

Privacy Notice

This document describes how and why we collect, store, protect, process and share the data you give to us. We collect personal data to help us to work with you and to understand and plan the services you need.

Date of Issue: 10 May 2018

Update History:

Version 1	First issue of a new Privacy Notice
Version 1.2 19 December 2023	Amendment to include expansion of Moving Traffic contraventions

Directorate: Place
Service: Environment
Team: Transport and Parking

About the Organisation

West Berkshire Council is the Data Controller. This means it is ultimately responsible for the data it holds about you.

Contact Address:

West Berkshire Council
Market Street
Newbury
Berkshire
RG14 5LD

ICO Registration Number: **Z6825178**
<https://ico.org.uk/ESDWebPages/Entry/Z6825178>

The Data Protection Officer

Contact details for the Data Protection Officer at the Council can be found at:
www.westberks.gov.uk/dpofficer

What data will we collect about you?

1. When a **parking penalty charge notice** is issued we will record:

- the registration number of the vehicle
- the make, model and colour of the vehicle
- the date and time the penalty charge notice was issued
- the location where the vehicle was parked
- the reason why the penalty charge notice was issued

The Civil Enforcement Officer will capture this information on a hand-held-computer-terminal (HHCT) and also make a correlating hand-written entry in their pocket book. This may include details of any discussion that occurs; a brief description of your appearance and any other salient details the Civil Enforcement Officer considers important to record e.g. mitigating information. The Civil Enforcement Officer will also usually take photographs of the vehicle.

2. If a **moving traffic penalty charge notice** is issued the camera will capture information to show:

- the registration number of the vehicle
- the make, model and colour of the vehicle
- the date and time the contravention occurred

The location where the contravention occurred and the reason why the penalty charge notice was issued are pre-determined in these cases.

3. If you **contact the Parking Office by telephone** we will make a brief record showing the date and time of the call and a brief summary of the discussion

4. If you make an **appeal against a decision**, we will record:

- your name
- the address you have given
- if the appeal is made by e-mail we will also record your e-mail address

5. If you **pay the penalty charge** notice we will record the date of the payment and the method of payment.

6. If **you do not pay the penalty charge** notice we submit a "VQ4 form" asking the DVLA for the details of the registered keeper of the vehicle. They will supply a "VQ5 form" giving the name and address of the registered keeper; and the colour, make and model of the vehicle. The DVLA is legally entitled to share this information with West Berkshire Council for purposes of enforcement.

What will we use your data for?

Depending on the circumstances for which we've collected the data, we will use it for purposes of parking enforcement, to take payment for fines, to process appeals or to deal with enquiries regarding parking.

Your personal data will not be shared outside of the ways described in this Privacy Notice, and will not be used for purposes other than enforcement according to local parking regulations, bye-laws and any statutory requirements.

Who will see your data?

Your data will be seen by authorised West Berkshire Council staff employed in the Transport and Countryside service.

Your data may also be passed to the DVLA depending on the circumstances under which it has been collected. You can read more about how the DVLA handle personal data in their Data Sharing Strategy, here: <https://www.gov.uk/government/publications/dvla-data-sharing-strategy>

The Council uses a system called Chipside to make “VQ4” requests in the event a penalty charge is not paid, and to forward the resultant “VQ5” replies from the DVLA. Data will therefore be shared with Chipside staff. You can read more about their privacy policy here: <http://www.chipside.com/terms>

If you do not pay the penalty charge notice, or if it is not cancelled after an appeal, the Council will ask the Traffic Enforcement Centre to issue a Notice of Debt Registration and later a Warrant if it is still unpaid. Their staff will therefore see certain data about you and your vehicle.

Why are we doing this?

We are legally processing your data with regard to penalty charges under the requirements of the Traffic Management Act 2004. As such, there is no legal right to refuse processing as we are legitimately required to do so by UK law. Maintaining a parking enforcement process means we also process data as a public authority in the public interest.

There is no right to refuse processing where penalty charges apply.

Processing of routine telephone and email enquiries, and appeals, is necessary in the public interest and in the interests of West Berkshire Council as a public authority. You don't have to consent to give us information in these circumstances, but failing to do so will affect the Council's ability to consider your appeal or to provide assistance and guidance to you.

There's more on your rights below (see “Your Rights”).

How long will your data will be kept?

Your data will not be kept any longer than necessary. You can check how long the organisation will keep each type of data against West Berkshire Council's retention schedule (www.westberks.gov.uk/retention).

How is your data stored and processed?

Your data will be held on the Council's penalty charge notice processing system provided by Chipside and will be protected using up-to-date technical and organisational security measures.

Transfer overseas

Your data will not be stored or sent outside of the UK.

Your rights

You have a number of rights when it comes to the data we hold about you. These are detailed on our request form (www.westberks.gov.uk/dprequest) that also allows you to make a request for us to take action about something.

Complaints

If you've already told us we need to do something, but we haven't responded in a way you're satisfied with, you can complain to the Information Commissioner's Office (the ICO). It's easiest to do this online via the ICO website (<https://ico.org.uk/concerns/handling/>), but you can also do so in writing to:

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

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