

	<h1>Privacy Policy</h1>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

## PRIVACY POLICY

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OWNER: Directors

Signature: *E. Henney*

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Protecting your personal information is extremely important to NES and we are committed to ensuring that your personal data is protected. This privacy policy will explain how NES, in its various roles as both controller and processor, collects, uses and protects your personal information.

We may also collect, store and use personal data when you visit our website, when you enter into dialogue or a transaction with us and when we are processing personal data in accordance with the services we provide.

It also describes the types of data we collect, how we use this data to ensure we provide relevant and timely services to you, and your rights to control our use of that data. This policy lays out our specific commitments, in compliance with and beyond the General Data Protection Regulation (commonly known as the GDPR) and the associated Data Protection Act.

This policy only covers your personal identifiable information on this website and personal data that we process. There are many links on our website to third party sites beyond our control, and we suggest that you always check the privacy policies of these sites before using them. Also, this policy does not cover the personal data processing activities of anyone for whom we process personal data as a data processor, i.e. in accordance with their instructions.

By visiting this website, and in providing any personal data about yourself to us, you are confirming that you have read, understood and accept our policies and practices. If you are at all uncertain about any aspect of our policies and practices, please contact us and refrain from using this website.

### Your personal information

	<h1>Privacy Policy</h1>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

Collecting specific and relevant personal data is a necessary part of us being able to provide you with any services you may request from us or in providing services to our clients.

We will only use your personal data for the legitimate purpose for which it was collected, and we will do this in a fair and in a secure and transparent manner. We will never use your personal data for any other purpose unless you have clearly agreed to it, or it is necessary for legitimate interests. When we hold or use your personal data as a data controller, we provide to you a privacy notice which sets out in detail how your personal data may be used and the reasons for these uses, together with details of your rights. Where we collect personal data from you directly, we will provide this privacy notice at the time we collect the personal data from you. Where we receive your personal data indirectly, we will provide this privacy notice when we first contact you or within a month, whichever is earlier.

We will only provide this privacy notice to you once, generally at the start of our relationship with you as a data controller. However, if the applicable privacy notice is updated, then we will provide you with details of the updated version.

### **Data Controllers/Data Processors**

Please note that where we are processing your data on behalf of a third party in many cases, we will only process your data as a data processor, i.e. someone only processing data in accordance with the instructions of another person. This is usually as a data processor of one of our customers. In these cases, we will not process your personal data as a data controller, i.e. someone is able to control and decide how personal data is used.

This distinction is important. You have certain rights in relation to your personal data, for example the right to be provided with the personal data held about you and details of its use and the right to have certain of your personal data either erased or anonymised, commonly referred to as the right to be forgotten. These rights can generally only be exercised against a data controller of your data. In some cases, this means that you cannot exercise these rights against us directly (i.e. where we only act as a data processor), but you can do so against the data controller (i.e. the person who controls how we process the personal data). In these cases, we will endeavour to inform you who is the data controller of your personal data so that you can direct any such requests to them.

	<h1>Privacy Policy</h1>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

Also, it is only a data controller that will provide you with a privacy notice about your personal data, so where we process your personal data as a data processor for a third party, that third party should provide you with a privacy notice which will set out details regarding the processing of your personal data, which should also include the processing to be carried out by us on their behalf.

## Privacy

We respect your privacy and take additional steps safeguard your personal data. We always aim to treat personal data with respect, and to treat it as we would wish our own personal data to be treated and to keep it secure. We do not sell personal data to third parties.

## What personal data do we collect

You will be asked for personal data such as your name, address, telephone number and email address when you register an appeal or representation, make an enquiry or order products and services from us.

We also collect images of you and/or your vehicle when visiting the sites, we operate on.

## How do we use your personal data

- Where we need to perform a contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (such as marketing, internal record keeping, market research or to improve our products or services) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

This may include:

- providing you with retailer related news / reports.
- letting you know about our new products and services in which you may be interested.
- informing you about changes and improvements to our products and services and to this website.
- for profiling and internal research purposes.

More details will be included in the privacy notice provided to you about the processing of your personal data.

	<h1>Privacy Policy</h1>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

If you register to receive email communications from us alerting you to news and offers, you can opt-in or out of receiving these at any time. You can do this by completing the contact us form on the Website or by sending an email to: [info@nationalenforcementsolutions.co.uk](mailto:info@nationalenforcementsolutions.co.uk)

## Privacy Notice - Visitors to ANPR/CCTV Car Park

Entry into the car park may result in your personal data being obtained, retained and processed. The data processed may include, the vehicle registration number, time and movements of the vehicle and images of the vehicle.

The purpose of the processing of data is twofold:

1. To ensure compliance with your obligations under the contract entered into when you entered and remained on the car park and for the legitimate purpose of pursuing the driver and/or any other party who may become liable for payment of any fees.
2. To deter criminal activity on the car park and help detect crimes which have been committed.

Our lawful bases for processing data is;

1. The processing is necessary for a contract which has been entered into.
2. There is a legitimate interest as detailed below;
  - a) To pursue motorists for unpaid parking tariff
  - b) To pursue motorist for unpaid parking charges
  - c) To ensure safety and security and help deter/detect crimes

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.

Where your data is obtained it will be retained for a maximum of 30 days where there is no unpaid fee. Where there is an unpaid fee the data will be held for sufficient time to enable to fee to be settled, by you or another person and resolve any dispute. 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;

	<h1>Privacy Policy</h1>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

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

Your personal data may be shared with third parties as outlined below.

Please refer to Rights Regarding Your Personal Data for details of how to obtain information we may hold or how to enforce your rights.

### **Privacy Notice – Received a Notice to Keeper**

If you have received a Notice to Keeper from us, then we have obtained the name and address of the registered keeper of the vehicle from the DVLA for the purposes of enforcing the unpaid charge as set out in the notice. If you are not the registered keeper then we may have obtained your details from the registered keeper who has identified you as the keeper of the vehicle on the time and date of the parking event.

The purpose of the processing of data is:


- 1) To ensure compliance with your obligations under the contract entered into when you entered and remained on the car park and for the legitimate purpose of pursuing the driver and/or any other party who may become liable for payment of any fees.

Our lawful bases for processing data is;

- 1) The processing is necessary for a contract which has been entered into.
- 2) There is a legitimate interest as detailed below;
  - a. *To pursue motorist for unpaid parking charges*

Your data will be retained for sufficient time to enable the fee to be settled, by you or another person and resolve any dispute. 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;

- 1) When there is an ongoing dispute which requires us to hold the data for longer than normal.

	<h2>Privacy Policy</h2>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

- 2) Where a court order has been made allowing us to pursue outstanding money after the expiration of 6 years.

Your personal data may be shared with third parties as outlined below.

Please refer to Rights Regarding Your Personal Data for details of how to obtain information we may hold or how to enforce your rights.

### **Privacy Notice - Issued with a Fixed Penalty Notice**

If you have been issued with a Fixed Penalty Notice (FPN), then we have obtained your personal data to verify your identity and issue the FPN on behalf our Clients, namely Local Authorities. We retain this information until the FPN has been discharged or challenged, or the matter has been processed through the Courts.

Our Officers wear Body Worn Cameras for the purpose of safety and for the purpose of accountability and evidence gathering. These cameras only become active once an offence has been identified and recording is terminated at the end of the issuance of each FPN. All footage is encrypted and is stored on secure servers within the UK. Our retention periods are outline herein and are proportionate for the purpose of issuing FPNs and handling complaints.


The purpose of the processing of data is:

- 1) To verify your identity and issue the FPN for offences using powers delegated by our local authority clients under the Environmental Protection Act 1990, Anti-social Behaviour, Crime and Policing Act 2014 and other similar legislation. A FPN is issued as opportunity for an alleged offender to discharge their liability from being prosecuted. If a FPN is not paid, the case may heard in a Magistrates Court.

Our lawful bases for processing data is;

- 1) Legal Obligation to enforce FPNs issued using the powers delegated by our local authority clients.
- 2) Where we process personal data on behalf of our Clients, namely Local Authorities, the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority.

Your data will be retained for sufficient time to enable the FPN to be discharged and resolve any dispute. 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;

	<h1>Privacy Policy</h1>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

- 1) When there is an ongoing dispute which requires us to hold the data for longer than normal.
- 2) Where a court order has been made requiring us to retain the data.

Your personal data may be shared with third parties as outlined below.

Please refer to Rights Regarding Your Personal Data for details of how to obtain information we may hold or how to enforce your rights.

### **Transfer of data**

If we transfer personal data about you outside the European Economic Area (EEA), we will ensure that all reasonable security measures are taken and that any 3<sup>rd</sup> party processors will be required to process the data in accordance with data protection laws and we will notify you in your privacy notice if we are the data controller. However, we only currently store personal data within the European Economic Area (EEA).

### **Who we will disclose your personal data to:**

We may sometimes contract with third parties to supply services to you on our behalf. These may include payment processing, correspondence management and mailing. In some cases, the third parties may require access to some or all of your data. Where any of your data is required for such a purpose, we will take all reasonable steps to ensure that your data will be handled safely, securely, and in accordance with your rights, our obligations, and the obligations of the third party under the law.

We do not sell, trade or rent your personal information to others. Where we collect your personal data directly, your details will be added to our database to process your request, and so that you can be kept up to date with relevant details relating to our products and services or to handle challenges and/or disputes against charges issued.

Your personal data may be required to be passed to a third party if they need it to fulfil your order(s)/requests for our products and services, or to execute the communications we send to you, or to process charges issued.

We may need to process your personal data where there is a legal requirement for us to do so; such as reporting accidents or where you have been involved in an incident. In such circumstances, any disclosure of these details will be strictly in accordance with Data Protection legislation.

	<h1>Privacy Policy</h1>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

Where we process your personal data as a data processor for a third party, then your personal data will be accessible to and may be transferred to the third party who is the data controller.

Except as set out above, we shall not disclose your personal data unless obliged to, or allowed to do so by law, or where we need to do so in order to run our business (e.g. where other people process data for us). In such circumstances, we will normally put in place confidentiality or non-disclosure undertakings and other arrangements to protect your personal data.

### Links

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave this website, we encourage you to read the privacy policy/notice of every website you visit.

### Security

We are committed to handling all information with high standards of information security. We use computer safeguards such as firewalls and data encryption, we enforce physical access controls to our buildings and files, and we authorise access to personal information only for those employees or agents who require it to fulfil their job responsibilities. Password control applies to all data systems and we operate a strict policy on their use. All access is logged and we will not hesitate to report any suspicious or criminal activity to the Police and/or to the user's ISP.

### Rights regarding your personal data

You have a qualified right to access the data we hold about you. If you wish to do this, please submit a request to:

Data Protection Officer  
National Enforcement Solutions Limited  
Ground Floor, Suite D  
Parkway Business Centre  
Flintshire  
CH5 2LE



	<h1>Privacy Policy</h1>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

or by email to [info@nationalenforcementsolutions.co.uk](mailto:info@nationalenforcementsolutions.co.uk)

We will:

- tell you whether any of your personal data is being processed by us
- provide a description of the personal data, the reasons it is being processed, and whether it will be given to any other organisations
- provide to you a copy of your personal data and, where available, the source of the data.

We will do this within the prescribed 1-month period allowed, however, should the request involve complicated data flows across multiple systems, this time period could be extended, but we will always make contact with you at the point a request is raised.

You also have a qualified right to have your personal data either erased or anonymised, which is commonly referred to as the right to be forgotten. Again, if you wish to do this please submit a request to:

Data Protection Officer  
National Enforcement Solutions Limited  
Ground Floor, Suite D  
Parkway Business Centre  
Flintshire  
CH5 2LE

or by email to [info@nationalenforcementsolutions.co.uk](mailto:info@nationalenforcementsolutions.co.uk)

We will:

Assess what if any of your personal data is covered by the right to be forgotten  
Explain to you the reasons for any personal data which is held by us not being subject to the right to be forgotten, for example its retention is required by law.

If you wish to invoke any of the other rights that you may have in relation to your personal data, for example rights to rectification, right to restrict processing, right to portability, right to object to processing and the right to object to automated decision making then you can only do so to the data controller. We may not always be the data controller of your personal data, so you may not always be able to invoke these rights against us.

**Cookies**

	<h1>Privacy Policy</h1>	Issue date: 20-01-22 Revision date: 20-01-23
Doc No: NES14	Author: Eoin Henney	Issue No : 1.3

In order to provide you with the best, tailored experience, our site will need to place small text files, or 'cookies', on your computer.

Most cookies that we use are 'session' cookies and only exist for the time that you are using our site. They perform functional tasks such as remembering that you are logged in as you move from page-to-page, or to pre-load your personal details into forms to save you time.

You can set your browser to reject all cookies. Please note that if you do this then certain areas of this website may not be able to function for you. Choose a browser setting that rejects third-party cookies but allows the benign, functional ones that make the good stuff work.

To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit [www.aboutcookies.org](http://www.aboutcookies.org) or [www.allaboutcookies.org](http://www.allaboutcookies.org).

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## Contact regarding this Privacy Policy

All communications regarding Information Security and Data Protection should be directed to our Data Protection Officer, at

Data Protection Officer  
National Enforcement Solutions Limited  
Ground Floor, Suite D  
Parkway Business Centre  
Flintshire  
CH5 2LE

or by email to [info@nationalenforcementsolutions.co.uk](mailto:info@nationalenforcementsolutions.co.uk)

Should you wish to make a Subject Access Request or to make a request to invoke other rights, please do so by sending to the address above or directly to [info@nationalenforcementsolutions.co.uk](mailto:info@nationalenforcementsolutions.co.uk)