**Chichester District Council**

**Pay on Foot Avenue de Chartres Car Park**

**Data Privacy Impact Assessment**

**March 2021**

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**Section 1 - The Project**

A pay on foot system is in operation in the Avenue de Chartres (ADC) car park, Chichester which means that information is gathered relating to customers and their vehicles which use the parking facilities via Automatic Number Plate Recognition (ANPR). The recording of vehicle registration marks (VRMs) enables the system to log a customer’s journey into the car park, through to their payment and their exit.

Pay on Foot car parks offer convenience for customers who can enter, stay as long as they wish and pay before departing. They are also relatively self-sufficient in that the system allows a vehicle to access and exit the car park through barriers if the correct payment has been made. Pay on Foot systems eliminate the risk of customers who attempt to avoid payment of parking charges as the VRM is logged at the barrier system upon entry and when exiting. Exit barriers will not rise unless full payment has been made against a logged VRM for the duration of their stay in the car park.

Where ‘payment’ is referenced, this applies to both daily customer transactions and also customers with pre-paid season tickets. Season ticket holders are unlikely to visit payment machines within the car park.

Data is held on a web based back office system which is accessible to authorised Council staff and the out of hours service provider PPP Taking Care, only. The Council hold daily customer transactions and linked information relating to duration and stay, charge and other payment details (excluding card details) for six years and images and season ticket data for two years.

Pay on foot parking systems such as this one:

* Promote better customer service
* Encourage customers to stay longer in the city
* Reduce non-paying customers
* Minimise level of enforcement needed
* Help detect misuse of parking spaces
* Support the principles of civil parking enforcement
* Can also on occasions help in the detection or prevention of crime/antisocial behaviour

There are five payment machines in the car park and an entry and exit barrier system. At each of these terminals, photographs and/or moving images of the vehicle or those inside it are available to view through a back office system. A live assistance intercom line provides a connection from the car park to either the Parking Services department or PPP Taking Care (the Council’s out of hours service).The system does not record and keep live footage or audio recordings from intercom conversations.

Authorised staff are required to use the back office system in line with set procedures to assist customers in the car park and to respond to any technical problems. All staff have received instructions on how to use the system.

The Council have organised signage at the car park entrance and exit barriers informing customers that this process is in place in the car park.

The use of this project’s data recording system is monitored to ensure that is correctly used and to identify any potential improvements.

**Section 2 - Privacy Impact Assessment Screening Questions**

In order to assess the need for a privacy impact assessment to be completed the following questions were considered.

**Will the project involve the collection and handling of new information about individuals?**

Yes, live footage and photographs are available for viewing through the back office system. Live footage is not recorded nor is it kept. Conversations through the intercom line are not recorded. Still images are recorded at both entry and exit at the barrier system and also at the payment machines within the car park and stored for up to two years in line with the retention policy. The information which is collected, verifies the customer, their payment and their vehicle. The data can also be used to assist with Civil Parking Enforcement or to detect misuse of the parking place/conditions outlined in the Parking Order. Example of which may be where those who have expired pre-paid season tickets avoid payment by requesting the barrier is lifted, or calculating the cost of an unpaid parking stay for those who have exited without payment.

**Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?**

No. Only the Parking Services team and PPP Taking Care (out of hours) team are able to access the back office system. The out of hours service operates under a contract and contract management meetings take place to ensure the proper running of the service in accordance with data protection legislation. The back office system is password protected and fully auditable in accordance with data protection requirements.

**Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used?**

No, the images are used as intended to verify a both the customer journey through the car park and the payment made in relation to a vehicle. The only time in which data may be used in a different manner is if requested by the Police and procedures are in place with regard to the provision of data for this purpose in accordance with the data protection legislation.

**Does the project involve you using new technology which might be perceived as being privacy intrusive?**

Although the footage of customers using the car park has the potential to be privacy-invasive, nevertheless:

* Signs are displayed at the entrances and exits of the car park are suitable size to advise that ANPR and image recording is in operation.
* Customers can choose whether to use the car park or not.
* Footage and photographs at barriers only operational whilst a vehicle or person is present or requesting assistance. Footage at payment machines operational constantly but not viewed without reason.
* All live footage/imagines are only viewed should a customer request assistance in order to respond to enquiry.

**Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations?**

All staff using the back office software to assist customers are provided with clear procedures regarding the use of the system, however, there is always the potential for cameras at terminals to capture members of the public who have no involvement in the parking transaction. For example, where there is a queue at a payment machine or where passers-by, including children cross paths with a camera.

**Section 3 – Consultation**

To help identify and address any privacy risks the following people have been consulted with:

Parking Services

Legal Services

Community Services

Police

Senior Management

**Section 4 – Privacy and Related Risks Impact Assessment**

Below is a table of the key privacy and associated risks identified for this project, shown with solutions to help manage the risk.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Privacy Issue** | **Risk to Individuals** | **Compliance Risk** | **Associated Organisation/**  **Corporate Risk** | **Solution** | **Result (risk eliminated, reduced or accepted)** | **Likelihood (L)/Severity (S)/Overall Risk (OR)** |
| 1. | Personal/private conversations are captured in live footage. | Unjustified intrusion on people’s privacy | * Non-compliance with the data protection legislation (DPL). * Non-compliance with human rights legislation. * Non-compliance with the Privacy and Electronic Communications Regulations. * Non-compliance with sector specific legislation or standards | * Non-compliance with the DPL or other legislation can lead to sanctions, fines and reputational damage * Public distrust about how information is used can damage an   organisation’s reputation and lead to loss of business. | * Officer training will cover that footage need only be viewed in the event that a customer requests assistance. This will minimise the risk of third parties being filmed or their conversations being heard. | Reduced | L: Remote  S: Minimal  OR: Low |
|  | Images of other members of public captured at barriers or at payment machines | Unjustified intrusion on people’s privacy | * Non-compliance with the data protection legislation (DPL). * Non-compliance with human rights legislation. * Non-compliance with the Privacy and Electronic Communications Regulations. * Non-compliance with sector specific legislation or standards | * Non-compliance with the DPL or other legislation can lead to sanctions, fines and reputational damage * Public distrust about how information is used can damage an   organisation’s reputation and lead to loss of business. | * Camera equipment at payment machines takes images of customer in relation to a specific VRM/customer only and does not capture images * Equipment is designed for short-range images only |  | L: Probable  S: Minimal  OR: Low |
| 2. | Information viewed by an unauthorised person. | Sensitive information viewed by a third party. | * Non-compliance with the DPL. * Non-compliance with human rights legislation. * Non-compliance with the Privacy and Electronic Communications Regulations. * Non-compliance with sector specific legislation or standards | * Non-compliance with the DPL or other legislation can lead to sanctions, fines and reputational damage * Data losses which damage individuals could lead to claims for   compensation. | * Live footage or images are only viewed by authorised staff on password protected system * Back office system is fully auditable. | Eliminated | L: Remote  S: Medium  OR: Low |

**Section 5 Sign Off and Review**

Responsibility for ensuring solutions delivered: Tania Murphy, Divisional Manager, Place

|  |  |
| --- | --- |
| **Item** | **Name and Date and Notes** |
| Measures approved by: | Tania Murphy, 28-05-2021 |
| Residual Risks approved by: | Tania Murphy, 28-05-21 |
| Legal / DPO Advice Provided: | Yes, Graham Thrussell provided legal advice and initially raised with Nicholas Bennett |
| Summary of DPO advice: | Improved description of why data is needed and the retention, further consultation with other users (Council Departments of the car park). Improved sign off procedure. |

Approved by: Jane Hotchkiss, Director of Growth and Place