

## TRUTAC DATA PROTECTION PRIVACY NOTICE - CUSTOMERS

### Introduction

The Data Protection Act 2018 (“DPA 2018”) and the General Data Protection Regulation (“GDPR”) impose certain legal obligations in connection with the processing of personal data.

### Data protection privacy notice

This notice explains what personal data (information) TruTac hold, how TruTac collect it, and how TruTac use and may share information. TruTac are required to notify this information under data protection legislation. Please ensure that you read this privacy notice and any other similar notice TruTac may provide to you from time to time when TruTac collects or processes personal information. TruTac is part of the Microlise Group and data may be processed across the Group.

### Who collects the information

TruTac Limited (“Company”) is a ‘data processor’ and we act as a data processor on behalf of a ‘data controller’ who are our customers (for example, the employer who has supplied data to us for us to process to enable an employee to legitimately carry out their working role) or our partners who we process data on behalf of (for example a telematics company). We may share your personal data with other companies in our group which includes our holding company Microlise, and its subsidiaries.

TruTac’s contact details are Units 5 and 6, Westwood House, Westwood Business Park, Coventry, CV4 8HS tel 024 7669 0000.

### Data protection principles

TruTac will comply with the data protection principles when gathering and using personal information, as set out in our data protection policy.

### Registered Officer

TruTac’s registered Data Protection Officer is Louise Connor, and Louise can be contacted at [Louise.Connor@trutac.co.uk](mailto:Louise.Connor@trutac.co.uk) for all Data Protection and GDPR enquiries.

### About the information TruTac collect and hold

#### What information

TruTac is provided data to process on behalf of a data controller (the customer) to enable them to legitimately process information required for legal compliance within transport and employment regulations and legislation. Exact data type processed depends on the TruTac modules purchased by the controller (customer) and the individual category or user they fall into. TruTac has 5 specific categories where data is processed;

#### 1 - Drivers

Someone who drives company vehicles with use of a tachograph complying with UK regulations, this could be by using a Digital Tachograph Card or Analogue Tachograph Chart. A Driver by default is created automatically when they first read data into the system, this is automatically linked to a new User and Employee (as these are auto created); Drivers can also be linked to an employee and user manually within the system.

#### 2 - Users

A User is someone who has a login to the system, this includes ancillary systems like the Daily Vehicle Check App for mobile devices. A User by default is created and linked automatically with new Drivers or Employees, when created manually they are not linked to any other member, they can after creation be linked to a Driver and/ or an Employee.

### 3 - Employees

An Employee is someone who is setup for the Time and Attendance system, these people record daily clocking's and or daily attendance records. Again, an Employee by default is created and linked automatically with new Drivers, when created manually Employees can also be linked to a Driver and/ or User manually within the system.

### 4. Website Visitors, Cookies and Marketing

#### i. Cookies

TruTac websites use cookies for several legitimate purposes. These include remembering IDs and passwords, tracking user traffic patterns, and differentiating between repeat and new users. It is TruTac's policy that cookie generated data by will be used for internal purposes and to improve our Websites and site-related services, such as ease of navigation, content and user experience.

#### ii. Marketing, Mailing and Email Lists

TruTac never rent or trade any email or communication lists with other companies and businesses for marketing purposes. We may share your personal data with other companies in our group which includes our holding company Microlise, and its subsidiaries.

The DVSA government Operators licence database is used by TruTac to collect publicly available contact names, phone numbers and addresses. We will make initial contact using this information and if requested will not contact again and will delete.

As part of the registration process for our e-newsletter, we collect personal information (name, company and email). We use that information for a couple of reasons: to tell you about new products and features you've asked us to tell you about; to contact you if we need to obtain or provide additional information; to check our records are right and to check every now and then that you're happy and satisfied. We don't rent or trade email lists with other organisations and businesses.

#### iii. Third Parties - Google Analytics, Lead Forensics, and M1 Marketing

When someone visits [www.trutac.co.uk](http://www.trutac.co.uk) we use third-party services, Google Analytics and Lead Forensics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone.

Our e-newsletters is sent out and managed by M1 Marketing is <http://m1marketing.co.uk> they manage the newsletter database and remove all those who request to opt-out. Should you wish to be removed from future newsletter distribution lists from TruTac please contact Jemma James [jemma.james@trutac.co.uk](mailto:jemma.james@trutac.co.uk) and / or [info@m1marketing.co.uk](mailto:info@m1marketing.co.uk).

### 5. Office Visitors

**Wi-Fi** - If you visit TruTac premises and use the TruTac guest Wi-Fi we may collect data about:

- a) your device;
- b) the volume of data which you use;
- c) the websites and applications which you access; and
- d) your usage by access time, frequency and location.

This data is automatically deleted every 6 months.

**Reception** – If you visit TruTac offices we will ask you to sign in using our reception management system, Sinica <http://sinica.co.uk> this will include your full name, company and sometimes your car registration. This data is automatically deleted every 6 months.

#### Data Collected

Below is a list of identified and categorised Data retained within the TruTac systems. Within each group all personal data or linkable data includes the method of capture. The amount and type of data is dependent on what TruTac modules the Data controller has purchased and has asked TruTac to process on their behalf;

**Driver (Tachograph Analysis Products)**

- Drivers Full Name (Surname, Forenames)
- Driver Card Serial Number
- Tachograph Card Number
- Tachograph Card Issue/ Expiry Date
- Card Issuing Member State
- Date of Birth
- Preferred Language
- Driving Licence Number

**Activity Information (Tachograph Analysis Products)**

- Start Date/ Time
- End Date/ Time
- Duty String
- Linkable Vehicle Information
- Location (Place Record)
- Vehicle Registrations

**Manually Entered Information Employees and Drivers (Various products)**

- Full Name (Surname, Forenames)
- Employee Number
- Driver Card Number
- Driving Licence Number
- Driving Licence Valid from Date
- Driving Licence Expiry Date
- LGV Licence Expiry
- PCV Licence Expiry
- DQC Expiry
- HazChem Trained Marker
- Email Address

**Imported Documentation (TruDocuments)**

- Passport scan
- Work Permit/ Visa
- Till roll information
- Driving licence scan / image
- Training Records

**Automatic Data Input (TruTime)**

- Full Name (Surname, Forenames)
- Date of Birth
- Daily Clocking/ Attendance Records (Clock In/ Out)

### **Readily Given System Entered Information (some data is optional)**

- Full Name (Surname, Forenames)
- Home Telephone Number / Work Telephone Number / Mobile Number
- Gender
- Date of Birth
- Country of Origin
- Job Role
- "Fleet" / "Division" associated with
- Category
- Agency
- Employee Number
- National Insurance Number
- Payroll Number
- Work Permit Required Marker
- Employment Started/ Finished
- Employees Address
- Emergency Contacts
- Full Name (Surname, Forenames)
- Relationship
- Qualification/ Skills/ Training Information
- Skill Name
- Reference
- Expiry Date
- Notes

### **Marketing Data**

- First and last name
- Job Role
- Company Address
- Email Address

### **Data retention periods**

Data is retained on the system for a period of 3 years (unless stated). This includes Digital Files / Documents and Database information, there also may be paper copies of Driver setup information.

Some companies may request a longer period of retention and these are done on a case by case basis. This policy includes Database information as well as any files provided to TruTac by the licence payer.

All Personal information no longer used after this period is deleted from the system, i.e. a Drivers name may still be in use after a 3year period and as such in this case the information is not removed, however, any charts for said driver over the three-year period would be deleted from the system as it is no longer required for day to day system use. Further details are available in our Data Protection Policy.

### **The purposes for which we intend to process personal data**

TruTac will typically collect and use this information for the following purposes (other purposes that may also apply are explained in our data protection policy):

- to enable us to supply compliance services to our customers
- for data controllers to comply with DVSA investigations and enforcement schemes such as Earned Recognition (ER) requirements
- for data controllers to comply under relevant laws in force (e.g. The EU rules Regulation (EC) 561/2006, Great Britain domestic rules, as contained in the Transport Act 1968, Rules on drivers' hours and tachographs for passenger vehicles in Great Britain and Europe PSV375)
- to use in the investigation and/or defence of potential complaints, disciplinary proceedings and legal proceedings
- to enable us to invoice for our services and investigate/address any disputes that may have arisen
- to contact you about other services we provide which may be of interest to you if you have consented to us doing so

TruTac seek to ensure that our information collection and processing is always proportionate. TruTac will notify you of any material changes to information TruTac collect or to the purposes for which TruTac collect and process it.

### **The legal bases for our intended processing of personal data**

Our intended processing of personal data has the following legal basis:

- at the time you instructed us to act, you gave consent to our processing the personal data for the purposes listed above
- the processing is necessary for the performance of our contract with you
- the processing is necessary for compliance with legal obligations as detailed above

### **How TruTac collect the information**

TruTac collects information from;

- Digital driver tachograph cards (manually and remotely downloaded)
- Analogue Tachograph Charts – Scanned and data manually entered
- Vehicle Tachograph units (manually and remotely downloaded)
- Manually entered information into TruTac software
- Manual clocking and time management information entered into the TruTime system
- Licence Check for Driving Licence verification
- Contractual authorisation information and given contact details

### **How TruTac may share the information**

TruTac may also need to share some of the above categories of personal information with other parties, such as external contractors and professional bodies such as the DVSA or professional advisers. Usually, information will be anonymised but this may not always be possible. TruTac is part of the Microlise Group and data may be processed across the Group.

The recipient of the information will be bound by confidentiality obligations. TruTac may also be required to share some information with our regulators, auditors and tax inspection personnel as required to comply with the law.

### **Where information may be held**

All digital data is processed by TruTac and is saved within the Azure cloud platform (Microsoft) which is based in Ireland so is within the EU.

Information may be held at our offices and those of our third party agencies, service providers, representatives and agents as described above. TruTac have security measures in place to seek to ensure that there is appropriate security for information TruTac hold including those measures detailed in our data protection policy which is located on the Intranet.

### **Your rights to correct and access your information and to ask for it to be erased**

In first instance you should contact the 'Data Controller' to ask them to have data removed or deleted, then the Data Controller would ask us as the data processors to carry out any necessary update or deletions.

Please contact Louise Connor who can be contacted by email [Louise.Connor@trutac.co.uk](mailto:Louise.Connor@trutac.co.uk) if (in accordance with applicable law) you would like to correct or request access to information that TruTac hold relating to you or if you have any questions about this notice. You also have the right to ask Louise Connor for the 'right to be forgotten' in certain circumstances. Louise Connor will provide you with further information about the right to be forgotten, if you ask for it.

### **Putting things right (the right to rectification)**

You have a right to obtain the rectification of any inaccurate personal data concerning you that we hold. You also have a right to have any incomplete personal data that we hold about you completed. Should you become aware that any personal data that we hold about you is inaccurate and/or incomplete, please inform us immediately so we can correct and/or complete it.

### **Deleting your records (the right to erasure)**

In certain circumstances you have a right to have the personal data that we hold about you erased. Further information is available on the ICO website ([www.ico.org.uk](http://www.ico.org.uk)). If you would like your personal data to be erased, please inform us immediately and we will consider your request. In certain circumstances we have the right to refuse to comply with a request for erasure. If applicable, we will supply you with the reasons for refusing your request.

### **Withdrawal of consent**

Where you have consented to our processing of your personal data, you have the right to withdraw that consent at any time. Please inform us immediately if you wish to withdraw your consent.

Please note:

- the withdrawal of consent does not affect the lawfulness of earlier processing
- if you withdraw your consent, we may not be able to continue to provide services to you
- even if you withdraw your consent, it may remain lawful for us to process your data on another legal basis (e.g. because we have a legal obligation to continue to process your data).

### **Keeping your personal information secure**

TruTac have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. TruTac limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

TruTac also have procedures in place to deal with any suspected data security breach. TruTac will notify you and any applicable regulator of a suspected data security breach where TruTac are legally required to do so.

### **How to complain**

TruTac hope that Louise Connor [Louise.Connor@trutac.co.uk](mailto:Louise.Connor@trutac.co.uk) can resolve any query or concern you raise about our use of your information. If not, contact the Information Commissioner at [ico.org.uk/concerns/](http://ico.org.uk/concerns/) or telephone: 0303 123 1113 for further information about your rights and how to make a formal complaint.