

Employee Advisory Note – DVLA Driving Licence Check

As you are aware, as an employer and holder of an operator's licence, Tayside Contracts has a legal obligation and duty of care under health & safety legislation to make sure that anyone permitted to drive a vehicle has the appropriate Driving Licence and qualifications.

As you may recall, last year we introduced a new process to check new start and existing employee driving licences utilising a third party provider called Driver Hire. This was to enable us to meet our legal obligations and duty of care to ensure that anyone permitted to drive a vehicle has the appropriate driving licence to do so.

We have recently been informed that due to the introduction of the General Data Protection Regulation (GDPR), the DVLA are changing the 'D796 Driver Consent Form and eConsent' to the 'D906/ADD Fair Processing Declaration and Electronic Fair Processing Declaration'. Ultimately this means that unfortunately for us, all the mandates/e-consent forms that we received from new starts and existing employees are **no longer valid from 25 August 2018 and therefore we need to go through the process of obtaining new mandates from all contractual drivers again.**

As was the case last year, each employee contractually required to drive as part of their duties, must complete an Authority to Drive (ATD) Self Declaration Form and a D906/ADD Fair Processing Declaration in clear **BLACK CAPITAL LETTERS**.

In addition, each employee is required to produce the following document for inspection:

- A valid Photocard Driving Licence (or paper licence for non-vocational licence holders if issued in the UK prior to 1998).

This completed mandate will then be valid for three years.

The ATD Self Declaration Form and D906/ADD Fair Processing Declaration will be checked for completion by the appropriate manager in accordance with the Authorised Signatory List - HR and Payroll Related Expenditure. Any mistakes, corrections or alterations must be made and initialled by the driver in **black ink**. The manager will send the completed ATD Form and D906/ADD Fair Processing Declaration to Tracey Rennie, Fleet Administrator, Transport Services Section for processing.

Any issues raised during the checking process will be reported to the HR Manager who will inform the Unit Head and the appropriate operational manager for action as required.

It is imperative that any individual driving on Tayside Contracts business has their driving licence checked, otherwise Tayside Contracts cannot fulfil their legal obligation.

Data Protection

Tayside Contracts respects your privacy and all information obtained will be dealt with in accordance with the Data Protection Legislation. Tayside Contracts will be what is known as the 'Data Controller' of your personal data processed in relation to driving licence checks. The lawful basis for this processing activity is Legal Obligation.

The personal data you provide will be processed by employees of Tayside Contracts. We will then share your data with Driver Hire Group Services Ltd who work under contract with the DVLA in order to carry out the necessary licence checks. If you would like further information regarding how Driver Hire handle your data, please visit www.dhlicencecheck.co.uk/how-we-handle-your-data

Driver Hire Group Services Ltd will not use your data for any purpose other than this exercise.

Checks will be carried out biannually. Your driving licence number, ATD authorised and expiry date, whether you hold the category required including issue and expiry dates, any disqualifications and revocations including dates and CPC Number if applicable will be recorded against your personal HR record on Snowdrop (Tayside Contracts' computerised HR System) by the Business Support Section. We will use this information to monitor and plan licence renewals and CPC refresher training.

Driving licence information held on Snowdrop will only be accessed by relevant employees. Information on categories of vehicles employees can drive will be available to the Transport Services Section and the relevant operational managers.

The information provided by you and Driver Hire Group Services Ltd will remain on your personal record for the duration of your employment in the relevant role and will be deleted/destroyed in accordance with the Retention of HR Records Policy which can be found on the Intranet, Tayside Contracts' website or from the HR Admin Team.

You can request access to the information we process about you at any time. If at any point you believe that the information we process relating to you is incorrect, you can request to see this information and may in some instances request to have it restricted, corrected or erased. You may also have the right to object to the processing of data and the right to data portability. Where we have relied upon your consent to process your data, you also have the right to withdraw your consent at any time. If you wish to exercise any of these rights, please contact gdpr@tayside-contracts.co.uk. *Please note that the ability to exercise these rights will vary and depend on the legal basis on which the processing is being carried out.

If you wish to raise a complaint on how we have handled your personal data, you can contact gdpr@tayside-contracts.co.uk and the matter will be investigated. If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner's Office (ICO) www.ico.org.uk

The Full Time Officers of GMB, Unite and Unison have all been informed of this process and have been asked to give their support to it in order for the organisation to comply with its duty of care and legal obligations.

If you have any questions regarding the DVLA Driving Licence Check Process, please contact your manager or Suzanne Keay, HR Adviser on 01382 834094.