



DVA Compliance and Roadside Enforcement Privacy Notice

Data Controller: Department for Infrastructure (NI)

Address: DVA Compliance and Roadside Enforcement

Hydebank House

4 Hospital Road

Ballydollahan

BT8 8JL

Telephone: 028 9025 4100

Email: dva@infrastructure-ni.gov.uk

Data Protection Office: Department for Infrastructure (NI)

Address: Data Protection Office

First Floor, James House

2-4 Cromac Street, Belfast, BT7 2JA

Telephone: 028 9054 0806

Email: DFIGDPR@infrastructure-ni.gov.uk

Why are you processing my personal information?

The DVA Compliance and Roadside Enforcement Section is responsible for the completion of compliance audits and enforcement of licensing, roadworthiness and other legal requirements for goods and passenger carrying operators and their vehicles. It also has a role supporting the licensing and regulatory activities of the DVA Passenger Transport Licensing Division (PTLD) and the Transport Regulation Unit (TRU).

In order to fulfil its responsibilities for regulating the transport industry the Section is required to capture and process certain personal data regarding operators and drivers. Operators and/or drivers are required to provide data for identification

purposes to allow enforcement officers to verify compliance with legislative requirements and to take appropriate enforcement action if required.

This data is captured under powers contained in various legislation including the Road Traffic (Northern Ireland) Orders 1981, 1995 and 2007, the Taxis Act (Northern Ireland) 2008, the Goods Vehicle (Licensing of Operators) Act 2010 and the Transport Act (Northern Ireland) 1967.

What categories of personal data are you processing?

The data comprises of names, addresses, dates of birth, gender and other data required to exercise statutory functions. It also includes nationality of the driver and details of proof of identity provided such as passport number, ID card serial number or driving licence number. Relevant conviction data for road traffic offences prosecuted through the courts on behalf of DVA is also held. On occasions enforcement officers will capture video evidence during the course of their duties.

Where do you get my personal data from?

Data including video evidence is captured from information provided during roadside encounters with drivers/ operators and interrogation of other relevant information sources (see below). Court case results are provided by the Public Prosecution Service (PPS). The Section holds records of all roadside operations, examinations, compliance audits and prosecutions.

Information sources include:

- Driver/operator (roadside encounters/compliance audits); applicant (operator licensing referrals), in supplying information and supporting documentation to the DVA.
- NICTS in notifying the outcome of court decisions in relation to road traffic offence cases prosecuted by the PPS on behalf of DVA.
- CLS - Taxi Driver/Taxi Operator/Bus Operator licensing as well as Taxi and Bus Vehicle Licensing in Northern Ireland, registration of Approved Driving Instructors (ADI) and Approved Motorcycle Instructors (AMI).

- VOL (DVSA) – goods vehicle operator licensing system
- BSP (DVA) – booking system for test appointment and pass details
- DLS (DVA) – driver licensing system
- FOPS (DfT/Northgate) – Foreign Operator Payment System - heavy goods vehicle levy payment system for non UK registered HGVs (over 12,000kg)
- VSS (DVLA) – Vehicle Systems Software – vehicle licensing and registration details
- Information from third parties including other enforcement agencies and the general public.

Do you share my personal data with anyone else?

Information Sharing – we may share your data with enforcement agencies for the prevention or detection of crime and with regulatory bodies to ensure compliance with transport industry legislation.

- Submission of DVA prosecution files for road traffic offences to PPS to action through the Courts.
- Graduated Fixed Penalty and Deposit Notices (GFP&DN) are forwarded to the PSNI for processing.
- DVA PTLD - Supporting the licensing and regulatory activities of the PTLD including undertaking repute checks.
- DfI TRU - Supporting the licensing and regulatory activities of the TRU including undertaking repute checks.
- PSNI
- NI Environment Agency (NIEA)
- Education Authority (EA)
- Driver and Vehicle Standards Agency (DVSA)

Do you transfer my personal data to other countries?

Personal data is only transferred to other countries for the prevention and detection of crime.

How long do you keep my personal data?

We will only retain your data for as long as necessary to complete the compliance and/or enforcement action that it was gathered for and in line with our Retention and Disposal Schedule.

How do you use my personal data to make decisions about me?

Operator information is used to inform a risk rating system to assist the planning of enforcement activities and the deployment of enforcement officers.

What rights do I have?

- You have the right to obtain confirmation that your data is being processed, and access to your personal data
- You are entitled to have personal data rectified if it is inaccurate or incomplete
- You have a right to have personal data erased and to prevent processing, in specific circumstances
- You have the right to 'block' or suppress processing of personal data, in specific circumstances
- You have the right to object to the processing, in specific circumstances
- You have rights in relation to automated decision making and profiling
- Your rights will be observed in accordance with the Data Protection Act 2018

How do I complain if I am not happy?

If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact the Department's Data Protection Office using the contact details above.

If you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO):

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk

<https://ico.org.uk/global/contact-us/>