

## PRIVACY POLICY

# MOTORISTS

### **Why we process your data**

This privacy notice is for drivers or registered keepers of vehicles that have used a parking site that we manage.

In summary, we process personal data for the following purposes:

- To determine adherence with the parking site's terms and conditions.
- To issue a windscreen ticket.
- To issue a notice to keeper or notice to driver by post.
- To process the payment of a Parking Charge Notice (PCN).
- To pursue payment of an unpaid PCN.

### **Obligations to provide us with certain information**

If you are the driver, but not the registered keeper, of a vehicle for which a PCN was issued then you may elect to transfer the liability for the PCN from the keeper to you. In this situation we will require your name and address for the purpose of transferring the PCN liability to you. If you do not provide the required information, then we will not be able to transfer the liability to you and the liability for the PCN will remain with the vehicle's registered keeper.

If you intend to pay a PCN fee, then you will be required to provide us with your address and payment card details for us to process the payment. If you do not provide the required information, then we will not be able to process the payment. We do not retain payment card details.

## Collection of data

On parking sites, we operate your vehicle's details may be captured by one or more of the following methods:

- Mobile device (by warden, landowner/land occupier or a landowner/land occupier representative)
- Camera (Automatic Number Plate Recognition or CCTV)
- Warden operatives also operate body worn video equipment for safety and evidence purposes.

## Automatic decision-making and online profiling

We do carry out automated processing of Vehicle Registration Marks at some of the sites that we manage through the use of cameras. Decisions about whether to issue a notice to keeper for a contravention of the terms and conditions is not purely made by automated means.

## Information sources

Where we did not issue a notice to a driver or where a PCN remains unpaid after it is due then we will obtain the following information.

*Table 1 - Information sources*

| <b>Data type</b>   | <b>Source</b>                              |
|--|--|
| Registered vehicle keeper name and address   | DVLA (Driver and Vehicle Licensing Agency) |
| Make and model details   | Motor industry database                    |
| Vehicle Registration Number (VRN), PCN issue number, date and time of contravention, location of offence (first four digits of the post code only) and information from the DVLA in relation to MOT and excise duty of VRNs. | National Persistent Evader Database        |

## How we use personal data

Table 2 - How we use personal data

| Purpose  | Data processed   | Use of data  | Lawful basis for processing | Data sharing   | Retention period   |
|--|--|--|-----------------------------|--|--|
| To verify authorised users of a parking site   | Vehicle registration number  | To check a vehicle against a list of authorised vehicles for that parking site   | Legitimate interests        | IT service providers   | One month  |
| Body Worn Cameras (BWC) a deterrent against threatening behaviour/ criminal activity | BWC footage  | BWC footage may be used in situations where verbal and physical abuse may occur. | Public Interest             | Law enforcement agencies, prosecution agencies, legal representatives. | 30 days unless required for evidential purposes which will be held until the conclusion of any criminal proceedings. |
| To issue a Parking Charge  | Vehicle registration number, vehicle make and model, location of parking site, date and time of Parking Charge, photographic evidence of the contravention | To issue a Notice to Driver  | Legitimate interests        | IT service providers, DVLA   | Two years from the Parking Charge date (if paid in full) or when cancelled   |
|  | Keeper/driver name and address, vehicle registration number, vehicle make and model, location of parking site, date and time                               | To issue a Notice to Driver or Notice to Keeper or both                          | Legitimate interests        | IT service providers, DVLA   | Two years from the Parking Charge date (if paid in full) or when cancelled.  |

|  |  |  |                      |                            |  |
|--|--|--|----------------------|----------------------------|--|
|  | of Parking Charge, photographic evidence of the contravention        |  |                      |                            |  |
| To issue a Parking Charge                            | CCTV Footage   | To issue a Notice to Driver or Notice to Keeper or both                  | Legitimate interests | IT service providers, DVLA | Maximum of 30 days unless required for evidential purposes which will be held until the conclusion of any legal proceedings. |
| To handle driver and keeper enquiries and complaints | Name, Address, vehicle registration number, Parking Charge reference | To confirm the identity of the caller and discuss the enquiry/ complaint | Legitimate interests | IT service providers, DVLA | Two years from the Parking Charge date (if paid in full) or 6 years if unpaid  |
|  | Date, time, and photographic evidence of the contravention           | To discuss the enquiry/complaint   | Legitimate interests | IT service providers, DVLA | Two years from the Parking Charge date (if paid in full) or 6 years if unpaid  |
| To take payment for a Parking Charge                 | Payment card details   | To process a payment   | Legitimate interests | Card payment processor     | We do not retain payment information   |

|                                    |  |   |                      |  |   |
|------------------------------------|--|---|----------------------|--|---|
| To pursue an unpaid Parking Charge | Keeper/driver name and address, vehicle registration mark, vehicle make and model, location of parking site, date and time of Parking Charge, photographic evidence of the contravention | To instruct debt recovery agents or solicitors  | Legitimate interests | IT service providers, DVLA, Debt Recovery Agents, Solicitors | The longer of one month following payment in full or 6 years from the Event Date if the Parking Charge remains open |
| To handle requests under the GDPR  | Name, Address, vehicle registration mark, Parking Charge, other personal data relevant to the request  | To facilitate a Data Protection related request | Legal obligation     | IT service providers, DVLA, ICO                              | One year from the date of the request   |
| To handle calls from the public    | Name, Address, vehicle registration mark, other personal data relevant to the call   | To facilitate any calls made to our office      | Legal obligation     | N/A  | 90 days from the date of the call   |

## Transferring personal data overseas

For us to perform the normal functions of our company and in providing you with goods and services, in some instances where we need to send personal data outside the UK. We either transfer to a country that has been deemed "adequate" for personal data transfers by the UK government (such as one of the countries in the European Economic Area) or we put in place approved international data transfer contract clauses (such as the UK's International Data Transfer Addendum to the EU Commission Standard Contractual Clauses).

## Your rights

Table 3 – Your Rights

| Right   | Detail  |
|---|---|
| <b>Marketing</b> – You have a right to object to direct marketing.  | You have a right to object to processing of your personal information for direct marketing purposes. However, we will not undertake direct marketing to you.  |
| <b>Access</b> – You have a right to request a copy of the personal information we hold about you.                                   | You have the right to request access a copy of your personal data. If we believe that your request is manifestly excessive, we then may refuse your request.  |
| Rectification – You have a right to rectification of inaccurate personal information and to update incomplete personal information. | If you believe that any of the information that we hold about you is inaccurate, you have a right to request that we restrict the processing of that information and to rectify the inaccurate personal information.  |
| <b>Erasure</b> – You have a right to request that we delete your personal information.  | You may request that we delete your personal information if you believe that:<br>we no longer need to process your information for the purposes for which it was provided;<br>we have requested your permission to process your personal information, and you wish to withdraw your consent;<br>we are not using your information in a lawful manner; or<br>you have objected to your data being processed.<br>Note: as it is lawful for us to process your personal data in connection with a PCN, we will not delete such personal data prior to its scheduled deletion date, which is specified as the Retention Period above. |
| <b>Restriction</b> – You have a right to request us to restrict the processing of your personal information.                        | You may request us to restrict processing your personal information if you believe that:<br>any of the information that we hold about you is inaccurate;<br>we no longer need to process your information for the purposes for which it was provided, but you require the information to establish, exercise or defend legal claims; or<br>we are not using your information in a lawful manner.  |
| <b>Objection</b> – You have a right to object to the processing of your personal information.                                       | You have a right to object to us processing your personal information, including the profiling of your information (and to request us to restrict processing). We may override this request where:<br>we determine that there is a compelling and legitimate grounds for the processing;<br>we need to process your information to investigate and protect us or others from legal claims.<br>Note: as a contravention of parking terms and conditions allows us to pursue payment for a PCN, we have a compelling and legitimate basis for processing your personal data in connection with your PCN.                            |
| <b>Portability</b> – You have a right to data portability.  | You may request us to transfer to a third-party your data in a machine-readable format where the:<br>personal information was provided on the basis of consent;<br>processing is by automated means; and  |

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|---|--|
|   | processing is based on the fulfilment of a contractual obligation.   |
| <b>Withdraw consent</b> – You have a right to withdraw your consent.                      | Where we rely on your consent to process your personal information for a particular purpose, you have a right to withdraw your consent at any time for that purpose.<br>Note: in processing your personal data in connection with a PCN we do not rely on your consent.  |
| <b>Exercising your rights</b> – you may e-mail the following address to make your request | dpo@premierpark.co.uk  |
| <b>Lodge complaints</b> – You have a right to lodge a complaint with the regulator.       | If you have an issue concerning the processing of your information then please contact our Data Protection Officer using dpo@premierpark.co.uk<br>We hope that we can address any concerns you may have, but you also have the right to lodge a complaint with the Information Commissioner's Office (ICO) at <a href="http://www.ico.org.uk">www.ico.org.uk</a> |