

Guidance for current Personal Licence Holders on the requirement of section 87 of the Licensing (Scotland) Act 2005 to undertake refresher training in respect of their Scottish Certificate of Personal Licence Holder (SCPLH) Qualification

1. WHAT IS PERSONAL LICENCE REFRESHER TRAINING?

Personal Licences are issued for a period of 10 years; any individual applying for a Personal Licence must first obtain a Scottish Certificate of Personal Licence Holder (SCPLH) Qualification.

In terms of section 87 of the Licensing (Scotland) Act 2005 the holder of a Personal Licence must undertake refresher training in respect of their Scottish Certificate of Personal Licence Holder (SCPLH) Qualification within 5 years of the Licence being issued.

If a Licence Holder does not undertake refresher training their licence will be revoked.

2. WHAT DOES THE LEGISLATION REQUIRE?

Section 87 of the 2005 Act requires that the holder of a Personal Licence must complete a refresher training course within 5 years of the date of issue. The Licence Holder must provide evidence of that training to the Licensing Board that issued their Personal Licence no later than 3 months after the expiry of the 5 year period.

3. WHAT DO CURRENT PERSONAL LICENCE HOLDERS NEED TO DO?

Personal Licence Holders should refer to their licence documentation to determine the date the licence was issued. Refresher training must be completed by no later than 5 years after the licence was issued.

The licence holder should contact a training provider to book a refresher training course; please note the Licensing Board does not hold details of training providers.

Once the licence holder successfully completes the course and obtains the Scottish Certificate of Personal Licence Holder Refresher (SCPLH/R) qualification, their training provider will issue them with a Certificate.

A **copy** of the training certificate should be sent to the Licensing Board accompanied by the relevant notification form; the notification form can be downloaded from our website at:

<https://www.glasgow.gov.uk/index.aspx?articleid=20225>

The training certificate must be produced to the Licensing Board no later than 3 months after the final date for completion of the refreshing training.

4. WHAT HAPPENS ONCE THE LICENSING BOARD RECEIVES A COPY OF THE TRAINING CERTIFICATE?

On receipt of the notification form and certificate the Licensing Board will update their records and issue the licence holder with a new training record appendix to attach to their Personal Licence.

5. WHAT HAPPENS IF A LICENCE HOLDER DOES NOT PRODUCE THEIR CERTIFICATE?

If a Personal Licence Holder does not undertake training within the prescribed timescale or produce the training certificate by the 3 month deadline then their Personal Licence will automatically be revoked.

As this is a statutory requirement, the Licensing Board has no discretion in this matter. If a Personal Licence is revoked the holder of the licence can reapply immediately for a new Personal Licence.

If the holder of a revoked Personal Licence is also named as the Designated Premises Manager of licensed premises, this may mean that alcohol cannot be sold on the premises.

FREQUENTLY ASKED QUESTIONS (FAQ)

WHAT IS THE “DATE OF ISSUE”?

In drafting the refresher training provisions, the Scottish Government has specified that the timescales for training should be based on the “*date of issue*” of a Personal Licence. The “*date of issue*” is not the date that the Licensing Board grants a Personal Licence, it is the date that the Licensing Board issues (i.e. posts out) the licence.

Unfortunately the format of the Personal Licence is set out in a prescribed form by Scottish Government legislation and does not contain the “*date of issue*”. Licence holders should refer to the covering letter that accompanied the issue of their licence; the date of this letter will be the “*date of issue*”. In most cases the difference between the “*date of issue*” and the date the licence was granted will be a few days.

DOES THE LICENSING BOARD HOLD A LIST OF TRAINING PROVIDERS?

The Licence Board does not hold a list of training providers nor can we recommend or endorse any particular training provider.

I AM A DESIGNATED PREMISES MANAGER IN GLASGOW BUT MY PERSONAL LICENCE WAS ISSUED BY ANOTHER LICENSING BOARD – WHO DO I SEND THE CERTIFICATE TO?

The training certificate should be returned to the Licensing Board that issued your Personal Licence.

DOES THE LICENSING BOARD CHARGE A FEE FOR UPDATING THE PERSONAL LICENCE?

The Licensing Board does not charge a fee for updating its records and issuing an updated training record appendix.

CAN I GET FURTHER INFORMATION?

If you have any further questions the 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 phone, fax or email.

Licensing Team
City of Glasgow Licensing Board
City Chambers
George Square
Glasgow G2 1DU

Phone: 0141 287 5354
Email: LicensingBoard@glasgow.gov.uk

Privacy Statement: Licensing schemes administered by the City of Glasgow Licensing Board

WHO WE ARE

The City of Glasgow Licensing Board is a public body established under the Licensing (Scotland) Act 2005. Its head office is located at City Chambers, George Square, Glasgow G2 1DU, United Kingdom, and you can contact our Data Protection Officer by post at this address, by email at: dataprotection@glasgow.gov.uk, and by telephone on 0141 287 1055.

WHY DO 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 City of Glasgow Licensing Board. We also use your information to verify your identity where required, contact you by post, email or telephone and to maintain our records.

LEGAL BASIS FOR USING YOUR INFORMATION

We provide these services to you as part of our statutory function as a public body. You can find more details of our role on our website at www.glasgow.gov.uk/privacy and www.glasgow.gov.uk/licensingboard. 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 to 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.

This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

We are required by law to enter personal information about applicants and other relevant persons on a public register of applications for licences. This register can be accessed by any member of the public. 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 an application for a licence or a complaint, we may need to refer you to a meeting of the Licensing and Regulatory Committee. Your personal information will be included in the agenda, reports and minutes for the Committee. Some of this information will be published on our website. You can find out more on our website at www.glasgow.gov.uk/privacy

Licensing Board meetings are held in public. 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 law.

HOW LONG DO WE KEEP YOUR INFORMATION FOR?

We only keep your personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the 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. You can view this on our website at www.glasgow.gov.uk/rrds or you can request a hard copy from the contact address stated above.

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:
 - I. you think that we no longer need to hold the information for the purposes for which it was originally obtained
 - II. you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
 - III. 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 on this form, please make sure that you have told them that you have given their information to Glasgow City Council. We will only use this information to carry out our statutory functions in relation to licensed activities regulated by the Council's Licensing & Regulatory Committee. If they want any more information on how we will use their information they can visit our web site at www.glasgow.gov.uk/privacy or email dataprotection@glasgow.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@glasgow.gov.uk or by telephone on 0141 287 1055.

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 at- <https://ico.org.uk/concerns>

If your complaint is not about a data protection matter you can find details on how to make a complaint on our website at www.glasgow.gov.uk/complaints.

MORE INFORMATION

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