

## COMPANY CONFIDENTIAL

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## **SBC Privacy Notice for ANPR**

This document details the privacy notice for the council in respect to ANPR cameras

Date	Version	Name	Description
01/05/2020	1.0	IG Board	Approval of draft 0.3, forming first release, with additional contact details

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## 1 Introduction

This Privacy Notice relates specifically to those car parks and sites we operate and manage using fixed Automatic Number Plate Recognition (ANPR) cameras only. If you wish to understand our Privacy Policies for sites operated using CCTV or where we carry out manned patrols and issue a manual ticket, please refer to either the Privacy Notice – CCTV or Privacy Notice – Manual for the relevant information.

This Privacy Notice is aimed at informing you how we may use and collect your personal data, what our reasons are for using your data and how we ensure we take steps to ensure that we do so in a secure and appropriate manner to protect your data. This policy is also designed to inform you of your specific rights under the current Data Protection Legislation.

Slough Borough Council's corporate privacy statement can be found under information regarding data protection and foi, and at the point of writing this paper, could be found [here](#) at the specific address: <http://www.slough.gov.uk/council/data-protection-and-foi/your-privacy.aspx>

## **2 Privacy Notice Statement**

Slough Borough Council, are a local authority whose registered office is Observatory House, 25 Windsor Road, Slough, SL1 2EL.

Slough Borough Council is registered under the Data Protection Act and Freedom of Information Act. And is registered as a “Data Controller” with the Information Commissioners Office (ICO) and our registration number is Registration Number: Z6795420

### **2.1 What Information Do We Collect?**

On sites where we operate and manage the car park or site access using Automatic Number Plate Recognition (ANPR) systems, we collect images of all vehicles entering and exiting the car park/site/weighbridge and potentially the driver and passenger of the vehicle for further identification. This will include specifically recording the details of vehicles registration mark (VRM) or number.

In the course of managing the car park/site we may also need to collect additional information which can include:

- Payment details when payment is made for parking or trade waste
- Customer details and basic information about you if you are a Permit or Account Holder
- Contact details if you make contact with us (telephone numbers, email address, postal address)

#### **2.1.1 Parking Charges**

In the event that you receive a Parking Charge Notice from us, we may have obtained or been provided the following additional information:

- Registered Vehicle Keepers details (Name, Postal Address)
- Hirer details (Name, telephone number, email address and Serviceable Postal Address)
- Driver details (Name, telephone number, email address and Serviceable Postal Address)
- Details relating to health condition in respect to Blue Badges
- Internet Details including IP addresses and Operating System details
- Credit Reference information (previous known addresses, aliases, associated persons and County Court Judgements)

#### **2.1.2 Trade waste**

You may have a trade waste account, and the registration form details the information we store about you and your company.

In the event that you query a charge on your accounts from us, we may recover from our systems photographic evidence of the vehicle at the weighbridge or site, and this may include images of the vehicle driver and their passenger.

### **2.1.3 Telephone Calls**

We may record telephone calls to our helplines and customer service lines for both training and evidential purposes. The call recordings will include information provided by you, and will be used in accordance with our reasons outlined below.

## **2.2 *What Are Our Reasons For Collecting This Information?***

We may collect and use the data for a number of reasons and purposes as outlined below:

### Statistical Analysis

We use anonymised registration details (i.e. No Keeper Information obtained) to be able to map or profile the use of a specific car park or site. The statistics collected tell us how the car park or site is used, what the profile of traffic flow is, and how customers choose to pay for their parking.

In relation to trade waste purposes, we register the quantities of specific waste types, as part of our legislative requirements for our trade waste license.

### **2.2.1 Access Control**

We use registration details, which may include company, vehicle keeper, hirer and driver details to ensure that only authorised vehicles which are registered with either ourselves or our service users are permitted access to the car park/site.

### **2.2.2 Parking Management**

We use the information collected to ensure compliance and so we are able to identify the liable party responsible and obtain a settlement when a parking contravention occurs and the Car

Park/Site Terms and Conditions have been breached, resulting in a Parking Charge Notice (PCN) being issued.

### **2.2.3 Security & Crime Prevention/Detection**

We use the information collected to ensure the security of the car park/site we operate and may be required to use the information to assist the Police or Other UK Statutory Enforcement Agencies in their enquiries or investigations.

## **2.3 *What Is Our Lawful Purpose For Using Your Personal Data?***

Where we use your personal information, we do so on the following lawful purposes, in accordance with the current Data Protection Legislation.

- For legitimate business purposes, which is not limited to, but does include the pursuit and recovery of any charges following from the recording and issue of Parking Charge Notice issued to your vehicle or a vehicle being driven by you.
- To perform a contract or an agreement with you, which may include the provision of waster services, contract parking services or car park control.
- To meet a legal obligation

For the avoidance of doubt we are clear to advise that we DO NOT rely under any circumstances on your express consent as a reason for processing personal data and therefore do not need to request consent in advance or seek permission to do so.

## **2.4 *Where Do We Obtain Your Personal Data From?***

Depending on the reasons for processing your data, we may obtain your personal information from one or more of the following sources:

- From you directly – You may provide us this information in relation to requesting services from us, or in relation to you appealing a Parking Charge Notice
- From the Registered Vehicle Keeper – The Registered Keeper may identify you as the driver or hirer in respect of a Parking Charge Notice being incurred.
- From the Driver & Vehicle Licensing Agency (DVLA) - We may as an Approved Operator request from the DVLA, vehicle keeper details for any Parking Charge Notice issued by ourselves.
- From Credit Reference agencies – We use Experian and may obtain Consumer Information Reports and a person, where a PCN remains unpaid. This report may include information from various sources including Electoral Roll records and Public Records incorporating Court Records.

- From our Client – Depending on the nature of the services we are providing, the information we receive, may be provided by your Employer, College or University to whom we are contracted to.

## **2.5 *What Rights Have We Got To Access Your Data In This Manner?***

There are a number of reasons we are permitted to obtain and use your personal data in this way, which in the first instance is because you have contracted with us or engaged with our services and we need to use your data to deliver that service.

In the event that you have received a Parking Charge Notice (PCN) from us then we are permitted to obtain data and pursue the recovery and settlement of this charge under one or more of the following reasons:

- Contract Law – As the Driver of the vehicle when a contravention was recorded by us. You are the liable party responsible for the settlement of the charge and therefore you entered into a contract with us, where the Terms & Conditions of use were displayed on signage around the car park/site.
- We are able to exercise our rights to pursue a charge as derived from the Supreme Court Ruling in ParkingEye Limited v Beavis [2015] EWCA Civ 402
- Road Traffic Regulations Act 1984 – At specific sites that we operate for service users
- we issue an Excess Charge Notice, which is a provided under powers obtained through the Road Traffic Regulations Act 1984 and may result in the Driver or Registered Keeper facing criminal prosecution in the Magistrates Court.
- Byelaws – At specific sites that we operate for Service users we issue a Notice, which is provided under powers obtained through the relevant Byelaws and may result in the Driver or Registered Keeper of the vehicle facing criminal prosecution in the Magistrates Court.

In England & Wales we also have the rights to seek recovery of any unpaid Parking Charge under:

- Schedule 4 of the Protection of Freedoms Act 2012

## **2.6 *Who Do We Share Your Data With?***

Where we use your personal information, we may share data with the following organisations but only in consideration of the purposes outlined above for which it was collected in the first place. We do not disclose or use your data for any other purposes such as marketing.

Organisations who we may share some of all your data with include:

- other council departments, organisations acting on behalf of Slough Borough Council or

#### Government Agencies

- The Driver & Vehicle Licensing Agency (DVLA)
- The Police and other Law Enforcement Agencies
- Debt Recovery Agencies that we use in England, Wales and Scotland for the recovery of unpaid Parking Charge Notices
- Law Firms that we use in England, Wales and Scotland for the recovery of unpaid Parking Charge Notices
- The Independent Appeals Service (IAS) in relation to an appeal against a PCN
- The Court Services including County Court, Sheriffs Court, The High Court and Magistrates Court.
- Where we process Data specifically on behalf of our Service users, we may share some data with Service users for the purposes of identifying where relevant their Employees, Visitors, Staff, Students & Patients. We primarily do this in circumstances where the Client is a Public Body such as a University, College, or Hospital.

## **2.7 How Long Do We Hold Your Data?**

Where we use your personal data we will only hold the information for as long as is necessary for the purposes for which it was collected and in line with any contractual or legal obligations that we are required to adhere to. In principle we hold data in accordance with the following retention periods:

- Statistical information – Anonymised Data retained for up to 3 years
- Financial Records & Payment data – Held in accordance with HMRC requirements for a period of up to 7 years from point of transaction
- Registered Keeper details – Evidence has to be retained for a period of two years from point of requesting information from the DVLA
- Liable Party details – We may retain information relating to an unpaid Parking Charge Notice in accordance with the current statutory limitations on debts, which is 6 years in England and Wales
- Settled PCN data – We may retain details regarding the settlement of a Parking Charge Notice for a period of up to 1 year after the date of settlement and will retain further information in relation to this in accordance with the other obligations we are required to meet.
- Settled Waste records – We may retain details regarding the settlement of account statements and images for up to 2 years.

## **2.8 How Do We Store Your Personal Information?**

We ensure that your data is held and treated with the strictest of confidence and endeavour to take all appropriate steps to keep it secure, once it has been transferred into our systems or those of processors who may handle data on our behalf.



We will store primarily all information in an electronic format, which can include in document formats, images and database records. Where we receive hard copy information such as letters or other correspondence, this information is transferred into electronic copy and the hard copies are stored for a period before securely being disposed of.

Our data storage systems incorporate up to date information security controls and we employ active firewalls and commercial data encryption services to protect the data we hold. When we transfer data to third parties, we only do so in a secure electronic format and ensure that this data can only be received and used by the intended parties for the reasons we have given.

## **2.9 *Where Do We Store Your Personal Information?***

We only store your personal information on our data systems which are run on data centres operated and hosted explicitly here within the EEA. We do not transfer any personal data outside of the UK, except in the explicit circumstance where the data relates to a Non UK Registered Vehicle or a Non UK Resident, in which case we may engage with appropriate agencies in the relevant Country of origin or domicile.

## **2.10 *Do We Use Personal Data in Automated Decision Making?***

We do not use your personal information in any automated decision making processes. All our processes and systems require some form of user input or confirmation, when processing or handling decisions which incorporate your information.

## **2.11 *Do We Use Cookies & Profiling On Our Websites***

We may use “Cookies” within all or part of our websites, to provide customised information from the website and allow us to improve its performance and track how the website is used. These cookies will monitor how the website is visited and how you found the website and may also capture basic information that your computer or smart device broadcasts which can include the following:

- Your internet IP address at the time of the visit
- The web browser or search tool you used, Chrome, Bing, Firefox etc.
- The type of device you use, Android, Apple, PC etc.
- The operating system of your device, Windows, IOS, Android etc.
- The web pages on our site that you visited.
- How long you spent on the website.
- The number of visits you made to our website.

## 2.12 *Your Rights Under Our Policies*

We comply with the requirements of the General Data Protection Regulations to uphold your rights to Privacy. We have ensured that within this Privacy Notice we have provided clear reasons for why and how we use your Personal Data and under what circumstances we may retain and share your data with third parties.

Under the Scope of our Privacy Notice statement you have a number of rights extended to you.

- Right of Access: You have the right to know what personal information we hold about you.
- Right to Rectification: You have the right to have any information we hold about you corrected if it is shown to be incorrect.
- Right to Erasure: You have the right to have personal data deleted or removed (if we have not already done so), when we have no compelling reason for its continued use and so long as addressing your request does not conflict with other legitimate reasons we may have to meet by retaining your information.
- Right to Object: You have the right to object to us processing your personal data. This objection will be weighed against our legitimate interest in using your personal data in the first instance. For the avoidance of doubt this will not be considered a reasonable request in a matter where a Parking Charge Notice has been incurred except in very exceptional circumstances.

For the avoidance of doubt we would like to make it clear that we DO NOT process personal data in respect of the Privacy Notice under the basis of explicit consent and therefore you as the Data Subject do not have the right to withdraw consent in this matter.

If you would like to know more about our Privacy Notice or wish to know what personal data we hold about you, then you will need to contact the Data Protection Officer as below:

By Email: [DataProtectionOfficer@slough.gov.uk](mailto:DataProtectionOfficer@slough.gov.uk)

By Post: Data Protection Officer, Observatory House, 25 Windsor Road, Slough, SL1 2EL

We may be required to establish your identity before we can release information, but once we have confirmed this we will provide the information within the guidelines set out by the ICO.

## 2.13 ***Other Helpful Contacts***

If you wish to know more about your rights and data protection or you wish to make a complaint about how we have handled your data, you may contact

Information Commissioner's Office (ICO)

Wycliffe House

Water Lane

Wilmslow

Cheshire SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number.

Or visit [www.ico.org.uk](http://www.ico.org.uk) or email [casework@ico.org.uk](mailto:casework@ico.org.uk)

Slough Borough Council CCTV - [01753 875 895](tel:01753875895)

Parking Control Room – To report enforcement infringements: [01753 825428](tel:01753825428)

Parking Shop –Permits, payments, PCNs [01753 551018](tel:01753551018)

Customer Service Centre – Parking Development enquiries [01753 475111](tel:01753475111)

[Parking@slough.gov.uk](mailto:Parking@slough.gov.uk)

[Parkingchallenges@slough.gov.uk](mailto:Parkingchallenges@slough.gov.uk)