

## Privacy Notice (How we use your information)

### **Highways Service – Recovery of costs associated with damage to a highway or highway’s asset**

The Highways Service are responsible for maintaining many of the highways across Kirklees, along with associated infrastructure and highways assets. As a Highways Authority, under the Highways Act 1980 we are legally entitled to recover costs from 3<sup>rd</sup> parties, associated with damage to the highway or a highway’s asset, where these are maintainable at the public’s expense. This includes, for example, costs associated with:

- Clearing of debris and spillages associated with vehicular accidents or incidents.
- Repairs to all highway infrastructure such as, roads, walls, rails, bollards, traffic islands, traffic lights, lamp columns, traffic signs etc. which have been damaged by a 3<sup>rd</sup> party.

This Privacy Notice sets out how personal information, in relation to the cost recovery process (known as ‘recharge’) is collected, processed, held, shared and retained.

#### **The categories of information that we collect, process, hold and share include:**

The personal information which we obtain and record, as part of the cost recovery process are:

- Name
- Address
- Contact details
- Vehicle information such as registration details
- Bank account or financial information for payment purposes

The personal information collected relates to the driver/owner of the vehicle which caused the damage. We may collect this information from third parties or via CCTV/video footage as part of the recharge process.

#### **Why we collect and hold this information**

We use this personal information in order to:

- Enable us to meet all legal and statutory functions under the Highways Act 1980, along with other relevant legislation.
- Contact you and/or your motor insurance provider regarding the costs which we will be recovering from you.
- Recover costs for repairs to the highway asset.
- Assess the quality of our services.
- Evaluate and improve our performance.

## The lawful basis on which we use this information

Under Article 6 of the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing this information are:

- 6(1)(c) We have a legal obligation.
- 6(1)(e) We need it to perform a public task

This lawful basis is underpinned by acts of legislation that dictate what actions can and should be taken by local authorities. This includes, but may not be limited to:

- The Highways Act 1980

## Storing this information

We will hold the information about you securely. We are currently reviewing and updating our internal procedures with regards to retention of personal information and as such this Privacy Notice and associated retention schedules will be updated once this process has been completed.

## Who we share this information with

We may share elements of information with other Council services, where we feel this is required.

We will not share your personal information with anyone outside of the Council, unless we are required to do so by law. This may mean that we may need to share your personal information with:

- Police
- Insurance companies
- Loss adjustors
- Solicitors

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

## Your data protection rights

Under data protection law, you have a number of rights, including the right to have your records rectified and the right to ask for access to all the information the Council holds about you. These rights are listed in more detail on [Kirklees Council's data protection rights](#).

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us at [Data.protection@kirklees.gov.uk](mailto:Data.protection@kirklees.gov.uk) if you wish to make a request.

## Further information

If you would like further information about how we manage your data, please see the [Kirklees Council privacy notice](#).

If you would like further information about this privacy notice, please contact the Highways Team via email ([Highways.Ross@kirklees.gov.uk](mailto:Highways.Ross@kirklees.gov.uk)).

If you have any worries or questions about how your personal data is handled, please contact the Data Protection Officer at [DPO@kirklees.gov.uk](mailto:DPO@kirklees.gov.uk) or by ringing 01484 221000.

You can also complain to the ICO if you are unhappy with how we have used your data. You can contact the ICO via the ['Contact us' page on their website](#), or by ringing 0303 123 1113.