**Privacy Policy – Parking Services**

**Purpose of this document:**

Hertsmere Borough Council Parking Service Team is committed to protecting your privacy when you use our services.

The Privacy Notice below explains how we use information about you and how we protect your privacy.

**Important note:**

This policy only relates to how we collect, store and use your personal data in the Parking Services Team for the purposes of parking consultations, issuing of parking permits and enforcement of the parking restrictions in relation to the Traffic Management Act 2004 and the Councils On & Off Street Parking Places Orders. For information about the council’s general data security policies see the [Access to Information](https://cms.hertsmere.gov.uk/Dialogue.aspx?DialogueType=351&DialogueKey_ProjectId=1&DialogueKey_LaunchedOnSecondScreen=false&DialogueKey_ContentID=2746&DialogueKey_ContentTypeID=0&DialogueKey_WorkflowType=2&DialogueKey_IsSiteMigrationMode=false&DialogueKey_ReadOnly=false&DialogueKey_ContentVersionID=12773&DialogueHeight=776px&DialogueWidth=1336px&IsInTabset=True&DialogueDisplayMode=2#contensis) page which contains a link to a general Data Protection Policy.

**Data Protection (GDPR) Principles:**

Under Data Protection laws, the council is the data controller for the information you provide to us and is registered with the Information Commissioner’s Office (ICO) with registration number Z6581644.

**How the law allows the council to use your information:**

Data protection law permits the council to collect and use the information you provide us when:

1. Consent has been given for the council to process personal data for a specific purpose.
2. A contract you have with the council.
3. There is a legal obligation for the council to process data to comply with the law (not including contractual obligations).
4. Vital interests are necessary to protect someone’s life.
5. Data required to carry out a task in the public interest or for official council functions that has clear basis in law.
6. Necessary for a legitimate council interest or legitimate interest of a third party.

In any event, we will only ever ask for information that is necessary for our purposes and does not constitute an invasion of your privacy.

**Purposes for processing:**

Service delivery and enforcement of parking restrictions

**What information do we collect from you?**

**Information collected:**

* Name
* Address
* Contact Details
* Vehicle details

The Parking Service Team primarily only hold your name, address, contact details and vehicle details for the purposes of parking consultations, processing permit applications, enforcement of parking restrictions both on and off street and penalty charge notices.

**Why we use your personal information:**

Personal information can be anything that identifies and relates to a living person. This can include information that when put together with other information can then identify a person. For example, this could be your name and contact details.

**What do we do with your information?**

**Sharing information within the council**

We do not procure personal information from other council departments for the purposes of issuing parking permits, penalty charge notices and parking consultation processes.

**Sharing with third parties:**

We may disclose your information to third parties with your consent, or where it is necessary, either to comply with a legal obligation, or where permitted under data protection laws, (i.e. where sharing is necessary for the purposes of fraud and crime prevention).

We will not use or pass on your personal data for third party marketing purposes.

We may also share your personal information when we feel there’s a compelling reason that’s more important than protecting your privacy. This will not happen often, but we may share your information: in order to detect and prevent crime and fraud; or if there are serious risks to the public, our staff or to other professionals; to protect a child; or to protect vulnerable adults who are thought to be at risk. However the risk must be serious before we can override your right to privacy.

**Agencies we might share the information with:**

* DVLA
* Traffic Penalty Tribunal (TPT)
* Traffic Enforcement Centre (TEC)

**Location of your information:**

The information you provide to the Parking Services Team is kept in a standalone database and is not shared with other council departments.

**How long we keep your information:**

The council will process the information you provide in a manner that is compatible with the Data Protection Act. We will endeavour to keep your information accurate and up to date and not keep it for longer than is necessary. In some instances the law sets the length of time information has to be kept, but in most cases the council will use its discretion to ensure that we do not keep records outside of our normal business requirements - i.e. providing a service to you.

**Only using what we need:**

Where we can, we’ll only collect and use personal information if we need it to deliver a service or meet a requirement.

If we don’t need your personal information we’ll either keep you anonymous, if we already have it for something else, or we won’t ask you for it. For example in a questionnaire or feedback survey we may not always need your contact details and will only collect your survey responses.

If we use your personal information for research and analysis purposes, we’ll always keep you anonymous or use a different name unless you’ve agreed that your personal information can be used for that research.

We will normally publish your name alongside your responses, and may publish the area of the borough in which you live. We will not publish other personal details such as home address, email address and telephone number.

We do not sell your personal information to anyone else.

**Your Rights in connection with personal information:**

The law gives you a number of rights to control what personal information is used by us and how it is used by us. You are legally entitled to request access to any of your information that is held by us, or to ask us to limit or stop the processing of your personal information in relation to any council service:

* Request access to your personal information which is a ‘data subject access request’.
* Request correction of the personal information that we hold about you.
* Request erasure of your personal information. This enables to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing ( please see ‘Right to be forgotten’).

**Deleting your information (right to be “forgotten”):**

You have the right to ask us to stop using your personal information for any council service. However, if this request is approved this may result in delays or prevent us delivering a service. Where possible we’ll seek to comply with your request, but we may need to hold or use information due to legal obligations.

In some circumstances you can ask for your personal information to be deleted, for example:

* Where your personal information is no longer needed for the reason it was collected in the first place.
* Where you have removed your consent for us to use your information (where there is no other legal reason us to use it).
* Where there is no legal reason for the use of your information.
* Where deleting the information is a legal requirement.

We will seek to comply with your request but there may be some situations where we will not be able to do this in full for example;

* Where there is a legal requirement or where information held was given in confidence;
* Information a professional thinks will cause serious harm to you or someone else’s physical or mental wellbeing; or
* If we think that giving you the information may stop us from preventing or detecting a crime.

 This applies to personal information that is in both paper and electronic records. If you ask us, we’ll also let others see your record (except if one of the points above applies).

If you can’t ask for your records in writing, we’ll make sure there are other ways that you can. If you have any queries about access to your information please contact [foi@hertsmere.gov.uk](https://cms.hertsmere.gov.uk/Dialogue.aspx?DialogueType=351&DialogueKey_ProjectId=1&DialogueKey_LaunchedOnSecondScreen=false&DialogueKey_ContentID=2746&DialogueKey_ContentTypeID=0&DialogueKey_WorkflowType=2&DialogueKey_IsSiteMigrationMode=false&DialogueKey_ReadOnly=false&DialogueKey_ContentVersionID=12773&DialogueHeight=776px&DialogueWidth=1336px&IsInTabset=True&DialogueDisplayMode=2#contensis) or telephone 020 8207 2277.

Where your personal information has been shared with others, we’ll do all we can to make sure those using your personal information also comply with your request for erasure.

You will need to contact the Data Protection Officer for requests relating to other council services at [foi@hertsmere.gov.uk](https://cms.hertsmere.gov.uk/Dialogue.aspx?DialogueType=351&DialogueKey_ProjectId=1&DialogueKey_LaunchedOnSecondScreen=false&DialogueKey_ContentID=2746&DialogueKey_ContentTypeID=0&DialogueKey_WorkflowType=2&DialogueKey_IsSiteMigrationMode=false&DialogueKey_ReadOnly=false&DialogueKey_ContentVersionID=12773&DialogueHeight=776px&DialogueWidth=1336px&IsInTabset=True&DialogueDisplayMode=2#contensis).

**How do we protect your information?**

We’ll take all possible steps to protect the information we hold about you (on paper and electronically) in a secure way, and we’ll only make them available to those who have a right to see them. Examples of our security include:

* **Secure emails**:  Use of secure email networks to ensure that sensitive information is safely shared.
* **Controlling access to systems and networks**: Allows us to prevent people not permitted to view your personal information from gaining access to it.
* **Staff Training**: Allows us to make all our staff aware of how to handle information and how to report incidents or issues regarding the use of information.
* **Regular testing of our IT systems:** And ways of working including keeping up to date on the latest security updates and training all our staff on protecting and using information securely.

**Making a complaint about how we are collecting or using your information:**

We will always try to help you with queries and respond appropriately to all requests regarding the processing of your information.

If you have a concern about the way we are collecting or using your personal data or are not satisfied with the way we handle your requests please raise your concern with us in the first instance to allow us to investigate.

We have a Data Protection Officer who makes sure we respect your rights and follow the law. If you have any concerns or questions about how we look after your personal information, please contact our Data Protection Officer at [foi@hertsmere.gov.uk](https://cms.hertsmere.gov.uk/Dialogue.aspx?DialogueType=351&DialogueKey_ProjectId=1&DialogueKey_LaunchedOnSecondScreen=false&DialogueKey_ContentID=2746&DialogueKey_ContentTypeID=0&DialogueKey_WorkflowType=2&DialogueKey_IsSiteMigrationMode=false&DialogueKey_ReadOnly=false&DialogueKey_ContentVersionID=12773&DialogueHeight=776px&DialogueWidth=1336px&IsInTabset=True&DialogueDisplayMode=2#contensis) or by calling 020 8207 2277 and asking to speak to the Data Protection Officer.

If you are still not satisfied with the council’s internal review procedure, you can refer your concerns to the [Information Commissioner's Office’s website](https://cms.hertsmere.gov.uk/Dialogue.aspx?DialogueType=351&DialogueKey_ProjectId=1&DialogueKey_LaunchedOnSecondScreen=false&DialogueKey_ContentID=2746&DialogueKey_ContentTypeID=0&DialogueKey_WorkflowType=2&DialogueKey_IsSiteMigrationMode=false&DialogueKey_ReadOnly=false&DialogueKey_ContentVersionID=12773&DialogueHeight=776px&DialogueWidth=1336px&IsInTabset=True&DialogueDisplayMode=2#contensis) or write to:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF

To request access to your personal information, or to report inaccuracies, or raise a complaint please email us at [foi@hertsmere.gov.uk](https://cms.hertsmere.gov.uk/Dialogue.aspx?DialogueType=351&DialogueKey_ProjectId=1&DialogueKey_LaunchedOnSecondScreen=false&DialogueKey_ContentID=2746&DialogueKey_ContentTypeID=0&DialogueKey_WorkflowType=2&DialogueKey_IsSiteMigrationMode=false&DialogueKey_ReadOnly=false&DialogueKey_ContentVersionID=12773&DialogueHeight=776px&DialogueWidth=1336px&IsInTabset=True&DialogueDisplayMode=2#contensis) or telephone us on 020 8207 2277.

**Legislation**

**EU General Data Protection Regulations (GDPR)**

This new data protection law comes into force on 25 May 2018, and provides additional rights for all citizens within the European Union regarding the way organisations, like the council handle your personal information.

**Data Protection Act 2018**

Currently this new data protection law is expected to come into force later this year and replace the [current data protection act](https://cms.hertsmere.gov.uk/Dialogue.aspx?DialogueType=351&DialogueKey_ProjectId=1&DialogueKey_LaunchedOnSecondScreen=false&DialogueKey_ContentID=2746&DialogueKey_ContentTypeID=0&DialogueKey_WorkflowType=2&DialogueKey_IsSiteMigrationMode=false&DialogueKey_ReadOnly=false&DialogueKey_ContentVersionID=12773&DialogueHeight=776px&DialogueWidth=1336px&IsInTabset=True&DialogueDisplayMode=2#contensis). This new law will make requirements of the GDPR into UK legislation, ensuring that UK data protection rules are the same with EU law.

We are currently preparing for these new pieces of legislation and will provide further details on how we aim to meet the new requirements. For further details about the GDPR please visit the [ICO’s website](https://cms.hertsmere.gov.uk/Dialogue.aspx?DialogueType=351&DialogueKey_ProjectId=1&DialogueKey_LaunchedOnSecondScreen=false&DialogueKey_ContentID=2746&DialogueKey_ContentTypeID=0&DialogueKey_WorkflowType=2&DialogueKey_IsSiteMigrationMode=false&DialogueKey_ReadOnly=false&DialogueKey_ContentVersionID=12773&DialogueHeight=776px&DialogueWidth=1336px&IsInTabset=True&DialogueDisplayMode=2#contensis).