



Privacy Notice

Civil Parking Enforcement On/Off Street Parking Penalty Charge Notices & Appeals Permit Administration

What this Privacy Notice covers

West Sussex County Council is the data controller (referred to in this notice as “we” or “us”) of your personal data for the purposes of applicable data protection legislation.

West Sussex County Council (WSSCC) complies with the Data Protection Act and the GDPR and is registered as a ‘Data Controller’ with the Information Commissioner’s Office (Reg. No. Z6413427).

In relation to Civil Parking Enforcement the powers have been delegated to the local Boroughs and District Councils to administer the parking schemes.

Adur & Worthing Councils, Arun District Council, Chichester District Council, Crawley Borough Council, Horsham District Council and Mid Sussex District Council are the data processors of your personal data working on behalf of West Sussex County Council. For the data processors privacy notice please visit their website.

West Sussex County Council’s Data Protection Officer can be contacted at:

West Sussex County Council
The Grange
Chichester
West Sussex
PO19 1QT

For full details of how your personal data is used and processed please visit www.westsussex.gov.uk/privacy-policy/

We are committed to doing the right thing when it comes to how we collect, use and protect your personal data. This privacy notice:

- explains how and why we collect and use your personal data
- sets out the types of personal data that we collect

- explains when and why we will share personal data and with other organisations
- explains the rights and choices you have when it comes to your personal data

Why we need your personal data

The purpose of processing your personal data is to administer Civil Parking Enforcement, the processing of Penalty Charge Notices (PCN) & Appeals, On/Off-Street Parking, and permit administration.

We will use your data to process PCN's and all matters in relation to Civil Parking Enforcement. All processes are carried out in line with traffic management / parking related legislation and using secure systems. The information you provide will only be used for the parking related purposes for which it was obtained.

We are relying on GDPR Articles 6(1) (b), (c) & (e) processing is necessary in the exercise of official authority in the data controller, namely the Traffic Management and Civil Parking Enforcement legislation:

The Traffic Management Act 2004, The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007, The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007, The Traffic Management Act 2004 (Commencement No. 5 and Transitional Provisions) (England) Order 2007, The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2008, The Traffic Management Act 2004 (Commencement No. 5 and Transitional Provisions) (England) (Amendment) Order 2008, The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2009, The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015, The Civil Enforcement of Parking Contraventions (England) General (Amendment No.2) Regulations 2015, Operational & Statutory Guidance, Tribunals & Courts Enforcement Act , Civil Procedure Rules.

West Sussex County Council (Adur District) (Parking Places & Traffic Regulation) (Consolidation) Order 2009 (as amended),

West Sussex County Council (Arun District) (Parking Places & Traffic Regulation) (Consolidation) Order 2010 (as amended)

West Sussex County Council (Chichester District) (Parking Places & Traffic Regulation) (Consolidation) Order 2010 (as amended)

West Sussex County Council (Crawley Borough) (Parking Places & Traffic Regulation) (Consolidation) Order 2010 (as amended)

West Sussex County Council (Horsham District) (Parking Places & Traffic Regulation) (Consolidation No. 2) Order 2006 (as amended)

West Sussex County Council (Mid Sussex District) (Parking Places & Traffic Regulation) (Consolidation No. 2) Order 2006 (as amended)

West Sussex County Council (Worthing) (Parking Places & Traffic Regulation) (Consolidation) Order 2007 (as amended)

Where special category data is provided and processed, the relevant legal basis we are relying on is GDPR Article 9(1) (f) as processing is necessary for the establishment, exercise or defence of legal claims or whenever Courts are acting in their judicial capacity

What we collect and how it is used

Your vehicle details are obtained by the Civil Enforcement Officer. Photographic images are taken of the vehicle parking in contravention of the parking regulations.

Your name and address is obtained from the DVLA if the PCN has not been paid within 28 days from the date of service of the PCN, for postal PCN your information is obtained from the DVLA within 2 days from the date of the PCN Notice being issued.

Your contact details are collected from correspondence you have submitted either via the Councils website or via the appeals e-mail or from an application for a permit or parking bay request.

Where grounds relating to health are relied upon when appealing against a Penalty Charge Notice, details regarding the medical information may be requested to consider this aspect as part of the appeals process.

The personal information you provide to the Council will be used or processed for the purpose of your appeal or to process your permit application. The Council will use the information for this purpose and may disclose it to those individuals or organisations referred to below.

For details on how the Council uses your data when payments are made for Penalty Charge Notices please refer to the relevant Borough or District's website. The Council's do not hold any credit or debit card details.

Your personal data may be converted ('anonymised') into statistical or aggregated data in such a way as to ensure that you are not identified or identified from it. Aggregated data can't, by definition, be linked back to you as an individual. This data might be used to conduct research and analysis, including to prepare statistical research and reports

We may share personal data with other organisations in the following circumstances:

- For law enforcement, regulation and licensing, criminal prosecutions and court proceedings
- for the purposes of prevention and detection of fraud - Partner agencies and other local authorities within West Sussex involved directly in parking management and the Police
- In dealing with appeals against PCN - the Traffic Penalty Tribunal, The Traffic Enforcement Centre, The Courts and enforcement agents and agents providing services to the Borough & District Council in carrying out its role in pursuing unpaid Penalty Charge Notices.
- If we need to share personal data in order to establish, exercise or defend our legal rights (this includes providing personal data to others for the purposes of the prevention and detection of fraud).

How long the information kept for?

Records are kept in accordance with each Borough & District Council's disposal schedule and your information will not be kept for longer than necessary.

Yours rights

You have certain rights under UK data protection legislation, including:

- The right to be informed of data processing (Which is covered in this Privacy Notice)
- The right of access (also known as Subject Access Request)
- The right to have information corrected (rectification)
- The right to have information erasure
- The right to restrict processing
- The right to data portability
- The right to withdraw consent (see below)
- Rights in relation to automated decision making and profiling.
- Complain to the Information Commissioner's Office (See below)

How to contact us

To exercise any of these rights please contact: The Parking Strategy Team on 01243 642 105 or <https://www.westsussex.gov.uk/privacy-policy/>

Withdrawal of Consent

The lawful basis upon which WSCC process personal data is that it is necessary in order to comply with its legal obligations and to enable it to perform tasks carried out in the public interest. However, where personal data is solely processed on the basis of consent, you will have the right to withdraw that consent.

Complaints to ICO

If you are unhappy with the way your request has been handled, you may wish to ask for a review of our decision by contacting the DPO.

If you are not content with the outcome of the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted our internal review procedure. The Information Commissioner can be contacted at:

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire
SK9 5AF
www.ico.org.uk/concerns/