

READING BOROUGH COUNCIL

GDPR Data Privacy Notice:
Network Management (Transport & Street Care)

The identity and contact details of the company

Reading Borough Council, Civic Offices, Bridge St, Reading RG1 2LU.

Contact details of the Data Protection Officer

Ricky Gill: Information Governance Officer, Civic Offices, Bridge St,
Reading, RG1 2LU

Email: Ricky.Gill@reading.gov.uk

What Personal Data is held?

We collect the following information about you:

- Name
- Address
- Contact details
- Date of birth / age
- Signature
- Payment information (purchase order, invoice, cheque)
- Insurance details
- Qualifications / competencies' / licences / permits
- Vehicle registration, make, model and colour
- Company name (and evidence of employment)

We may indirectly collect other information about you, which is volunteered during correspondence, which can include your religious beliefs, health and political opinion.

Some examples of when we collect this information include:

- Informal / statutory consultations and surveys
- Correspondence (reporting issues, requests for new traffic management or parking measures)
- Applications for temporary directional signs / tourist or discretionary signs
- Requests for data (police-supplied casualty data, traffic counts, traffic signal information)
- Street works licence applications (temporary traffic regulation order/notice, Section 50 licence, crane/mobile-lifting platform permit, portable traffic signal application)
- The receipt of street works notices, or when conducting an activity that necessitates us creating a notice
- Vehicle exemptions from bus lane and access restrictions

How will the data be stored?

This information will be stored on the Council's corporate electronic storage systems, accessed by corporate encrypted computers. Paper documents will be stored in a locked cupboard and scanned as soon as possible. Scanned documents will be destroyed as confidential waste as soon as practicable.

Data for the purposes of street works notification is held on an externally-hosted street works co-ordination package (Bentley Exor), within a 'Street Works Register'. Select data is then drawn onto the database of our public display provider (ELGIN) for publication on the website www.roadworks.org.

Data for the purposes of applying to be exempt from bus lane/access restrictions will be stored on the Council's electronic storage systems. Our partner organisation (currently NSL Services Group) hosts the back-office systems for enforcement. The detailed exemption list will be stored here. Our partner organisation (currently Zenco Siemens) provides the hardware and software directly linked to the enforcement cameras. The summarised exemption list will be stored here.

What is the legal basis for the collection, use and storage of the data?

- Consultations / surveys

The data received from informal and statutory consultations is used to inform the potential design and implementation of new schemes. The consultation process must comply with the requirements set by the Local Authorities Traffic Orders Regulations 1996. An audit trail is necessary in case we are legally challenged on the processes that the authority has followed, leading up to the implementation of a new Traffic Regulation Order.

Responses to surveys and consultations will be anonymised and reported, as necessary, during the development of potential schemes. These reports will be publically available.

- Correspondence / Reporting issues / Requests for new traffic management or parking measures / Applications for temporary directional, tourist or discretionary signs

Information contained within correspondence can help to inform existing or future measures that could be implemented and help to identify any growing issues or the level of demand for a change.

Personal data is not used for this measure, but the correspondence provides an internal audit/justification for potential proposals/decisions and could provide defence against legal challenges to implemented changes or Traffic Regulation Orders.

Data may be anonymised, summarised and reported, as necessary, during the development of potential schemes. These reports will be publically available.

Signs on the Highway are regulated by the Traffic Signs, Regulations and General Directions 2016. Reading Borough Council also has its own policies regarding temporary directional signing (e.g. for new housing developments or events) and for tourist/discretionary signs. We collect information to determine whether the proposals are appropriate, compliant and acceptable.

In the case of approved applications for tourist/discretionary signs, we collect the information to ensure that we have an audit trail and ongoing record of approval for the sign, should queries ever arise regarding a need to remove or replace the sign. It also ensures that the Council does not use its funding to replace any approved signs that are damaged beyond repair, nor to maintain non-approved signs.

- Data requests

The collection of the data allows us to process the request for data. The data will be kept to allow us to have an audit trail for any queries around payment or issuing of data from the applicant or officers.

- Street works applications

In general, information is collected to enable Officers, in their capacity as representatives of the Highway and/or Street Authority, to consider the following:

- As far as practicable, are the proposals appropriate and proposed to be conducted by competent persons with suitable public liability insurance in place (New Roads and Street Works Act (NRSWA) 1991, its Codes of Practice / Traffic Signs, Regulations and General Directions (TSRGD 2016) and its guidance documents / Highways Act 1984).
- To determine whether we will permit/licence the works to be undertaken in the proposed method.
- Co-ordination of the activity, including advice on measures to reduce the impact/improve clarity/improve safety (Traffic Management Act (TMA) 2014 / NRSWA).
- Notification of the impact of the activity to the traveling public, including diversion routes (where applicable) (TMA / NRSWA).
- Registration of the works for purposes such as inspection, personal injury claims and asset damage claims (NRSWA / HAUC Specification for Reinstatement of the Highway).
- Record the location of licenced private apparatus (Section 50, NRSWA).

- Street works noticing

Statutory undertakers and authorities are required by NRSWA to exchange works notifications between each other, in accordance with a national specification and code of practice.

Please refer to privacy notices for works applications that may lead to the Council's production of street works notices on their behalf - this process does not gather additional personal data.

Where there are public events being organised, which will affect the Highway, the Council may create notices for these.

In all cases, the noticing process is necessary for the Council to fulfil its statutory requirement to co-ordinate events on the Highway (NRSWA) and to ensure the expeditious flow of traffic on its network (Traffic Management Act 2014). The display of such information to the public, via www.roadworks.org, provides a useful journey planning and public information tool, furthering the NRSWA's requirement to allow members of the public to view the street works register.

Contact details on statutory undertaker notices are required by the noticing process in NRSWA and will be used to allow officers of the Council to contact relevant persons with the contractor/utility for discussion about the works/notice content.

- Vehicle exemptions from bus lane and access restrictions

Reading Borough Council operates Automatic Number Plate Recognition (ANPR) camera enforcement of its bus lane and town centre access restrictions.

Those vehicles that should be exempt from the restrictions need to have their vehicle registrations added to an exemption list (a "white List") to ensure that they are not incorrectly issued penalty charge notices.

Officers will proactively approach known organisations with exemptions, such as local bus service operators and emergency service providers, to ensure that their details are provided. They will also work with the Council's Licencing department to keep information about Reading Borough Council licenced taxis and private hire vehicles up to date.

Other users will need to apply to be exempted.

The information provided will be used to ascertain whether a vehicle should be exempted. This information will be summarised into a detailed exemption/white list. This detailed exemption/white list will be further summarised for operational upload to the digital enforcement camera software.

Give details of how long the data will be stored and criteria used to determine this?

Processed data that has been anonymised, summarised and reported will be a matter of public report and potentially available indefinitely.

Unprocessed data, such as the original request, application or petition, will be retained for a period of 6 years from receipt, unless the scheme/event that they informed becomes the subject of legal challenge. In this case, the raw data will be retained until the Council is satisfied that there can be no further legitimate legal challenge and the data is no longer required.

- Application for tourist/discretionary sign

Information collected as part of a Temporary directional sign application will be retained for a period of 6 years as this should provide an adequate period of time to resolve any claims or disputes that may arise.

Information collected as part of an application for tourist/discretionary sign will be retained indefinitely, or until the following (whichever arises soonest):

- 6 years following the Council's removal of an approved sign
- 6 years following the irreparable damage of an approved sign and its subsequent removal by the Council, unless an applicant applies to replace the sign
- 6 years following mutual agreement by the Council and applicant to remove [and not replace] the sign.

- Section 50 licence application

Details contained within the Section 50 licence application will be kept indefinitely, as these form the only accessible record of the private apparatus that has been installed.

- Street works notices

Notices are held on our street works register indefinitely but are currently only displayed on www.roadworks.org from notice creation until the time at which the notice is closed, cancelled, or past the estimated end date.

- Vehicle exemptions from bus lane and access restrictions

Unless an applicant successfully reapplies for exemption, information on the detailed exemption/white list will be removed after a maximum of 2 years. This increases to a maximum of 5 years for emergency service vehicles and buses/coaches that are registered.

Information on the summarised exemption/white list will be removed or overwritten as the detailed list is updated and the camera systems updated

accordingly. This is a 'live' operational document.

- Justification (general)

It is considered that these are sufficient periods of time during which to resolve any potential dispute, claims or necessary audit.

Who will it be shared with and for what purpose?

Unprocessed data, such as the original request, application or petition, may be shared internally as sensitive data. This data may also be shared with an external legal or audit representative, confidentially, if required for legal challenges, claims or other disputes.

Information may be anonymised and summarised for inclusion in reports that are publically available and heard at public meetings. This information will be used to inform potential scheme progression and design and to support other recommendations.

Some correspondence, including responses to statutory consultations, must be reported to the appropriate Council group (typically, the Traffic Management Sub-Committee) for consideration. Responses will not typically be summarised, but personal data and information that officers consider will identify the respondent will be removed in the report(s).

- Street works licences

We will make high-level details of the work (the impact and brief description of the activity) available to the public via the publication of street works notices on the website www.roadworks.org. We may publish traffic management drawings, with any branding and personal data redacted, for the purposes of communicating the impact of the works and any applicable diversion routes.

We will supply high-level contractor details should any organisation claim damage of their apparatus/assets or property has been caused by particular works. For Section 50 licences, it is the landowner that is licenced to have the equipment installed, so failure to resolve a contractor issue could result in engagement with the landowner or supply of their address details. Email addresses and telephone numbers will not be supplied without prior consent. We will supply such details if the claimant is Reading Borough Council.

We will supply drawings (branding and personal information redacted) and any other supplied details of any private apparatus that has been installed under a Section 50 Licence, when requested to do so by any undertaker of works. Reading Borough Council act as the register for such apparatus and will supply this information on the grounds of safe digging practices and with the objective of avoiding damage to buried apparatus.

- Street works noticing

NRSWA enables members of the public to view the street works register. The Council can, upon request, provide appropriate details of street works notices to any person.

The street works notification process means that organisations registered as notice 'copy recipients' (NRSWA codes of practice) will receive a copy of the notice directly from the street works register.

Where the undertaker does not have the ability to submit notices, officers will enter details of the activity to be conducted, such as location, dates and high-level description of the event.

Any areas of the notification process that require the submission/record of personal data (e.g. contact details in works comments) will not be drawn from our street works register for public display on www.roadworks.org. These areas will also be redacted upon submission of notice information that has been requested externally.

Where a notice meets the criteria for being confidential, the notice process allows this to be indicated in a dedicated field. These notices will not be drawn from our street works register for public display on www.roadworks.org. These notices may not be shared externally.

- Vehicle exemptions from bus lane and access restrictions

All information will be available internally for the better performance and efficiency of Council services.

The detailed exemption list will be shared with NSL Services Group and includes the following data:

- Vehicle registration
- Vehicle make, model and colour (officers will use the registration details to obtain this)
- Company name (if applicable)
- Expiry date for exemption
- Locations for exemption

This data will be used to keep a record of approved exemptions and expiry dates and will be used to create the summarised exemption list that will inform the enforcement cameras about the exempt vehicles.

The summarised exemption list will be shared with Zenco Siemens and includes the following data:

- Vehicle registration
- Locations for exemption

This data will be used to inform the enforcement cameras about the exempt vehicles.

How can the service user get access to it?

Subject Access Request can be made by following the link:
www.reading.gov.uk/dataprotection

State whether any data is to be transferred outside the EU?

It is not intended that any information be directly and intentionally transferred outside of the EU.

Is processing based on consent?

You have a 'right to be forgotten' so you can ask for your personal information to be deleted where:

- It is no longer needed for the reason why it was collected in the first place
- You have removed your consent for us to use your information and we do not have to keep your information for legal reasons

If we have shared your personal information with others, we will do what we can to make sure those using your personal information comply with your request for erasure.

We may not be able to delete your personal data if it is needed for legal reasons, for reasons of public health, public interest or for medical purposes.

What other rights does the service user have that we have to make known to them?

The data protection legislation provides you with 8 rights, in regards to your personal data, these are: the right to be informed, the right of access, the right to rectification, the right to erase, the right to restrict processing, the right to data portability, the right to object and the rights in relation to automated decision making and profiling.

If you are unhappy with how the data controller has processed your data, or if you feel they have acted in a way that has breached your data protection rights you have the right to complain to the information commissioner's office (www.ico.gov.uk).

State if there will be any automated decision making

No