Privacy Notice Bristol City Council

Clean Air Zone (CAZ)

Who we are

Parking Services undertake the enforcement of parking and traffic restrictions in the city, including the operation of the Clean Air Zone.

Bristol City Council is the data controller for the purposes of the Data Protection Act 2018 and other regulations including the UK General Data Protection Regulation (UK GDPR), which means it determines what your personal data is used for and why it is collected.

The purpose of this privacy notice is to tell you about how we collect and use personal data in connection with our service. We may update this privacy notice from time to time. When we do this, we will communicate any changes to you and publish the revised privacy notice on our website. This privacy notice should be read alongside the councils Corporate Privacy Notice.

Our main address is City Hall, College Green, Bristol, BS1 5TR and our contact details can be found on Bristol City Website

For the operation of the Clean Air Zone, BCC is a joint data controller with:

- The Joint Air Quality Unit (JAQU)

What data do we need to collect and use?

The Council and Joint Air Quality Unit (JAQU) treat your Vehicle Registration Mark (VRM) as personal data.

When the CAZ Central Service checks VRMs against the DVLA database, JAQU and the Council may use and share your:

- Name
- Surname
- Phone Number
- Postal address
- Email address
- Number plate ("vehicle registration mark")

We get most of this information from you and from what we learn about you through your use of our services, but we may also get some information about you from the DVLA as this is a regulatory body.

How do we use your personal information?

The data is used to check whether a vehicle is Clean Air Zone compliant, to check whether a payment has been made for entry into the Clean Air Zone, or to check whether the vehicle has been granted a local exemption.

Who else might we share your personal information with?

Sometimes we may need to share your information, but we will only do so where we have a valid legal basis to share data. We will only share the minimum information for each circumstance. We may share some of your personal information with one or more of the following:

NO2 Plan Evaluation data

In order to understand the extent to which the programme is meeting its stated aim of reducing nitrogen dioxide concentrations to within legal limits in the shortest possible time, a clear understanding of fleet composition (with reference to Euro Standards) before, during and after implementation of Local Plan measures, is needed.

We will be sharing VRM details with JAQU quarterly for the duration of the evaluation. DfT will match this data with vehicle type and emissions data which will be anonymised, before being sent back to the local authority and 3rd parties (Ricardo Energy and Environment and Ipsos MORI) for further evaluation and reporting.

The Joint Controllers have agreed the following arrangement to determine their respective obligations under the UK GDPR:

- They have jointly prepared this privacy notice.
- They will cooperate with each other in responding to any request each receives from data subjects exercising their rights under data protection legislation in relation to their personal data (a 'Data Subject Request'). The party which receives the Data Subject Request will fulfil the obligations of the controller to respond to the request in accordance with data protection legislation.
- They will provide reasonable assistance to each other to enable a Data Subject Request to be dealt with in an expeditious and compliant manner.
- Each shall be responsible for fulfilling the controller's responsibilities under data protection legislation as to security of personal data when that personal data is processed on systems controlled by that party.
- If one Joint Controller discovers a data breach, that party (the 'Reporting party') will be responsible for assessing whether the breach constitutes a personal data breach that is required to be notified to the Information Commissioner's Office and (where applicable) to the data subjects under Articles 33 and 34 of the UK GDPR. The Reporting party shall fulfil the

obligations of the controller to give such notice, if it is required, in accordance with data protection legislation.

- They have agreed to provide reasonable assistance to each other in order to facilitate the handling of any data breach in an expeditious and compliant manner.
- In the event of a dispute brought by a data subject or a data protection authority concerning the processing of personal data against either or both of them, the Joint Controllers will inform each other about any such disputes or claims and will cooperate with a view to settling them amicably in a timely fashion.

Irrespective of the above arrangement, you can exercise your rights under the UK GDPR in respect of and against each of the Joint Controllers if you wish.

We may also use data processors to support our activities, for example by providing systems we need or delivering services on our behalf. These processors are:

Intelliscape are Bristol City Council's Data Processor and VRMs captured by their Automatic Number Plate Recognition (ANPR) system will be shared with the DVLA for the purposes of vehicle identification and qualification.

Data may also be shared with Intelliscape's contracted partners or suppliers for the purposes of training and hardware or software development.

Intelliscape's Privacy Notice can be found here: Privacy Policy | Intelliscape

In the case of a Penalty Charge Notice being issued, information will be shared with Modaxo (operating under the name Trellint) – Hosted Permit Case Management Systems Bristol City Council's Data Processor for Penalty Charges. Please see the separate Privacy Notice for Penalty Charge Notices for more detailed information on how data relating to Penalty Charge Notices may be used and shared. This can be found on the Bristol City Council's website: Parking Services Service Area Privacy Notice

Bristol City Council is required by law to protect the public funds it administers. It may share information provided to it with other bodies responsible for auditing, administering public funds, or where undertaking a public function, in order to prevent and detect fraud. For more information visit www.bristol.gov.uk/data-protection-foi/fraud-prevention-and-detection.

Will my personal data be sent outside the UK

No personal information is routinely sent or held outside the UK. Should the transfer of personal information outside the UK become necessary, it will only take place if permitted by law, and then only where there are appropriate safeguards in place to protect the data.

What is the legal basis for our use of your personal information?

The legal basis for the processing (use) of your personal data is that the use of your personal data is necessary for the performance of a task carried out in the public interest and in the exercise of official authority vested in:

1. DfT and Defra, as partners in JAQU; and
2. the Council as operator of the CAZ.

Article 6 (1) (e) of the UK GDPR (Processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Controller); Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Bristol City Council. The official authority to undertake this processing is provided to the council by its designation as a Highway Authority and enables it to take enforcement action under the Traffic Management Act 2004 and Transport Act 2000.

This relates to monitoring and identifying contraventions of Part III and Schedule 12 of the Transport Act 2000 and Parts 2 and 6 of The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 pertaining to the Clean Air Zone Charging Order relevant to the local authority whose ANPR cameras recorded your number plate.

The ability for charging authorities to introduce a Clean Air Zone is set out in the Transport Act 2000. Part III of the Act empowers local authorities (as “charging authorities”) to make a local charging scheme in respect of the use or keeping of motor vehicles on roads.

How long we will keep your personal information?

JAQU won’t retain VRM data beyond the time it takes for them to process it.

DfT will retain pseudonymised data (where identifying details are replaced with a key) for no longer than 12 months.

Bristol City Council will retain information as follows:

- Summary Vehicle Passage Records (VRM but without images) - 2 years

- Rejected Evidence Packs (full record with camera images) – where an evidence pack is rejected, information will be retained for 90 days from the date the evidence pack was processed.

- Accepted Evidence Packs (full record with camera images) – where an evidence pack is accepted, a Penalty Charge Notice (PCN) will be issued. Personal information my then be retained for up to 6 years, in line with Bristol City Council's Document Retention Schedule (DRS).

- Penalty Charge Notices – where a PCN is issued, we may hold this information for up to 6 years, in line with Bristol City Council's Document Retention Schedule (DRS).

After this, your personal information will be deleted.

Please see the Penalty Charge Notice Privacy Notice for further information: Parking Services Service Area Privacy Notice

Your rights as a data subject

The law gives you a number of rights to control what and how personal information is used by us, including the right to access a copy of your personal information and withdraw your consent when we rely on your permission to use your personal data.

Full details about your rights can be found in our main privacy notice. If you are unable to access our digital Privacy Notice, please contact Citizens Services who will be able to send a hard copy.

To update or correct your information if it is inaccurate, please contact Citizens Services.

To access a copy of your personal information, more details and how to make a request can be found on the data protection subject access requests page on the council website.

You can exercise any of these rights, ask questions about how we use your personal data or complain by contacting us at data.protection@bristol.gov.uk or by writing to our data protection officer at:

Data Protection Officer
Information Governance
Bristol City Council
City Hall
PO Box 3399
Bristol
BS1 9NE

If you think we have dealt with your information inappropriately or unlawfully, you have the right to complain to the ICO at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Website: https://ico.org.uk/

Next annual review date: 24 Feb 27

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