

## **PRIVACY NOTICE – COMPLAINTS, REPRESENTATIONS AND OBJECTIONS**

### **Purpose of our processing**

You are being asked for your personal data so that we can process your complaint, representation or objection.

### **Lawful basis for processing your data**

South Oxfordshire District Council has a legal obligation to process information when assessing applications, investigating complaints and checking for compliance with licences. We are also required to comply with the Data Protection Act 2018 (DPA 2018) and UK General Data Protection Regulation (UKGDPR). We rely on Article 6(1)(e) of the UKGDPR, which has 'public task' as the lawful basis for processing the following personal data.

### **The personal data we process**

The personal data we collect will depend on the information you include in your correspondence but we would only generally request some or all of the following categories of personal data:

- Name
- Address
- Email address and telephone numbers
- Signatures

### **Who we share your data with**

We may share your information with a number of other organisations as part of our process where we have a lawful basis to do so. For example the police, DVLA, Home Office and DWP to aid with the detection and prevention of criminal acts. We may also rely on a number of exemptions which allow us to share information without needing to comply with all the rights and obligations under the Data Protection Act 2018.

There may be circumstances when we would share your personal data with one of our partners. These are organisations we work with only when it is appropriate to do so and we have legally binding agreements about when and how we would share your personal details with them. If you would like to understand more about this, please contact us on 01235 422556 or by email on [licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk). For specific details about information sharing between licensing authorities, please [refer to our current information sharing agreements](#).

For complaints about taxi drivers which are relevant to a decision to suspend, refuse or revoke a licence, we will hold supporting information about that decision for 11 years, and may share it where it is appropriate and legal to do so in accordance with our use of the NR3S Register held by the National Anti-Fraud Network which holds data about individuals who have their application refused or have a licence suspended or revoked.

For representations or objections to licence applications, these may be made public where there is a meeting of a licensing sub-committee (known as a 'Licensing Panel') in accordance with the provisions of the following legislation:

- Licensing Act 2003 – premises licence applications
- Gambling Act 2005 - premises licence applications
- Local Government (Miscellaneous Provisions) Act 1982 – street trading consents

Your house number and contact information (e.g. email address and phone number) will be redacted from any public agenda but will be available to the members of the Panel and other parties to the hearing. If you do not wish for these details to be disclosed you will need to make this clear in your representation and such requests will be passed to our Legal team to be considered. We would advise in such circumstances that persons use another individual or body to represent them, e.g. a responsible authority, ward councillor or parish / town council. If you would like to understand more about this, please contact us on 01235 422556 or by email on [licensing@southoxon.gov.uk](mailto:licensing@southoxon.gov.uk)

Where the case about which you have submitted a complaint, statement or representation proceeds to court, your details may need to be released and you may need to give evidence.

Our records, and those of our contractors/partners, are regularly monitored by auditors to ensure your information is kept securely and used only for the purposes mentioned above. The council also has a duty to prevent misuse of public funds and may review your complaint/representation as part of that work.

### **How long we keep your data**

We are legally required to keep records for 6 years from the expiry, revocation or surrender of any licence (11 years for taxi driver licences as detailed above). Exceptional circumstances may require longer retention, such as pending court cases, or where a subject of complaint or investigation is later granted a licence or further complaints or investigations arise within the 11 year period.

### **Your information rights**

Under the Data Protection Act 2018 and UK General Data Protection Regulations (UKGDPR), you have a number of rights regarding the way in which we are allowed to process your personal data.

- The Right of Access
- The Right to Rectification
- The Right to Erasure
- The Right to Restrict Processing
- The Right to Data Portability
- The Right to Object
- Rights in Relation to Automated Decision Making and Profiling

Not all of these apply depending upon the lawful basis we have for processing your data. For further information and to exercise these rights please [read our webpage on data subject access requests](#) or [read more about how we use and store your data](#).

If you believe we have not handled your personal data as we have described here, please either call 01235 422485 or contact us by email to [data.protection@southandvale.gov.uk](mailto:data.protection@southandvale.gov.uk) and your concerns will be fully investigated. If, after we have investigated your concerns, you are not satisfied with our conclusion, you have the right to refer the matter to the Information Commissioner's Office (ICO). You can reach them [through this link to their website](#) or call them on 0303 123 1113. Their mailing address is: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.