

Privacy Statement Dumfries and Galloway Licensing Authority

Who we are?

Dumfries and Galloway Council is a local authority established under the Local Government etc (Scotland) Act 1994. Its head office is located at Dumfries and Galloway Council Headquarters, English Street, Dumfries, DG1 2DD. You can contact our Data Protection Officer by post at this address, by email at dataprotection@dumgal.gov.uk and by telephone on 030 33 33 3000.

Why we need your personal information and what do we do with it?

You are giving us your personal information to allow us to carry out our statutory functions in relation to licensed activities regulated by the Council's Licensing Team and Licensing Panel. We also use your information to verify your identity where required, contact you by post, email or telephone and to maintain our records.

What is our legal basis for using your information?

We provide these services to you as part of our statutory function as your local authority. You can find more details of our role on our website at www.dumgal.gov.uk/privacy. Processing your personal information is necessary for the performance of a task carried out in the public interest by the Council.

If you do not provide us with the information we have asked for then we will not be able to provide this service for you.

We may also need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law. In addition, we may also process data about any criminal convictions you may have. This is because we are required to ascertain the suitability of individuals to hold licences and to do this, we may need to process information on an individual's criminal convictions.

Who do we share your information with?

We are legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes.

We are also legally obliged to share certain data with other public bodies such as HMRC, and will do so where the law requires this. We will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. Your information is also analysed internally to help us improve our services.

We are required by law to enter your personal information on a public register of applications for licences. This register can be accessed by any member of the public on request. We may publish this register or extracts of the register online. We may also provide the register to other public bodies to support a national register of licences.

In processing your application for a licence we may need to refer you to our Licensing Panel. We may also need to refer you to this Panel if you are granted a licence and we receive a complaint about you. Your personal information will be included in the agenda, reports and minutes for the Panel. Some of this information will be published on our website.

Licensing Panel meetings are held in public (unless there is a specific reason for an item to be considered in private). At a meeting your personal information may be disclosed to those in attendance. This may happen even if you do not attend a meeting that you are invited to.

We will also share your personal data with other public bodies and statutory consultees as required by legislation.

How long do we keep your information for?

We only keep your personal information for the minimum period of time necessary. Sometimes this time period is set out in law but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. In respect of licences held in terms of the Civic Government (Scotland) Act 1982, we retain the information for the duration of the licence plus a further 2 years.

Your rights under data protection law

- Access to your information – you have the right to request a copy of the personal information that we hold about you.
- Correcting your information – we want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards.
- Deletion of your information – you have the right to ask us to delete personal information about you where:-
 1. You think that we no longer need to hold the information for the purposes for which it was originally obtained
 2. You have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
 3. Our use of your personal information is contrary to law or our other legal obligations.

Objecting to how we may use your information

You have the right at any time to tell us to stop using your personal information for direct marketing purposes.

Restricting how we may use your information

In some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information. This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact us as stated above if you wish to exercise any of these rights.

Information you have given us about other people

If you have provided anyone else's details within an application form, please make sure that you have told them that you have given their information to Dumfries and Galloway Council. We will only use this information to carry out our statutory functions in relation to licensed activities regulated by the Council's Licensing Panel. If they want any more information on how we will use their information, they can visit our website at www.dumgal.gov.uk/privacy or email dataprotection@dumgal.gov.uk

Complaints

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by email at dataprotection@dumgal.gov.uk or by telephone 030 33 33 3000. If your complaint is not about a data protection matter you can find details on how to make a complaint at www.dumgal.gov.uk/complaints or email: commentsandcomplaints@dumgal.gov.uk

However, you also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office who can be contacted by post at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. By phone on 0303 123 1113 (local rate) or 01625 545 745. Visit their website for more information <https://ico.org.uk/concerns>

More information

For more details on how we process your personal information visit www.dumgal.gov.uk/privacy. If you do not have access to the internet you can contact us via telephone on 030 33 33 3000 to request hard copies of our documents.