

**Service Area: Parking, Fleet & Transport Operations
(Fleet Services)
Directorate: Resident Services
PN-069**

October 2021

Fleet Services are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so.

When you drive a vehicle operated by Fleet Services, data will be collected via an on board telematics device. As this information relates to you, it is considered to be personal data.

We will use the information about by you for a number of reasons. This includes, to:

- Maintain fleet optimisation with the placement or reduction of vehicle numbers and increased fleet utilisation;
- Reduce fuel usage and the number of road journeys via better utilisation of the fleet;
- Reduce maintenance costs through less component wear and tear (e.g. tyres);
- Make safety improvements, cost savings and environmental benefits through reduced carbon emissions;
- Improve the risk management of the fleet to reduce the number and value of collisions that occur;
- Investigate serious and fatal vehicle collisions;

- Assist in the investigation of a vehicle driving complaint or incident where it is deemed necessary;
- Inform / improve driving standards to enable targeted training and support, resulting in improved public confidence and service levels; and
- Support motor insurance claims.

When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

What personal information will the Council process?

The information that we collect about you will be collected by a telematics device fitted to the vehicle, this device will collect the following information:

- Vehicle Utilisation
- Journey Time/Distance Travelled
- Location
- Idling
- Speed
- Braking
- Driver Behaviour
- Battery Charge
- Loading (including overloading)
- Driver's Hours including tachograph information
- Time, type and frequency of use
- Seatbelt use
- Mileage
- Fuel
- Input
- System
- Other information such as the key fob that relates to you and other administrative information.

Further Information relating to the data collected and how it is used can be found in the Vehicle Technology and Vehicle telematics Policy and accompanying guidance.

These data elements relate to the vehicle that you are driving, which is linked to personal data that directly identifies you, for example your name and other details we process about you in the course of employment.

Lawful basis for processing

The basis under which we use your personal information for these purposes is that this is:

- **Necessary for the performance of a contract (your employment contract);**
- **Necessary for the performance of a task carried out in the public interest by the Council or in the exercise of official authority vested in the Council;**
and
- **Necessary for compliance with a legal obligation to which the Council is subject.**

These legal obligations or public tasks are contained in (but not limited to) the following legislation:

- Health and Safety at Work Act 1974;
- Driving Licence and Drivers Hours Regulations covered by Road Traffic Act 1991;
- Goods Vehicles (Licensing of Operators) Act 1995;
- The Road Vehicles (Construction and Use) (Amendment) (No.4) Regulations 2003;
- The Motor Vehicles (Driving Licences) (Amendment) (No.3) Regulations 2004;
- Corporate Manslaughter Act 2007;
- The Community Drivers Hours and Recording Equipment Regulations 2007;
- The Management of Health and Safety at Work Regulations 1999; and
- Localism Act 2011

The information provided by you may also include personal data relating to criminal offences. The condition under which this information is processed is for the **defence of legal claims**, and for **reasons of substantial public interest**. This includes for the purposes of **insurance** and **preventing and detecting unlawful acts**.

Information from the telematics box could be used in cases where the Council are required to identify a driver under the Road Traffic Act 1988, or when it is necessary for any other lawful purpose.

Will my information be shared with other organisations or used for other purposes?

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law.

The Council will share your personal information with:

- The Council's motor insurance company, or any other organisation or individual when it is necessary and lawful to share personal information with to defend or litigate legal claims;
- The supplier of the telematics system, who act as a data processor for the Council; and
- The Police or another law enforcement agency when it is necessary and for lawful purposes.

You can find further information about who and under what circumstances we will share information in the Vehicle Technology and Vehicle Telematics Policy and accompanying Guidance.

The information provided by you may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the

legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/>

The information will only be used for another purpose where it is lawful to do so.

Do I have to provide the information?

You **may be** obliged by statute or contractual obligations to provide some of the information that is specified here. The collection of telematics data from the vehicle you are driving may be a condition of you using that vehicle, which may be necessary for you fulfilling the conditions of your employment contract.

How long will the Council retain the data for?

The data will be kept for a period of **60 days**. Information relating to Licensing conditions will be retained for a period of **15 months**, or for as long as the Council require to meet it's legal obligations relating to its Operator's Licence. However, if the information is required for other lawful purposes, such as the defence of legal claims, the Council may need to retain this information for as long as is necessary for those purposes.

The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

Information Rights

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

- A right to request a copy of your information
- A right to request rectification of inaccurate personal data
- A right to request erasure of your data known as 'the right to be forgotten'

- A right to in certain circumstances to request restriction of processing
- A right in certain circumstances to request portability of your data to another provider
- A right to object to processing of data in certain circumstances
- A right regarding automated decision making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

The Data Protection Officer is Naomi Matthews. You can contact the data protection officer at:

Loxley House,
Station Street,
Nottingham,
NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner's Office

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,
Water Lane
Wilmslow,

Cheshire

SK95AF

www.ico.org.uk

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .