

Privacy Notice for Off-Street ECN and Appeals

Why are we collecting your personal data?

Wealden District Council is a data controller for the purposes of the Data Protection Act 1998 and, from the 25 May 2018, the General Data Protection Regulation 2016. We collect, hold and use your personal data in order to process Excess Charge Notices (ECN) which are issued to vehicles in respect of off-street parking contraventions and any subsequent ECN appeals.

What is the legal basis for processing your personal data?

We do this as a task carried out in the public interest and in accordance with the following legislation / parking orders:-

- The Wealden District Council (Off Street Parking Places Order 2015
- Road Traffic Regulation Act 1984

Who will your personal data be shared with?

Your vehicle details are obtained by the Council's Parking Enforcement Officer. Photographic images are taken of the vehicle parking in contravention of the Council's parking order. We share these details with the DVLA in order to obtain your name and address if the ECN has not been paid within 28 days from the date of issue of the ECN. We also share details with the DVLA in order to obtain your name and address if the ECN has been issued via Automatic Number Plate Recognition (ANPR).

We share your personal data internally for our own data matching exercise, using names and addresses. This helps us to ensure the personal data we hold is accurate and up to date and identify customers by a single customer record.

We may share your personal data with other organisations for the purposes of enforcement of the ECN which shall include, but not be limited to, the Courts, the Traffic Penalty tribunal, the Traffic Enforcement Centre, enforcement agents and agents providing services to the Council in carrying out its role in pursuing unpaid ECN's.

We may also use and check your personal data for the investigation and prevention of fraud, anti-social behaviour and criminal activity. This may include sharing your information with police services, credit reference agencies, governmental organisations (e.g., Department for Work and Pensions and HM Revenue and Customs) and other local authorities. We also take part in the National Fraud Initiative's anti-fraud data matching exercise for these purposes.

We will not

- Use your personal data for marketing purposes without your prior explicit consent.
- Store or send your personal data to a country outside the European Economic Area (EEA).
- Make decisions about you based on automated processing of your personal data.

How long will we hold your data for?

We are required to keep all records relating to Excess Charge Notices and any appeals for a period of 2 years after the ECN has been paid or the appeal has been resolved, for cancelled ECN's the data is held for a period of 5 years. We will only keep your personal data longer if we are required to do so by law.

Your rights

The General Data Protection Regulation gives you a number of rights in relation to your personal data:

- Right to access a copy of your personal data.
- Right to have your personal data corrected.
- Right to have your personal data deleted ("right to be forgotten").
- Right to restrict how we use your personal data.
- Right to ask us to transfer your personal data to another service provider.

You can get more information about these rights in the Council's Privacy Policy.

If you wish to exercise any of these rights please contact our Information Governance team on informationgovernance@wealden.gov.uk in writing or by completing our online form.

If you are dissatisfied with how we have used your personal data you have a right to complain to the Information Commissioner's Office at casework@ico.org.uk.

Identity of Data Protection Officer

If you have any questions or concerns about how your personal data is handled, you can contact our Data Protection Officer (DPO), Kristina Shaw-Hamilton, at dataprotection@wealden.gov.uk.