: none"> <li>• have inaccuracies corrected;</li> <li>• have your personal data erased;</li> <li>• place a restriction on our processing of your data;</li> <li>• object to processing; and</li> <li>• request your data to be ported (data portability).</li> </ul> <p>Subject to some legal exceptions, we will comply with your request.</p> <p><b>To exercise any of these rights please contact the relevant service in the first instance.</b></p> <p>You also have the right to request a copy of the personal information we hold about</p>

	you.
<b>RIGHT TO WITHDRAW CONSENT</b>	Where we process data based on your consent you have the right to withdraw that consent at any time. You can do this by contacting the service direct or through the Data Protection Office.
<b>RIGHT TO COMPLAIN TO ICO</b>	<p>If you have concerns about how we have dealt with your personal information, please contact the Data Protection Officer at <a href="mailto:Data.Protection@sunderland.gov.uk">Data.Protection@sunderland.gov.uk</a>, or by calling 0191 561 1023</p> <p>You can also contact the <a href="#">Information Commissioner's Office</a>  Information Commissioner's Office  Wycliffe House  Water Lane  Wilmslow  Cheshire  SK9 5AF  <b>Telephone:</b> 0303 123 1113 (local rate) or 01625 545 745  <b>Fax:</b> 01625 524 510</p>
<b>CONSEQUENCE OF FAILURE TO SUPPLY DATA</b>	The Council will be unable to fulfil its statutory obligations to assess your fitness and suitability to hold a licence and will be unable to enforce policy and legal requirements and will be unable to issue the relevant licence.
<b>EXISTENCE OF PROFILING OR AUTOMATED DECISION-MAKING</b>	None.