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## 1 Policy Statement

- 1.1 This policy sets the Group's position on the use of vehicle camera recording systems, vehicle GPS location systems, vehicle monitoring systems and vehicle tachograph systems and their effects on employees, contractors and other individuals. As these practices are classed as personal data monitoring, then as defined by GDPR Article 37(1)b their Governance throughout the Group is the responsibility of the Data Protection Committee (DPC). The DPC may be contacted by emailing [dataprotection@ballyvesey.com](mailto:dataprotection@ballyvesey.com)

## 2 Purpose and Scope

- 2.1 The primary uses of these systems are to assist in the Protection and Safety of Persons, company assets and Property, Prevention or Detection of Criminal Offences and Pursuit of, or Defence of Legal Claims, vehicle environmental performance statistics to meet our ESG targets. The use of vehicle cameras must comply with Chapter 2 Paragraph 1 of Surveillance Camera Code of Practice published by the Home Office (SCCP).
- 2.2 Vehicle camera systems can be seen as intrusive. In considering the potential to interfere with the right to privacy it is important to take account of the fact that peoples' expectations of privacy are both varying and subjective. An individual can, however, rightly expect surveillance to be both necessary and proportionate, with appropriate safeguards in place (Chapter 2 Paragraph 3 SCCP).
- 2.3 There are legal obligations upon the Group to monitor its vehicles being driven on public roads and this is achieved by the use of these systems, taking due consideration to the effect and impact on the privacy of their employees, contractors and other individuals. Appropriate safeguards and mitigations should be deployed to reduce the impact on privacy, as much as reasonably possible, to strike a proportionate balance and remain compliant with Part 3 of The Employment Practices Code published by the ICO. However, in the course of normal monitoring, where an incident is captured that cannot in good conscience be ignored, the

Group, reserve the right to process in the business interests. This may include grievance, or disciplinary proceedings, and defence or litigation of a legal claim.

## 3 Principles

3.1 The following principles apply:

- 3.1.1 Monitoring systems will be installed either by the manufacturer or as an aftermarket fitting when appropriate in company vehicles.
- 3.1.2 All monitoring systems are set up in a way that ensures that there is minimal intrusion of privacy, including no recording of sound, and that any intrusion is fully justified.
- 3.1.3 All drivers should be aware of the monitoring systems in their vehicle and have been provided with the manufacturer's overview sheet, which they are requested to sign. This exercise for new employees joining the driving team is carried out as part of their induction.
- 3.1.4 No longer the case. Retention period of the Vue Cam system needs confirming and then this paragraph re-written, especially as it is now inclusive of all tracking and monitoring systems.
- 3.1.5 Access to monitoring systems may only be approved by the DPC and on an incident by incident basis. Once access is approved by the DPC, recorded CCTV footage can be reviewed (not deleted or amended) by:
  - Members of the DPC
  - Directors
  - Designated Managers
  - Statutory bodies such as Police, HSE, Road Haulage Association, once they have made contact with the DPC and submitted a Schedule 2 Request Form to [dataprotection@ballyvesey.com](mailto:dataprotection@ballyvesey.com) as required by the Data Protection Act 2018
- 3.1.6 When relevant to do so, monitoring and tracking data may be retained and used for future Health & Safety training, including the improvement in Safety Quality and Training of drivers. We shall seek the employee's consent, if we wish to use it for this purpose.
- 3.1.7 Monitoring and tracking data will be subject to appropriate security measures to safeguard against unauthorised access and use.
- 3.1.8 For more information regarding the capturing of camera images, please refer to the Group's CCTV Policy and Procedures document.
- 3.1.9 For the purpose of Privacy Notice in relation to data collected by this policy, please refer to the Group's Employee Privacy Notice.

## 4 Access to the Monitoring and Tracking Data

- 4.1 Live monitoring and tracking, when available, can only be viewed by: Driver Training Personnel, Directors and Management.
- 4.2 Access to retained data may only be approved by the DPC and on an incident by incident basis. Once access is approved by the DPC, recorded CCTV footage can be reviewed (not deleted or amended) by:
- Members of the DPC
  - Directors
  - Designated Managers
  - Statutory bodies such as Police, HSE, Road Haulage Association once they have made contact with the DPC and submitted a Schedule 2 Request Form to [dataprotection@ballyvesey.com](mailto:dataprotection@ballyvesey.com) as required by the Data Protection Act 2018
- 4.3 Any other person with interest must obtain authority from the DPC to view stored monitoring and tracking data, providing reasons and justification.
- 4.4 Any persons whose monitoring and tracking data have been stored have a right to view that data, and to be provided with a copy of that data, within one month of making a written Subject Access Request (Article 15 GDPR). Availability of monitoring and tracking data will be subject to the retention period. Individuals making such requests should do so in writing, providing the relevant time and date range, so that they may be easily identifiable. The request should be made to [dataprotection@ballyvesey.com](mailto:dataprotection@ballyvesey.com) or by writing to the Data Protection Committee, Ballyvesey Holdings Limited, 607 Antrim Road, Mallusk, Newtownabbey, BT36 4RF.

## 5 Employees

- 5.1 As stated, the primary uses of monitoring and tracking systems are to meet our legal obligations and responsibilities for a vehicle driven on a public road, assist in the Protection and Safety of Persons and Property, Prevention or Detection of Criminal Offences, Defence of Legal Claims and Driver Training.
- 5.2 Monitoring and Tracking Data may be used as part of an employee investigation where, in the reasonable belief of management, that there may have been misconduct, or a breach of Health and Safety. In such cases the data must be approved by the DPC for consideration of any legal implications.
- 5.3 Where monitoring and tracking data is used in disciplinary proceedings, it will be retained for a further period of up to five years. The employee will be permitted to see and respond to the images, in addition to their article 15 (GDPR) right to request a copy, which will be provided within one month.

- 5.4 Under appropriate circumstances the footage may be provided to Police (or other Competent Authority) with the intention to prosecute for criminal offences. In defence of legal claims, or in pursuance of civil recovery, footage may also be provided to our legal representatives and insurance providers with the intention of providing evidence before the courts. All such disclosures will require the purview and approval of the DPC.

## 6 Non-Employees

- 6.1 Where an incident involves an individual under the instruction of another employer (third party), the relevant employer will be informed of the details. Although any third party may be made aware that there is recorded evidence most relevantly in the form of video footage, they cannot be provided with a copy of the footage unless their biometric data (face) is identifiable in the footage and in consideration of the rights and freedoms of any other individual, or groups of individuals captured by collateral intrusion. However, any relevant footage can be “viewed only” by any concerned third party by either visiting our premises, or our representative meeting the third party to provide “viewing only” on a portable device.
- 6.2 As with employees, non-employees should also note: Under appropriate circumstances the relevant data may be provided to Police (or other Competent Authority) with the intention to prosecute for criminal offences. In defence of legal claims, or in pursuance of civil recovery, relevant data may also be provided to our legal representatives and insurance providers with the intention of providing evidence before the courts.

## 7 Complaints

- 7.1 Complaints about the monitoring and tracking system should be addressed initially to [dataprotection@ballyvesey.com](mailto:dataprotection@ballyvesey.com) or by writing to the Data Protection Committee, Ballyvesey Holdings Limited, 607 Antrim Road, Mallusk, Newtownabbey, BT36 4RF.

## 8 Monitoring and Review

- 8.1 This policy will be reviewed at least annually, or sooner if there is a policy need or legislative change.
- 8.2 This policy does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of the Data Protection Committee.

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# Vehicle Monitoring and Tracking Policy

## Document Control

Reference: DOC ISMS 0025

Issue No: 2.0

Issue Date: 20/03/2024

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### Document Control

The Data Protection Committee is the document owner and responsible for ensuring this policy remains current and up to date.

A current version of this document is available to all members of staff on the [Security and Governance SharePoint site](#) and is published by the Security and Governance function.

This policy was approved by the Data Protection Committee and is issued on a version controlled basis.

Representative of the DPC signature:



Date: 20/03/2024

### Change History Record

Issue	Description of Change	Date of Change
1.0	Initial Issue	
2.0	Review	20/03/2024