



Passenger Privacy Notice

Use of CCTV Cameras within licenced vehicles

Under data protection legislation, you have the right to be informed if your personal data is being used. This privacy notice is intended for members of the public who use Warrington Borough Council licensed vehicles, which you may know as taxis.

The driver is required to have CCTV operational when the vehicle is used in a licensed capacity and would be in breach of his licence if he fails to have an operational system.

Who will be responsible for My Data once it is collected?

The Public Protection Service which is part of Warrington Borough Council will be responsible for the data once it is collected.

What will be collected?

We will collect images of the driver and passengers in vehicles licensed by the Council when used in a licensed capacity. Audio data may also be collected but only when the audio trigger has been activated by the passenger or driver in the event of an incident. The recording period is kept to a minimum to avoid any intrusion. Please note that live data is not being accessed/viewed whilst vehicles are in operation. Lights on the system will indicate that it is operational and whether audio recording has been activated.

GPS data is being continually collected to ensure that the time and date stamp of the recorded data is accurate. GPS location information is available but would only ever be accessed if there was a legitimate and justified reason for accessing the location of the vehicle. No other information will be collected on the passenger, unless you make a complaint, in which case your name and address and contact numbers will be kept for the purposes of the investigation and in accordance with our retention policy.

Why Do You Need My Information?

The Council needs the information to carry out its regulatory function of ensuring that drivers and operators who hold licences issued by the Council remain fit and proper people to hold a licence at all times.

The Council also needs the information to carry out its statutory functions to safeguard children and vulnerable adults and to act in the public interest.

These requirements may require us to view the images if an allegation is made against a driver, if a crime or possible crime is committed in the vehicle or if the vehicle or journey is associated with a crime

We may use the data (CCTV images and audio recording) to decide whether it is appropriate to take any action available to the council against the licensed driver and/or the licensed operator which may include suspending or revoking his/her licence.

What Allows You To Use My Information?

The Council will be processing your information under article 6 of the GDPR: Lawfulness of processing: 1.Processing shall be lawful only if and to the extent that at least one of the following applies:- (e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

The Council also has a statutory duty to regulate hackney carriage and private hire activities in the borough under the Local Government (Miscellaneous Provisions) Act.

The Council also has a responsibility to protect the public and to prevent and detect crime. The Council is required to safeguard vulnerable children and adults and to ensure that drivers are safe. These objectives are integral to the effective regulation of taxis. We have a duty to carry out our official functions in the public interest.

Who Will My Information Be Shared With?

CCTV footage and or audio recording may be shared with the Police and other Law Enforcement Agencies to assist them with their enquiries or in the course of the prevention and detection of crime. It may also be shared with the driver or passengers who have been recorded if they make an appropriate subject access request for that data.

It may be shared with the parent or guardian of a passenger aged under 18 years with the consent of that passenger and/or with a social worker or other person with legal responsibility for a vulnerable adult in circumstances where safeguarding concerns are alleged.

The information may be shown to members of the Licensing Committee if it will assist them to determine whether the driver and/or Operator should continue to hold a licence.

The information may be shared with our Passenger Transportation Unit and Social Services where there are legitimate concerns about the safety of a client/ service user

In each case an appropriate assessment will be made by an authorised officer of the Council as to whether there is a legal gateway and legitimate need to download and share the information. Only the information needed will be accessed and shared.

We may also be obliged to share information for the purposes of legal proceedings. Information will only be shared where there is an appropriate legal gateway in place to allow this and a written request has been received.

How Long Will You Keep This Data For And Why?

The information is held securely on the CCTV unit for a minimum of 14 and a maximum of 30 consecutive days. This is considered to be a reasonable period for someone to report an incident or crime and for an authorised officer to download the footage.

If the information is downloaded it will only be kept for as long as is necessary for the purposes of the investigation. We have a policy on how long information can be kept for known as a Retention Policy. Please contact us if you have any questions about the retention schedule.

How Will My Information Be Stored?

The information will be held securely on the CCTV system within the vehicle for a minimum of 14 consecutive days and a maximum of 30 consecutive days. The images will not be looked at all unless a valid request is made when it will be downloaded in accordance with the Councils CCTV download policy. The information can only be accessed by an approved person who has specialist equipment to do so. The information is held in a way that means that that it cannot be downloaded, viewed or be capable of being listened to without this specialist equipment.

If it is necessary to download the information then it will be stored securely on an encrypted laptop. Only a limited number of authorised officers will be able to access the data.

Anyone who is provided with a copy of the information will need to abide by the Data Protection Act and the General Data Protection Regulation and satisfy the council that it will store and dispose of the information securely and at the appropriate time.

What Rights Do I Have When It Comes To My Data?

Under the General Data Protection Regulation, you might have more rights about what happens with your data. As different rights apply in different situations each request will be assessed on a case by case basis.

You have the right under the Data Protection Act 2018 (General Data Protection Regulation) to request a copy of your information and to know what it is used for and how it has been shared. This is called the right of subject access.

To request a copy of your data or ask questions about how it is used, please look at our webpages on Requests for Information available here:-

https://www.warrington.gov.uk/info/201121/access_to_information/2352/request_for_information

You have the right to object to the processing (use) of your personal data in some circumstances.

For further information on your information rights please see the ICO's webpage for further information <https://ico.org.uk/your-data-matters/>

Who Can I Complain To If I Am Unhappy About How My Data Is Used?

If you are not satisfied with how your data has been or is being used, or if the information held about you is incorrect, you should email or write to Warrington Borough Council outlining your concerns.

*If you then wish to make a complaint then please contact us using one of the methods below:
Use the [online complaints form](#)*

- Email us at contact@warrington.gov.uk
- ☎ Phone us on: 01925 443322
- Write to us at: Contact Warrington, PO Box 5, New Town House, Warrington WA1 2NH
- Visit us at: Contact Warrington, 26-30, Horsemarket Street, Warrington WA1 1XL

You also have the right to complain to the Information Commissioner's Office using the following details: -

The Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

Telephone: 0303 123 1113

Website: www.ico.org.uk

Will This Information Be Used To Take Automated Decisions About Me?

No this information will not be used to take any automated decisions about you

Will My Data Be Transferred Abroad and Why?

No your information will not be transferred abroad