

# Whitepaper



## GDPR & fleet management

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# Introduction

On 25<sup>th</sup> May 2018, the EU General Data Protection Regulations (GDPR) came into force and was the largest change to how personal data is held and processed in twenty years.

## What has changed?

Typical GDPR personal data held by fleet operators:-

- Driving licence details
- Driver behaviour & journey history (Telematics)
- Personal contact details
- Career history
- Medical Information

The definition of personal data has been extended to include IP addresses and pseudonymised data that can be linked back to an individual.

Information relating to fleet management such as location (especially if the fleet vehicle holds the drivers home address) can collectively be deemed as personal data as well as the drivers number plate, driving licence number and insurance claims.

In order to deal with personal data, operators must have a lawful basis for processing it. There are several available options that act as a basis for processing:-

- Driver consent
- Compliance with a legal obligation
- Performance of a contract
- Fulfilment of a task that serves the public interest
- Legitimate Interest

However, most operators will utilise performance of a contract or legitimate interest rather than driver consent. For example, if telematics data is used to record driving times for payroll, processing of this is covered in the drivers contract of employment and therefore driver consent is not required.



If driver consent is required by the data operator, because there is no contractual or legitimate basis, then this must be freely given, unambiguous and specific. The driver must be fully aware of what data is captured, why it is captured and who this data is shared with.

The BVRLA have suggested that *“It is essential for fleet operators to keep audit trails to evidence that specific and unambiguous consent was freely given”*

## How do these changes affect Fleet Manager’s?

Compliance with the Data Protection Act was already a statutory requirement as all fleet managers deal with personal data, but there are several changes and enhancements brought in with the GDPR so it is imperative that fleet managers have a good understanding of these changes.

For example, GPS tracking in fleet vehicles is an incredibly useful tool that maximises route and fuel efficiency as well as company productivity but it also collects personal information that fleet managers have a responsibility to manage and process under the GDPR guidelines.

## Are your suppliers in check?

It can feel as a fleet manager you are the only one to be affected by GDPR, but your suppliers are affected too, namely, technology providers.

At FleetCheck our aim has always been to provide the highest level of data security and as such, we constantly review our security practices. In October 2018 we achieved certification to ISO 27001 the internationally recognised standard for information security.

The certification shows that the information security management system that we have in place provides robust management to secure the assets entrusted to us by our clients.