

London Councils

Data Privacy Notice (DPN) Under GDPR

Transport and Mobility Services – London Lorry Control Scheme (Permissions and Enforcement) Privacy Notice

The Identity of the company

London Councils Transport and Mobility Services – Permissions Database, Enquiry Notices (EF119), Penalty Charge Notices (PCNs) and Charge Certificates issued under the London Local Authorities and Transport for London Act 2003 for the purposes of enforcing the London Lorry Control Scheme (LLCS).

We take your privacy seriously therefore we urge you to read this policy carefully because it contains important information about us and:

- The personal information we collect about you
- What we do with your information, and
- Who your information may be shared with

Who we are

London Councils are a 'Data Controller' for the purpose of the General Data Protection Regulations (GDPR) i.e. we are responsible for, and control the processing of, your personal information.

What is the legal bases for the collection, use and storage of the data?

Under delegated authority from the 32 London Boroughs and the City of London utilising the London Councils Transport and Environment Committee Agreement, we require this data for Statutory notification purposes under the London Local Authority and Transport for London Act 2003. This is to enable the administration and enforcement of the 'The Greater London (Restriction of Goods Vehicles) Traffic Order (as amended) 1985.

What information do we collect?

- Name
- Address
- Vehicle Registration Mark
- Email address (where vehicle permission information is already held)
- Phone Number (where vehicle permission information is already held)
- Evidence relating to the contravention

Some examples of when we collect this information will include:

Maintenance and collation of records for the LLCS permissions database which contains details of vehicle operators and their corresponding vehicle registration details.

When a vehicle is potentially seen in contravention of the LLCS – moving traffic contravention:

- We will interrogate our internal permissions database to issue an Enquiry Notice and/or Penalty Charge Notice (PCN).
- We will contact the Driver and Vehicle Licencing Agency (DVLA) to obtain Registered Keeper details to issue a Penalty Charge Notice.
- If the vehicle is hired/leased we may request a copy of the hire/lease agreement from the Registered Keeper of the vehicle to enable a transfer of liability.
- If the Registered Keeper has sold the vehicle or did not own the vehicle at the time of the contravention, then we can obtain details of the new or previous keeper from the registered keeper at the time of the contravention.
- We may request driver details from the Registered Keeper to issue a driver PCN.

Monitoring and recording communications

We may monitor communications such as emails and telephone calls for the following purposes:

- Compliance
- Quality Assurance
- Training
- Fraud Prevention

How we use the information we collect?

We collect information about you for the following purpose:

- To maintain the database of those vehicle operators and their corresponding vehicle registration details who have permission to use restricted roads under the terms and conditions of the scheme
- The Keeper/Hirer details are obtained to enable us to enforce PCNs under the statutory legislative process where details are not held in the permissions database.
- To inform, advise and communicate with you.

Details of how long the data will be stored?

Permissions data will be deleted after a period of 6 years. Permissions last for 5 years so will include account details that have not been renewed or accessed after one year when no activity has been noted on the account.

PCN data on cases that have been paid and closed will be stored for a maximum of one year from the date of the last event for accounting purposes.

PCN data on cases that are live will remain open until the cases are closed.

All financial records will be kept for a period of 6 full financial years

Who your information may be shared with?

- Law enforcement agencies in connection with any investigation to help prevent unlawful activity
- London Tribunals
- The Traffic Enforcement Centre (TEC)
- Contracted Enforcement and Collection Agencies
- NSL Services Group
- Sagoss Group
- Northgate Public Services
- DVLA
- Other London Local Authorities

The information will be shared internally to enhance performance and the efficiency of services.

Keeping your information secure

We will use technological and organisational measures to keep your information secure.

These measures may include the following:

- All data is stored on a database on a secure server which is password protected.
- All payment processing is undertaken using Payment Card Industry (PCI) compliance systems

What rights do you have?

The data protection legislation provides you with eight rights with respect to your personal data, these are:

- The right to be informed
- The right of access
- The right to rectification
- The right to erase

- The right to restrict processing
- The right to data portability
- The right to object
- The rights in relation to automated decision making and profiling

Right of Access – you have a right to request a copy of your information.

You can request a copy of the information that we hold (this is known as a Subject Access Request). If you would like a copy please:

- Email or write to us (using the contact details below)
- Provide proof of your identity and address
- Provide details of the information that you require a copy of, including any account or reference numbers if applicable
- Subject Access Requests can be made at the following link d

Right to correct any mistakes in your information

You can request us to correct any mistakes in your information which we hold. If you would like to do this, please:

- Write to us (using the contact details below)
- Provide enough information to identify you (e.g. PCN details, name, vehicle registration details), and
- Provide details of the information that is incorrect and what is should be replaced with, evidencing where possible.

Right to be forgotten – you have the right to be forgotten so you can ask for your personal information to be deleted where:

- It is no longer required for the reason it was initially collected
- You have removed any 'consent' for us to use your information and we do not have to keep your information for legal reasons

If we have shared your information with others, we will do what we can to ensure those using your information comply with your request for erasure.

We may not be able to delete your personal data if it is needed for legal reasons or is in the public interest.

Contact details

If you wish to contact London Councils Data Controller regarding your personal data or any other concerns you may have regarding its processing you can do so by contacting our Data Protection Officer at the following address:

dataprotection@londoncouncils.gov.uk

Please note that these details are NOT to be used to make a general enquiry or challenge a PCN.

If you are unhappy with how the Data Controller has processed your data, or if you feel they have acted in a way that has breached your data protection rights you have the right to complain to the Information Commissioners Office (ICO) by calling 0303 123 1113 or visiting their website www.ico.org.uk