

## NAPIER PARKING

**Have you purchased or obtained a parking permit or are you intending to visit or have you visited one of our Car Parks? This Privacy Policy explains what personal information we will collect from you and how we will use that information as well as providing details of your legal rights in relation to that information.**

This Privacy Policy also explains how we may collect and process information about any other data subjects including:

- Our Partners, employees, consultants, workers, work experience students, and job applicants (referred to for convenience in this notice as 'Employees');
- Our suppliers and service providers and their agents, employees and representatives;
- Visitors to our website;
- Persons who visit one of the other sites which we manage in connection with the parking of a vehicle (which for convenience we also refer to as car park users in this Privacy Policy).

### **Our Commitment to Personal Privacy**

#### **Who we are:**

NAPIER PARKING LTD ("we", "our") is the data controller which means that we are responsible for your personal data. We are a company registered in England and Wales under number 0600471 whose registered office is at Atterbury Lakes Fairbourne Drive, Atterbury, Milton Keynes, MK10 9RG.

If you have any questions about this privacy policy or our privacy practices, our Data Protection Officer (DPO) can be contacted by emailing [dpo@napierparking.co.uk](mailto:dpo@napierparking.co.uk) or by calling 01730 828 103.

We operate under the General Data Protection Regulation and the Data Protection Act 2018 (collectively referred to below as the "DPA").

#### **What we do:**

##### **Car Park Users**

We monitor our sites with parking attendants who use manual cameras and ANPR technology. In some cases we have fixed CCTV installed on site. (**Note** - full details can be obtained upon request by asking for a copy of our CCTV Policy).

In some cases we will have fixed ANPR cameras at the entrance and exit to our sites. In these cases we will notify you on our on-site privacy signs that we are monitoring the entry and exit of our privately managed land.

Images of people and vehicle number plates will be obtained for the purpose of car park management, ensuring compliance and enforcing our Terms and Conditions for this private land.

If you visit one of our sites your image and activities on the site and your vehicle number plate and, depending on the category of user you are of our site, the additional personal data described under the heading "The Categories of 'Personal Data we Process'" below will be obtained, retained and processed, as described in this Privacy Policy.

We also use our cameras to detect and deter criminal activity.

## **Employees**

If you are an Employee then we will process personal information about you as described in your employment contract, employment handbook, our employee policies, and/or any other applicable separate documents provided to you in connection with your position or your application for a position with us.

## **Car Park Users - The Categories of "Personal Data" we Process:**

### 1. Car Park User

When you use one of our car parks we will collect and process data comprising images of you and your vehicle whilst in the car park including recording your movements and activities and the vehicle registration number.

### 2. Permit holder or payment system user:

As a user of our privately managed site, you may provide us with your personal data, for example if you purchase a permit from us or if you enter your vehicle registration into a payment machine.

The data may include your vehicle registration number, your name, address, email and phone number.

This data may be passed to us by a third party such as a landowner, for example if you have given the landowner your data so you can be added to a permit holder register for the site.

### 3. No Unpaid Charge/Tariff:

As a compliant user of our privately managed car parking site, the

personal data we obtain is your registration number, images of the vehicle, occupants and bystanders.

#### 4. Windscreen Parking Charge:

If you have received a Parking Charge on your windscreen or if it was handed to the driver, at the point the Parking Charge is placed on your windscreen or handed to the driver, we will have obtained your personal details, which could include images of your vehicle, occupants/bystanders and the vehicle registration number.

Where there is an unpaid fee over 28 days and the driver's full name and serviceable postal address is not known, we may request personal details of the registered keeper of the vehicle from the Driver and Vehicle Licensing Agency ("DVLA") and other third parties (for example the registered keeper or hire companies where applicable) who may possess information which could assist in resolving any dispute.

#### 5. Postal Parking Charge:

Where there is a fee which is payable we may request personal details of the registered keeper of the vehicle from the DVLA and other third parties (for example the registered keeper or hire companies where applicable) who may possess information which could assist in resolving any dispute.

The personal details we will obtain include:

- a) The name and address of the registered keeper;
- b) The make, model and colour of the vehicle;
- c) Confirmation of the registration number;
- d) Any other information that we gather, in pursuance of the unpaid fee, including information that is shared by you with us.

#### 6. Abandoned Vehicle

If you abandon a vehicle, or we believe that you may have abandoned a vehicle, on a site that we manage, we will collect information about the vehicle including images and the vehicle registration details. We may apply to the DVLA for the registered keeper details so that we can contact that person in relation to the vehicle. As part of our process we may also request the vehicle log book from the DVLA to assist us in disposing of the vehicle. If we are contacted by a person claiming to be the owner of the vehicle at any stage we will carry out relevant identification and proof of ownership checks to seek to resolve the issue.

#### 7. Vehicle Relocation

In certain circumstances we may need to remove a vehicle to a different location. In that event we will place a notice on the vehicle warning that removal may take place.

If we are contacted by a person claiming to be the owner of the vehicle at any stage we will carry out relevant identification and proof of ownership checks to seek to resolve the issue.

## 8. Appeals:

You may consent to provide us with your personal data (including sensitive data categories) when appealing or paying the Parking Charge.

If you decide to challenge a Parking Charge and we reject your challenge, then we will provide your registration number and Parking charge number along with the time and date of the parking event to an independent appeals service and/or an approved trade association. This is to allow you to contest the charge with an independent adjudicator.

As a car park user, we collect and process your personal data for the following purposes:

- Providing car park management services, including the prevention and detection of crime, and data analytics.
- Ensuring that you comply with our parking terms and conditions, and enforcing those terms and conditions where necessary.
- Issuing a Parking charge where our parking terms and conditions have been breached.
- Progressing any Parking charge we have issued to closure or payment, which includes reviewing and responding to appeals and seeking payment of the parking charge.

## **Employees**

If you are an Employee then we will collect and process additional personal information about you as described in your employment contract, employment handbook, our employee policies, and/or any other applicable separate documents provided to you in connection with your position or your application for a position with us.

## **All Data Subjects**

The information we hold about you may include the following:

- your personal details (such as your name, address and other contact details);

- details of any contacts we have had with you in relation to the provision, or the proposed provision, of our services;
- our correspondence and communications with you;
- information about any complaints and enquiries you may have submitted to us;
- information from any research or surveys conducted by us in which you may have participated; and
- information we receive from other sources, such as publicly available information (which may include information published by the Courts), information provided by the DVLA, and information provided by your employer or other relevant organisation.

If you visit our website we may collect additional information through the use of cookies. This is explained in the cookies policy available on our website at [www.napierparking.co.uk](http://www.napierparking.co.uk)

If you refuse to provide us with certain information when requested, we may not be able to perform any contract we have entered into with you. Alternatively, we may be unable to comply with our legal or regulatory obligations.

We may also process your personal information without your knowledge or consent, in accordance with this notice, where we are legally required or permitted to do so.

### **Our Lawful Justification for Processing Your Personal Data:**

We have set out below the legal bases we rely on to use your personal data. We have also identified what our legitimate interests are where appropriate. Please note that we may process your personal data on more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data.

#### **Car Park Users**

If you pay to park on one of our sites then we will process your personal data including your identity data, financial data and transaction data on the basis that the processing is necessary for the performance of the contract which has been entered into with you.

If you park on one of our sites or if you visit one of our sites we will process your personal data including your identity data on the basis that the processing is necessary for our legitimate interests and your interests and

fundamental rights do not override those interests.

We have a legitimate interest as the operator of parking sites and other managed sites to:

- a. Know who is using or otherwise present on our managed private land.
- b. Pursue a motorist for an unpaid parking tariff.
- c. Pursue a motorist for an unpaid parking charge (Parking Charge).
- d. Ensure safety and security and help deter/detect criminal activity.
- e. Identify the registered keeper of any abandoned or relocated vehicle and deal with any matters related to such vehicles including the recovery of any associated charges, damages, costs and expenses.
- f. Know who is using our privately managed car park or land for car park management purposes such as statistical analysis and in order to study consumer behaviour.
- g. Retain transactional information for accurate record keeping.

### **All Data Subjects**

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law. If we need to record any phone calls we will always inform you in advance, offering you the option to communicate with us by alternative methods.

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

We do not rely on consent as a legal basis for processing your personal data, although we would get your consent before sending any third party direct marketing communications to you via email or text message.

### **'Special Category' Personal Data**

If you provide any personal data such as information about your health or any disability to us, for example in connection with an appeal or in correspondence, this data is classed as 'special category' data. We will only process any special category data which you may provide based

upon your explicit disclosure of that information, so if you do submit any special category data to us please include your express consent to our processing of that data together with your appeal or correspondence.

You are free to change your mind at any time and withdraw your consent, but please be aware that the consequence might be that we will no longer be able to consider your circumstances in full when reviewing an appeal. If you wish to withdraw your consent, please contact us using the details provided below.

### **Data Security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

### **Retention of your data:**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes for which we collected it. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, the lawful basis upon which we process your personal data, and the applicable legal, regulatory, tax, accounting or other requirements.

If you have used our site for parking your data will be held for sufficient time to enable the fee to be settled, by you or another person and resolve any dispute. Your data may be held so that we have transactional information for accurate record keeping. However, your data will not normally be held for longer than 6 years in such circumstances. In some circumstances your data may be held for longer than 6 years. Examples of when we may hold your data for longer are;

- When there is an ongoing dispute which requires us to hold the data for longer than normal.
- Where a court order has been made allowing us to pursue outstanding money after the expiration of 6 years.

We may retain some information about your visit but it will be anonymised, leaving only your registration data. Vehicle registration data may be held for statistical analysis and in order to study consumer behaviour.

## **Sharing Your Personal Data:**

### **All Data Subjects**

We will share your personal information with third parties where we are required by law, where it is necessary to administer the relationship between us or where we have another legitimate interest in doing so.

### **Car Park Users**

Your personal data may be shared for the purpose of car park management, or for the purpose of the payment or enforcement of a parking tariff or charge. These third parties are:

- an independent appeals service,
- payment facilitator,
- mail service provider,
- an external software provider,
- an accredited trade association,
- the landowner or landowners agent, and debt recovery companies,
- solicitors, credit reference agents, tracing agents and high court officers/bailiffs where necessary to ensure compliance with your obligations under the contract,
- vehicle licensing agencies, such as the DVLA or an international equivalent,
- independently contracted parking attendants,
- the police or other security organisations for the safety and security of car park users, and in order to prevent and detect crime,



- vehicle hire and lease companies where they confirm that a vehicle was on hire or leased on the date that that vehicle was captured parked in breach of the parking terms and conditions,
- our third party service providers in relation to the processing of abandoned vehicles or vehicles otherwise removed from our sites.
- our third party service providers in relation to the processing of parking appeals.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We will not transfer your personal data out of the EU under normal circumstances. If we do so, it will only be transferred to countries that are covered under the EU requirements for appropriate safeguarding measures to be in place e.g. the United States (covered by Privacy Shield).

**Your data subject rights are as follows:**

1. The right to be informed.

You have the right to be informed about the collection and use of your personal data. That is the purpose of this Privacy Policy.

2. The right of access.

This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

3. The right to rectification.

This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

4. The right to erasure.

This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Please note that we may not always be able to comply with your request of erasure for legal reasons which will be notified to you, if applicable, at the

time of your request.

#### 5. The right to restrict processing.

This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

#### 6. The right to data portability.

You have the right to request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

#### 7. The right to object.

You have the right to object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

#### 8. Rights in relation to automated decision making and profiling.

We do not use any personal data for automated individual decision-making (making a decision solely by automated means without any human involvement) or for profiling (automated processing of personal data to evaluate certain things about an individual).

Please note that you have the right to request the above, however, when we receive your requests we may object to your request if we do not agree with it. However, if you do make the request we will tell you if the

request has been granted or not.

### **Exercise of your Data Subject Rights:**

If you wish to exercise any of the above rights we recommend that you provide notice to us via an email request to our Data Protection Officer (DPO) because this will allow us to identify and deal with your request promptly. You can do so by emailing [dpo@napierparking.co.uk](mailto:dpo@napierparking.co.uk) or by calling 01730 828 103.

Calls may be recorded for training and monitoring purposes. If you do not wish for your call to be recorded please hang up and contact us via our website or by email at [services@napierparking.co.uk](mailto:services@napierparking.co.uk).

For all requests to exercise your rights there is Subject Access Request form that should be completed in order for us to appropriately manage your request, this form clearly details the information we will require from you. The form is available on our website [www.napierparking.co.uk](http://www.napierparking.co.uk), please visit our Privacy Policies page.

If you wish to communicate with us by post please write to: The Privacy Team, Napier Parking Ltd, Atterbury Lakes Fairbourne Drive, Atterbury, Milton Keynes, MK10 9RG.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

We will need to obtain proof of your identity and residency before providing you with information we hold about you. This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. This also requires us to obtain your declared consent to provide a response via email so that we can ensure the safe transportation of your personal data. We may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

### **Changes to Our Privacy Notice:**

From time to time we may amend the way in which we process personal data. This may lead to changes in how we collect and/or use your personal information. We may amend the terms of this Privacy Policy at any time.

*Contact Us:*

If you have any queries relating to this Privacy Notice or our privacy practices, please contact us by e-mail at: [dpo@napierparking.co.uk](mailto:dpo@napierparking.co.uk) or call 01730 828 103.

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.