

Appendix – Video Telematics Data Protection Guide

Direct Customer Online Terms and Conditions

Introduction

For the purposes of this Guide, Data Protection Legislation means all applicable data protection and privacy legislation in force from time to time in the UK including the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (UK GDPR); the Data Protection Act 2018 (DPA 2018) (and regulations made thereunder) and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended and the guidance and codes of practice issued by the Information Commissioner.

The purpose of this guide is to:

- assist you to understand how the Data Protection Legislation applies to our products and services
- outline the steps taken by VisionTrack to ensure our compliance with Data Protection Legislation
- provide useful guidance on what you, as one of our customers, needs to consider from a Data Protection Legislation perspective when adopting and using your Video Telematics solution

VisionTrack takes its data privacy, data protection and data security obligations very seriously. It is a core part of our offering and so is a priority area for our business.

Guide Contents

- VisionTrack and Data Protection Legislation
 - Driver protocol
 - Solution security features
 - Internal data security
- the Data Protection Legislation and your Vehicle Telematics solution
 - Setting out the basis for adopting video telematics
 - Gaining ICO Registration
 - Promoting internal and external awareness
 - Accessing video footage and personal data
 - International fleet operations

This document is designed to be guide. VisionTrack's team of in-house Legal, IT Security and Data Protection Officer have all contributed to this guide and to ensure that our Products and Services are complaint with Data Protection Legislation. Our User Guide (available separately) also provides

general advice and guidance. If, however you want advice on specific issues, we would suggest that you seek independent legal advice.

VisionTrack

VisionTrack has undertaken every possible provision to ensure that all of our internal processes and our software platform are Data Protection Legislation compliant as part of our commitment to data security and personal privacy.

This has included:

- A full internal Data Protection audit and updated policies including our privacy policy
- The appointment of an in-house senior data protection officer
- A review of all of all of our Agreements by our legal team
- Gaining ISO27001 and ISO27002
- Registration with the Information Commissioner's Office (ZA168519)
- Winning two Gartner Awards in relation to architecture and data security

DRIVER PROTOCOL

As part of our video telematics solution, VisionTrack can provide its customers with a Protocol of Use document. This is designed to help you explain to employees what In-Vehicle CCTV technology is, how it works; how it will be utilised within your business; and who has access to potentially sensitive and personal data. The guidelines are designed to aid compliance with the DPA18 and UK GDPR.

SOLUTION SECURITY FEATURES

While a product itself cannot be Data Protection Legislation compliant, it is important that our video telematics solutions possess the appropriate security features.

As such, VisionTrack's in-vehicle devices which are fully-lockable to prevent unauthorised access by drivers or third parties to internal SIM cards and SD cards/hard drives which store and transmit data.

In addition, all video footage and data on the devices is fully encrypted to ensure that only Users of VisionTrack software can access this content. The transmission of video and supporting data over the mobile phone network is via a dedicated and secure, non-public APN, while the transfer of data (end points) from the mobile network to our Microsoft Azure cloud environment is protected by VPN.

Our platform is also hosted on Microsoft Azure, which meets the broadest set of international and industry-specific compliance standards. This includes Data Protection Legislation, ISO 27001, HIPAA, FedRAMP, SOC 1 and SOC 2, as well as country-specific standards such as Australia IRAP, UK G-Cloud and Singapore MTCS. Rigorous third-party audits, including those done by the British Standards Institute, also verify Microsoft Azure's adherence to the strict security controls these standards mandate.

INTERNAL DATA SECURITY

VisionTrack has undertaken assessments across all core IT systems, processes and data transfer protocols to ensure we achieve the highest security standards. Our software platform regularly undergoes penetration (PEN) testing to identify any weaknesses or vulnerabilities, with development actions undertaken to address any security concerns. All members of staff have undergone

compulsory data protection training. The VisionTrack platform is monitored 24/7/365 by Microsoft as well as VisionTrack utilising the latest technologies to ensure data is stored and managed with the highest levels of security.

Data Protection Legislation and your Video Telematics solution

UNDERSTANDING WHY YOU ARE ADOPTING VIDEO TELEMATICS

You will need to establish legal basis for implementing a Video Telematics solution within your fleet operation. Typically, this will be for **Public Interest** or **Public Safety** reasons or a combination of **Both**. There is also a **Contractual** basis where an organisation is operating on behalf of a third-party that Contractually requires the use of the technology. While a **Consensual** basis is available, this is not recommended as it can become difficult to manage and maintain ongoing consent across an entire workforce. The reason for your adoption of our Video Telematic solutions should be documented in your driver handbook and/or company policy.

GAINING ICO REGISTRATION

The Information Commissioner's Office (ICO) is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. Under the Data Protection Legislation, organisations that process personal information need to register with the ICO, unless they are exempt. There is also a legal requirement for any organisation using CCTV technology for the prevention and detection of crime to register with the ICO. VisionTrack recommends that if you are not already enrolled with the ICO it is good practise to do so.

RAISING INTERNAL AND EXTERNAL AWARENESS

To ensure other road users and members of the public are aware that video footage is being recorded, it is recommended that stickers are placed externally on each vehicle. The message should not only make people aware, but also explain the purpose of the cameras: *"We are recording for the benefit of public safety and prevention of crime"*. If a driver facing camera (with or without audio) is adopted, in-vehicle stickers should also advise drivers and passengers about that CCTV technology is being used. VisionTrack can provide stickers for both internal and external scenarios.

You can gain employee buy-in by holding presentations or training sessions to promote the company- and driver-benefits associated with Video Telematics. VisionTrack can provide relevant content and/or training material to support this process. When implemented alongside the Protocol of Use document, you should be able to increase understanding of how video footage is being recorded, stored and used as well as for what reason.

For unionised fleets and organisations, we recommend that the relevant union(s) should be consulted regarding the deployment of our Video Telematics technology. VisionTrack can provide expertise and guidance in relation to this and support your business through the process.

ACCESSING VIDEO FOOTAGE AND PERSONAL DATA

Your HR manager or any other party conducting an investigation can be granted access to video footage, while access may also be given to external bodies with statutory enforcement powers if they have appropriate justification. It will be necessary to ensure that the use of recording is written into

the employment Agreement for new employees and for existing employees company handbook and/or driving policy need to be update. Also, it is good practise for named, authorised personnel to sign a letter accepting responsibility for the proper use of video footage and data.

The Data Protection Legislation regulations state that an individual can make a request in writing to gain access to any footage that has been recorded. In these cases, it is essential that only footage and images of the individual is made available, so any other identifiable individuals within the data must be blurred out. VisionTrack can provide support in relation to this process.

Under Data Protection Legislation, VisionTrack is classified as a data processor and as such we will not release your data to any third party without your permission, unless ordered to do so by a court.

INTERNATIONAL FLEET OPERATIONS

If your business operates across country borders, it is important to understand all local laws regarding the use of in-vehicle CCTV and how the technology can be used in an individual country. VisionTrack is able to provide guidance on different EU country-specific regulations.

If you have any questions or require further information regarding the Data Protection Legislation or VisionTrack's range of Products and Services, please get in touch with a member of our team.

www.visiontrack.com