

Guidance on the Installation and Use of CCTV Systems in Licensed Taxis and Private Hire Cars

Before lodging your notification of intent to install a CCTV System in a Taxi or Private Hire Car please ensure that you have read the following guidance.



1. POLICY ON THE INSTALLATION OF CCTV IN LICENSED TAXIS AND PRIVATE HIRE CARS

The Council's Licensing and Regulatory Committee has determined to allow the installation of CCTV systems in licensed Taxis and Private Hire Cars for legitimate purposes subject to

- (a) a notification process with the Licensing Authority; and
- (b) compliance with the Licensing Authority's policy on the installation and use of CCTV Systems in licensed Taxis and Private Hire Cars.

A copy of the current CCTV policy can be viewed on the Council's website at:

<https://www.glasgow.gov.uk/index.aspx?articleid=17620>

2. OBLIGATIONS AS A "DATA CONTROLLER"

If the taxi or private hire car licence holder installs CCTV in their taxi or private hire car then they will be responsible for the equipment and images captured by that equipment. In relation to the personal data that will be processed, the private hire car or taxi licence holder will be a "data controller". Data protection law defines a "data controller" as the person or body who, under the UK data protection legislation, determines the purposes and means of the processing of personal data. For the purposes of the installation and use of CCTV system in taxis and private hire cars installed and operated in accordance with the Licensing Authority's policy on CCTV, the "data controller" will be the holder of the taxi or private hire car licence and not the driver.

As data controller the licence holder will be responsible for ensuring they comply with

1. UK data protection law
2. Information Commissioner's CCTV Code of Practice (found using the following link <http://ico.org.uk/media/1542/cctv-code-of-practice.pdf>); and
3. the Licensing Authority's policy on the installation and use of CCTV systems in Licensed Taxis and Private Hire Cars.

As data controller the licence holder will be responsible for the use of all images obtained through CCTV, any breaches of UK data protection legislation and any fines imposed for breaches of UK data protection legislation.

Failure to comply with the new obligations set out by GDPR could result in significant financial penalties for your business. If you are unclear how these changes will affect you, the Licensing Authority strongly recommends that you take your own independent expert advice to ensure ongoing compliance with your data protection obligations.

3. HOW DO I NOTIFY THE LICENSING AUTHORITY OF MY INTENTION TO INSTALL CCTV

Before CCTV can be installed in a Taxi or Private Hire Car, the Licence Holder of the relevant vehicle must complete the notification form and submit it to the Licensing Section with an administration fee of £29. The notification form can be found on the Council's webpage

<https://www.glasgow.gov.uk/CHttpHandler.ashx?id=18082&p=0>

On receipt of the notification, the Licensing Section will update their records and send an acknowledgement letter to the Licence Holder advising that CCTV can now be installed in the vehicle in accordance with the Licensing Authority's Policy.

4. WHO CAN NOTIFY THE LICENSING AUTHORITY?

Only the Licence Holder of the Taxi or Private Hire Car can complete the notification form. Where the Licence is held by a company or partnership, only a director or partner named in the Licence can apply.

5. HOW DO YOU APPLY?

To apply for a Licence you should complete the notification form and submit it to the Licensing Section with the relevant fee. Your application must be accompanied by the required supporting documents set out in part 6 of the guidance.

6. HOW MUCH IS THE NOTIFICATION FEE?

There is an administrative fee of £29 payable at the time the form is submitted. Payment should be made by an electronic banking payment (BACS) to the following account:-

Account Name: Glasgow City Council - Licensing

Account No. 00116224

Sort Code: 83-44-00

Reference: CCTV/enter plate number of vehicle

7. HOW LONG WILL IT TAKE?

We aim to acknowledge your notification within 28 days of receipt.

OTHER FREQUENTLY ASKED QUESTIONS (FAQS)

WHAT HAPPENS IF I DO NOT COMPLY WITH THE LICENSING AUTHORITY'S CCTV POLICY?

If a Licence Holder installs CCTV in their Taxi or Private Hire Car and fails to comply with the Authority's CCTV policy they will be in breach of their Licence conditions and this may result in action being taken to suspend the Licence. The Licensing Authority may also advise the Information Commissioner's Officer of any action taken against a Licence Holder and the circumstances that led to the action being taken.

CAN I GET FURTHER INFORMATION?

If you have any further questions about the application process the Council's Licensing Team will be happy to assist you. Please note that whilst the Licensing Team can provide guidance, the team cannot offer you legal advice.

You can contact us by email at LicensingEnquiries@glasgow.gov.uk