

National Register of Hackney Carriage and Private Hire Licence Revocations and Refusals (NR3) Draft Data Processing Policy

Introduction

The National Register of Taxi and Private Hire Licence Revocations and Refusals (NR3) was developed to improve public safety and confidence in hackney carriage and private hire licensing. There have been numerous high profile cases where drivers who have been refused licences or had a licence revoked in one area and have gone to another area and received a licence in that area by failing to disclose their previous history. This undermines public safety if there were legitimate reasons why a licence was refused or revoked and damages confidence in the hackney carriage and private hire licensing regime and trade.

Sandwell Metropolitan Borough Council has confirmed its intention to sign up to the use of the NR3 Register and will be adding the details of any driver licences that are refused or revoked. It will also enable the register to be searched when an application is received to confirm if the applicant has had a driver licence either refused or revoked by another Licensing Authority.

The details contained on the register are limited to information that will help to identify an individual to a certain degree of accuracy. They will not give a reason why actions were taken.

How will the register work and what information will be recorded

All new and renewal driver applications will be checked against the NR3 register as part of the application process to ensure the applicant is fit and proper to hold a driver licence. This will be done in accordance with the General Data Protection Regulations (GDPR) and human rights law.

In the event that a match is found, then a request will be made to the authority that entered the information onto the NR3 register asking for more details regarding the revocation or refusal of the drivers' licence.

This authority will also enter details of drivers who have had their licences either refused or revoked on the NR3 licensing register. The information recorded will be limited to:

- Name

- Date of Birth
- Address and Contact Details
- Driving Licence Number
- Decision Taken
- Date of Decision
- Date Decision Effective

Other Licensing Authorities will then be able to search the register when they are processing new and renewal applications and may contact Sandwell Metropolitan Borough Council for further information about the decision recorded if the driver has applied to their Licensing Authority. It is up to each Licensing Authority to decide what information they will share.

The NR3 register is hosted by the National Anti-Fraud Network (NAFN) and all users must be registered with this organisation and issued with a password to be able to conduct a check or enter information on the register. In line with their policies as the organisation hosting the register, information will be retained for a period of 25 years.

Sandwell Metropolitan Borough Council will be supplying information to be available on the registers from **to be confirmed** onwards.

How will the information disclosed to Sandwell Metropolitan Borough Council be used?

Any information that is received from another Licensing Authority in relation to an application will only be used in relation to that application, and the determination of it and will not be used for any other purpose. Any data that is received will only be kept for as long as is necessary in relation to the determination of that application. This will include the period of processing that application, making a decision, notifying the applicant of the outcome of that decision and the appeal process.

The application form from the driver will also be checked to see if they declared that they had a licence refused or revoked by another Licensing Authority. In the event of information being received from another Licensing Authority, the application will be referred to the Council's Licensing Sub Committee for determination.

Licensing Authorities are legally required to consider each licence application on its merits and cannot refuse an application simply because an applicants details may be recorded on the NR3 register.

Where an appeal to the Magistrates Court is made, the data will be retained until that appeal is either determined or abandoned. If there is a further appeal to the Crown Court, then again, the data will be retained until that appeal is either determined or abandoned. If an appeal is made by way of case stated, the data will be retained until all court proceedings relating to that appeal by way of case stated have been determined.

The data will be held securely in accordance with Sandwell Metropolitan Borough Councils policy on secure retention of personal data and at the end of the retention period, the data will be erased/destroyed in accordance with the Council's procedures for destruction of personal data.

A record will be kept of all information requests received for information that Sandwell Metropolitan Borough Council holds in relation to licences that have been received or revoked.

Individuals whose details are added to the NR3 register will be notified in writing and details of appealing this decision will be included with all letters.