

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

Service and Team:	Strategic Waste Management and Enforcement
Process/Project/Activity:	Proposed changes to the Waste Access and Acceptance Policy for the Household Recycling Centres (HRC) for charges relating to household DIY waste

SUBMITTING DATA CONTROLLER DETAILS

Data Controller Name:	Buckinghamshire Council
Data Controller contact:	Data Protection Officer – dataprotection@buckinghamshire.gov.uk

STEP 1: IDENTIFY THE NEED FOR A DPIA

The HRC service requires a full impact assessment as its site user's personal information and data gathered which falls under the Council's Electronic Surveillance Technology Policy. Data protection is a legal obligation to comply with for the council and the supplier. The technology and information of users is gathered through Webcams (internal and external to the sites), CCTV, ANPR, Body Worn Video (BWV) and customer annual and mini surveys. The contracting arrangements will use the following technologies, across all HRC's from the service contract commencement date 1st April 2022. Dec 2023 update: Due to new legislation there are proposals for changes in the Waste Access and Acceptance Policy (WAAP) and these are as follows (updating previous DPIA):

- Allow Buckinghamshire Council users the free limit of household DIY waste and the period of visits. Charges will apply above the free limits to Buckinghamshire Council users.
- Buckinghamshire Council HRCs will require proof of residency checks. i.e. drivers licence, utility or Council Tax bill (residents who pay Council Tax to Buckinghamshire Council can use all of our sites in Buckinghamshire, Slough Borough Council residents can use Langley and Burnham sites).
- Charging for non-Buckinghamshire users across all HRCs for all waste types including DIY apply. No free limits and all vehicular access restrictions also apply. Charges for non-Buckinghamshire users can be found in Table C4. (originally just at Bledlow).
- A concession for non-Buckinghamshire users under the Equalities Act for people with a disability using a larger vehicle require a e-self declaration to be completed. The concession offered ensures non-Buckinghamshire residents will not pay more if they must use a larger car to accommodate their disability. (Extended to all sites)

Process: (Dec 2023 update – E-permit system to be extended in relation to household DIY waste below threshold for all residents. NB extra information included below is preliminary/expected process for e-permits for household DIY waste but subject to change and refinement in respect of design and process but included below for ease. Once finalised update will be included).

- At the point of entry at all HRCs, site staff will ask users to provide a form of approved proof of residency. Driving licence, Council Tax statement or utility bill would be acceptable.
- DIY E-permit applicants are required to self-declare online to the effect that; the waste being deposited is household waste, has been generated by the occupier from their own dwelling, the works have been undertaken by the occupier. This waste has not been produced or collected and paid by way of a trader or business.
- Buckinghamshire and Slough Borough Council residents (The Council has a service level agreement in place with Slough Borough Council for cross administration charges. Slough Borough Council residents will be

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

treated the same as Buckinghamshire Council users) receive their DIY E-permit via email from the Councils digital system which they present on their smart phone to site staff, who scan the QR code. Site staff are able to undertake search function check to view postcode / road name no further detail is shown.

- The Councils digital system will undertake checks and balances to monitor the free threshold limit and frequency of visits including for DIY waste for the purposes of monitoring trade commercial abuse to access free waste disposal. The Council has no duty to accept commercial waste for free from any user. The exact procedure and checks are in development, and this will take into account the issues raised in this DPIA.
- The access levy charges signage for non-Buckinghamshire resident user is pointed out to the user and they are asked if they wish to proceed.
- If the non-Buckinghamshire resident agrees to pay the charges, they are directed to the vehicle length indicator lines marked out to reflect the vehicle sizes and applicable waste charges detailed in Table C4 of WAAP.
- HRC site staff refer to list of vehicle types and capacity to ascertain the charges.

A concession for non-Buckinghamshire residents who require a larger vehicle to accommodate their disability, whilst using a Buckinghamshire HRC, has been considered in relation to section 29(2) of the Equalities Act which prohibits discrimination in relation to the provision of services. In advance of their visit, the user should fill in an online form with their name, vehicle model, make and colour to “declare” their need of the larger vehicle to accommodate their disability. The user will present the declaration to site staff upon visiting the site.

Process:

- At the point of entry at all HRCs, site staff will ask users to provide a form of approved proof of residency. Driving licence, Council Tax statement or utility bill would be acceptable.
- If the user is a non-Buckinghamshire resident and has a commercial vehicle, is a pedestrian, a charity or has a trailer (size that requires an E-permit) or bringing any form of waste including DIY site staff will ask for an E-permit and apply charges.
- The access levy charges signage for non-Buckinghamshire resident user is pointed out to the user and they are asked if they wish to proceed.
- If the non-Buckinghamshire resident user has a larger vehicle to accommodate their disability, they are required to present a declaration email. The user fills in the online declaration form prior to visiting the HRC with the vehicle details, declaring their need for a larger vehicle.
- If the non-Buckinghamshire resident agrees to pay the charges, they are directed to the vehicle length indicator lines marked out to reflect the vehicle sizes detailed in Table C4 of WAAP.
- Non-Buckinghamshire resident users who require a larger vehicle to accommodate their disability will be charged based on the approximate volume of waste instead of vehicle size.

The HRC service is provided in accordance with the Waste Access and Acceptance Policy (WAAP). For further details see: [Household Recycling Centres: Waste Access and Acceptance Policy \(WAAP\) | Buckinghamshire Council](#)

Waste Acceptance and Access Policy – Requires the following:

- Site staff will view any documents shown as proof of residency e.g., bill, council tax bill etc. no data is retained or stored. The Council has a service level agreement in place with Slough Borough Council for cross administration charges. Slough Borough Council residents will be treated the same as Buckinghamshire Council users.
- If site staff suspect suspicious activity, they will require the person to complete the Councils digital self-declaration form, which will generate codes for these records and digitally returned these to the Council.

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

- E-permit (QR code) – Buckinghamshire Council and Slough Borough Council residents receive their permit via email from the Councils digital system which they present on their smart phone to site staff, who scan the QR code. Site staff are able to undertake search function check to view postcode / road name no further detail is shown.
- E-permit (QR code) – The Councils digital system will undertake checks and balances to monitor the free threshold limit and frequency of visits including for DIY waste for the purposes of monitoring trade commercial abuse to access free waste disposal. The Council has no duty to accept commercial waste for free from any user.
- Traders (commercial customers) provide details and transactional data directly to the supplier at five HRC's (Aylesbury, Aston Clinton, Amersham, Beaconsfield, and High Heavens).
- Non-Buckinghamshire residents charging applies for all waste types including DIY waste - digital software, transaction undertaken using an iPad, selection menu displaying waste item and charged price. Payment transaction is digital undertaken on handheld devices, undertaken through the Councils banking organisation and financial accounts. Financial checks and balances undertaken on financial information.
- A concession administered for non-Buckinghamshire resident users of Buckinghamshire HRCs, who require a larger vehicle to accommodate their disability. Users fill in a declaration form on the Buckinghamshire Council website, receive an email from the Council's digital system which they present on their smart phone to site staff. The user's data will not be stored, and the form is sent directly to the resident by email.
- The policy also supports modern use of technology and digital products rather than paper-based systems.

All the HRC contract information will be provided on request to the Council or as part of the contract reporting requirement be uploaded and stored on the Contractor's contract management portal for the Council to access. The contract management portal is hosted by the Contractor or its third-party supplier. ANPR and survey data may be held on the portal. There is no automated decision making in relation to this information, the information will be reviewed to monitor suspected trade commercial abuse.

Dec 2023 update – ANPR may also be used to monitor/identify suspected household DIY waste permit abuse.

Webcams – The purpose is to show traffic volumes/high demand peak periods at each site enabling customers to plan their visit in advance to help reduce congestion within and immediate external road to each of the HRC sites. Live streaming links (with a few seconds delay) are placed on the Council website for each individual site and the resolution of the webcams is low quality. The recordings are held by the contractor's third party supplier (Camera Security Services) and in line with the Council's retention policy (30 days). The exception to this are the webcams at Bledlow HRC these are external to the HRC and view the highway and data from these webcams is not collected or recorded.

CCTV – The purpose of the system is primarily to monitor and record activities at each site and provide site security. The recordings are held by the contractor's third-party supplier (Camera Security Services) and in line with the Council's retention policy (30 days). The CCTV recordings can be used to help undertake incident investigations. For example, vehicle collisions, abusive threatening behaviour, Health and Safety, crime prevention and any requests made by the Police, investigating customer complaints, prevention, theft/fraud, remote contract monitoring activities, site security and to deter trespassing/unauthorised entry.

Automatic Number Plate Recognition (ANPR) – The purpose is to monitor the frequency of a vehicle and/or individual using the HRC's (monitoring patterns and trends). The camera uses optical character recognition on camera images to read a vehicle's number plate. Will monitor vehicle movements and record vehicle registration marks (licence plate numbers) for identification and/or analytical purposes. The recordings will collect entry and exit times for each HRC site. The information is used to monitor and when required to investigate suspected commercial waste being deposited at the HRC's whilst obtaining a free of charge services (contract monitoring). The collected data would also be of analytical uses to review and optimise site layouts and staff resource planning for each site. The recordings are

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

held by the contractor's third-party supplier (Camera Security Services) and in line with the Council's retention policy or until such a time no longer needed e.g., investigation, any enforcement action required including legal proceedings. Dec 2023 update – above will also include investigations in relation to DIY waste disposal by households.

Body Worn Video (BWV) – The purpose is for conflict management, record abusive behaviour, failure of site users to make charging payments (fraud and theft) this is applicable for customers and site staff. The recordings will be used to undertake incident investigations and any enforcement action including legal proceedings.

Customer Surveys - There is an annual survey requirement and there is an external company appointed. From time to time the Council may undertake a mini survey by an independent company appointed at the time by the HRC contractor. From time to time, the Council, including Slough Borough Council officers may undertake spot customer surveys. The purpose of the surveys is to collect information on the usage of each site for Buckinghamshire residents and non-Buckinghamshire residents, assess patterns and trends for cross border usage and commercial waste across the ten HRC sites and to inform the fees and charges for the HRC service. The collected information also assesses users' perceptions of the service that the sites offer, provides any feedback, suggested improvements, and performance over time. Site users personal contact details will be taken for example, age, gender, postcode and racial or ethnic origin.

Summary

Purpose

- Contact customers to take part in reviews or surveys and ask your opinion about our services to understand how we can deliver a better service
- Ensure our databases are accurate for the administration of our services
- Provision of service users (this includes Buckinghamshire and non-Buckinghamshire residents to administer the applicable charges for services. The information will be used to undertake incident investigations and any enforcement action including legal proceedings.
- Managing our property
- Prevention and detection of crime
- Respond to customer feedback and complaints
- Perform any of our statutory enforcement duties

The legislation/regulations we work under includes:

Environmental Protection Act 1990
Clean Neighbourhoods and Environment Act 2005
Controlled Waste Regulations 2012
Waste Framework Directive 2008
Environmental Permitting (England and Wales) Regulations 2010
Refuse Disposal (Amenity) Act 1978
Waste Electrical and Electronic Equipment Regulations 2013
Local Government Finance Act 1992

The legal basis for processing the data under the UK GDPR and Data Protection Act 2018 is:

Article 6(1)(a) the data subject has given consent to the processing of his or her personal data for one or more specific purposes

Article 6(1)(b) We have a contractual obligation, where you pay for a service

Article 6(1)(c) We have a legal obligation

Article 6(1)(e) We need it to perform a public task

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

Article 9(2)(a) the data subject has given explicit consent to the processing of his or her personal data for the purposes of obtaining an e-permit (Dec 2023 update)

Ten HRCs

- Number of static CCTV cameras - 89
- Number of ANPR cameras - 10
- Number of web cameras - 21

Personal data categories

- Images, personal appearance, or behaviour
- CCTV images
- Web Cameras (low quality) exception Bledlow HRC external webcams viewing the Highway do not record
- Vehicle reg numbers via ANPR

Special category or criminal offence data

- Racial or ethnic origin and health and social care status may be gathered incidentally by CCTV, webcam, Body Worn Video (BWV) and customer surveys.
- Dec 2023 update – health data (that due to a disability a larger/specific vehicle is used by the applicant for the e-permit)

Information/notices

- Waste Acceptance and Access Policy
- Through signage at each HRC and Privacy Notice can be found on the Council's website [here](#).
- Permits and site restrictions | Buckinghamshire Council (buckscc.gov.uk)

The process/project/activity will involve using the following personal information:

Personal data (select those that apply)		Special Category data (select those that apply)	
Forename	✓	Racial or ethnic origin	✓
Surname	✓	Political opinion	
Date of Birth	✓	Religious belief	
Age	✓	Trade Union membership	
Gender	✓	Health or Social Care Status	✓
Address	✓	Sexual life	
Postcode	✓	Commission or alleged commission of an offence	✓
Unique ID (i.e. NHS No)		Proceedings for any offence committed or alleged	✓

Detailed description of other data collected:

Footage and images used to monitor and record activities at each site (people and vehicles) during the day and night. The data collected may capture incidents and activities of vehicle collisions, conflict/abusive behaviour or public disorder, theft, vandalism, trespassing/unauthorised entry which could lead to subsequent allegations, investigations and/or offence proceedings. Customer surveys can pick up incidental racial or ethnic origin or Health or Social Care Status data. The declaration form from the Council's digital system picks up data from a non-Buckinghamshire resident user, requesting a concession to use Buckinghamshire Councils HRCs, as they require a larger vehicle to accommodate their disability. The form does not gather specific Health or Social Care Status data.

Dec 2023 update – vehicle details will be collected via ANPR. The e-permit system being extended to other sites and in relation to household DIY waste will mean personal data on a greater number of individuals is expected to be collected. Verification or checks on this data may involve further information being collected such as DOB, information on other household/family members and visit history to HRCs

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

STEP 2: DATA PROTECTION LEGISLATION COMPLIANCE

1. Do you already collect, use, store or share this information?
2. What is your lawful basis?
3. How is the collection and use of the information fair?
4. How will you be transparent about the collection and use of the information?
5. How will you ensure that this information is only used for this process/project/activity?
6. Is this the minimum of information you need?
7. How will you ensure the accuracy of the information you collected/stored/used/shared?
8. How long will you keep (retain) the information?
9. When will you delete (or destroy) the information?
10. If this is a new system, explain how automatic retention and destruction has been built in?
11. Why will it not be deleted sooner?
12. What are the security risks associated with the collection, storage, use and sharing of this information?
13. Does the Information Asset Owner know about this process/project/activity?
14. Have you or the Information Asset Owner updated the Record of Processing Activity (ROPA)?

Select those that apply:

Legal obligation	✓	Contract	
<i>Processing is necessary to comply with the law (not including contractual obligations).</i>		<i>Processing is necessary for a contract you have with the individual, or because they've asked you to take specific steps before entering into a contract.</i>	
Public task	✓	Vital interests	
<i>Processing is necessary to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. Dec 2023 update – provision of HRCs is a statutory function. The WAAP relates to the management of HRCs and includes both statutory services (free) and non- statutory (charged for). The e-permit system for household DIY waste is to ensure that residents obtain the free disposal allowed for within legislation as the failure to obtain a permit will result in charges being applied.</i>		<i>Processing is necessary to protect someone's life.</i>	
Legitimate interests		Consent	x
<i>Processing is necessary for your legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests. Cannot apply to BC processing data to perform our official tasks.</i>		<i>The individual has given clear consent for you to process their personal data for a specific purpose. Dec 2023 update – the e-permit system in relation to non-residents/larger vehicles is only applied to non-residents who can visit HRCs outside Buckinghamshire area.</i>	

The legislation/regulations we work under includes:

- Environmental Protection Act 1990
- Clean Neighbourhoods and Environment Act 2005
- Controlled Waste Regulations 2012
- Waste Framework Directive 2008
- Environmental Permitting (England and Wales) Regulations 2010

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

- Refuse Disposal (Amenity) Act 1978
- Waste Electrical and Electronic Equipment Regulations 2013
- Local Government Finance Act 1992

The legal basis for processing the data under the UK GDPR and Data Protection Act 2018 is set out above.

Personal data categories – see above.

Special category or criminal offence data – see above.

Rights available to individuals (data subject) as per legislation but some rights may be disapplied depending on the overall processing.

Recipient categories

- Data subject access request direct customer /and or their representative via a subject access request.
- Third parties (data processors) contracted by Buckinghamshire Council to work on behalf of the Council to support our services
- Other bodies in connection with the prevention of crime, criminal or legal investigations or proceedings including fraud (and the National Fraud Initiative) or regulatory functions (such as the Local Government Ombudsman) or in relation to safeguarding purposes
- Environment Agency
- DVLA
- Other relevant services within the council where allowed by law, or in accordance with data protection legislation.

Information/notices

- Waste Acceptance and Access Policy
- Through signage at each HRC and Privacy Notice can be found on the Council's website [here](#).
- Permits and site restrictions | Buckinghamshire Council (buckscc.gov.uk)

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

STEP 3: DESCRIBE THE PROCESSING

Describe the nature of the processing:

1. *How will you collect the information and who from? ANPR, BWC, CCTV, e-permit system (computer), visitor (manually – although not collected only verified unless self-declaration required then on computer).*
2. *How will you use the information? To ensure safety, review incidents, lessen fraud or abuse of free waste limits and enforce charging for non-statutory services.*
3. *How will you store the information? Contractors in relation to video. E-permit is in house storage.*
4. *How will you delete the information? See below for deletion details. E-permit is regular and historic information required in relation to trends and/or abuse.*
5. *Will you be sharing the information with anyone? You may find it useful to refer to a flow diagram. See below, but generally only in respect of specific requests from data subjects, police or in relation to incidents.*
6. *How will you be sharing information? Depends on request.*
7. *What are the risks of collecting and using the information? Hacking, too much information collected, fraud.*
8. *Will any suppliers, contractors or third parties be collecting, storing or using the information on our behalf? See above and below.*
9. *Will any suppliers, contractors or third parties be collecting, storing or using the information for themselves? Not anticipated.*
10. *Will any suppliers, contractors, third parties or external organisations have access to the information e.g. because they are storing it or when they need to do maintenance to a system? Contractors will store/host however limited access available and any that does = secure and as part of contractual requirements as a data processor.*
11. *If this is new technology (e.g. computer system, App, platform, etc) what assurances has the provider given you about its security? n/a*

Dec 2023 update – see above for summary and below for some more detail although not included the permit system updates.

Waste Acceptance and Access Policy – Requires the following:

- Identification checks on approved proof of residency on site. Although verified on site manually no data is retained or stored.
- If site staff suspect suspicious activity will require the person to complete the Council's digital self-declaration form, will generate QR codes for records and provided to the Council digitally.
- E-Permits – Council system current platform held is Granicus (due to expire in June 2024) and likely to change in the future to another council system (Abavus) will be undertaken directly by the Council's digital team. (updates and further design and refinement of the system may take place and if so details will be provided)
- Traders (commercial customers) provide details and transactional data directly to the supplier at five HRC's (Aylesbury, Aston Clinton, Amersham, Beaconsfield, and High Heavens).
- Non-household and non-Buckinghamshire residents charging - digital software, transaction undertaken using an iPad, selection menu displaying waste item and charged price. Payment transaction is digital undertaken on handheld devices, undertaken through the Council's bank and financial accounts. Financial checks and balance undertaken on financial information.
- A concession administered for non-Buckinghamshire resident users of Buckinghamshire HRCs, who require a larger vehicle to accommodate their disability. Users fill in a declaration form on the Buckinghamshire Council website, receive an email from the Council's digital system which they present on their smart phone to site staff (Dec 2023 update – originally just Bledlow)

E-permit system holds information necessary for the permit as per above. E-permit system to be extended re household DIY waste as per rest of assessment.

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

Webcams – Live streaming (with a few seconds delay) links are placed on the Council website for each of the ten HRC sites for public viewing. Cameras on each site are placed to show the roofs of the vehicles and access roads into sites to ascertain queuing traffic internal and on the access road approach to each site. The resolution quality of the images is low and does not identify individual occupants of the vehicle or vehicle number plates. The recordings are held by the contractor’s third party supplier (Camera Security Services) and in line with the Council’s retention policy (30 days). The exception to this is the webcams at Bledlow HRC that view the highway and data from these webcams is not recorded or collected.

CCTV – The purpose of the system is primarily to monitor activities at each site and site security throughout the day and night. There are relevant notices and signage at each HRC site to confirm that this activity is being undertaken. The recordings are held by the contractor’s third-party supplier (Camera Security Services) and are held in line with the Council’s retention policy. The CCTV recordings can be used to help undertake incident investigations for example; vehicle collisions, abusive threatening behaviour, Health and Safety, crime prevention and any requests made by the Police, investigating customer complaints, prevention/theft deterrent of material commodities, remote contract monitoring activities, site security and to deter trespassing/unauthorised entry.

The HRC contractor is responsible for supplying CCTV footage to the Council when requested by the Authorised Officer in compliance with Data Protection Legislation and shall comply with legislation relating to the operation, storage, access and use of information and images captured by the CCTV.

Data could be shared with others provided a request is made in writing. This could be considered under DPIA as a subject access request and by whom for example customer, solicitors, insurers. Police can and do request CCTV for investigation purposes. There is some additional paperwork required to be completed before CCTV footage is released to the police. Maximum retention time of recordings held is 30 days and then is deleted by overwriting previous recordings (loop system).

However as stated in Buckinghamshire Council’s Electronic Surveillance Technology Policy:
 ‘Images may be retained for purposes strictly defined by Buckinghamshire Council (taking into account the SCC Code of Practice and the BC Retention Schedule) for evidential purposes or for the purposes of the investigation of an actual or suspected crime for a period reasonably determined by the Council.’

BC process for Data Subject Request – CCTV Footage – timeframe 1 month

1. Request for CCTV footage received from member of the public and submitted to the Council’s internal data protection team. Request passed to the Council’s waste management team.	To note: The Contractor must meet timescales set under the Contract in order to assist the Council in meeting corporate response times. Existing corporate response times (including sign off processes) for enquiries is 6 working days (if the enquiry comes in via Waste Strategy Mailbox/Business Support) and for “Stage 1” Complaints response time is 20 working days, but target is 10 working days (as above).
2. The Council emails the Contractor to request CCTV footage, providing details, such as: site name and location on site; date and time of incident; who was involved in the incident; and description of incident.	
3. Contractor contacts CCTV supplier to request footage who, once identifies incident, forwards footage to the Council’s waste management team.	
4. The Council’s waste management team review footage and, if there are third party data issues, blur the information (via ICT or data officers) and, where possible, produce stills rather than releasing footage before sending to the Customer.	

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

ANPR – The purpose is to detect and monitor high frequency visitors (monitoring trends) and suspect activities. The recordings are held by the contractor’s third-party supplier (Camera Security Services) and are held in line with the Council’s retention policy. The recordings will collect vehicle registrations, entry and exit times per site. Retention time is 30 days then deleted. There are relevant notices and signage at each HRC site to confirm that this activity is being undertaken.

Body Worn Video (BWV) – The Body Worn Video will collect and record audio and visual images when activated by the BWV wearer. The recordings can be used to help undertake incident investigations for example, customer complaints, abusive threatening behaviour, and crime prevention. There are relevant notices and signage at each HRC site to confirm that this activity is being undertaken.

Customer Surveys - Site users provide postcode information and provide an optional response to age, gender, and racial or ethnic origin. This data is collected from face-to-face interviews by the Market Research agency at each of the ten HRCs. Typically, the survey records user responses onto electronic secure device and the Market Research agency collects and manages the on-site survey data.

Buckinghamshire Council working with the HRC Service contract provider commission a suitably qualified and accredited external Market Research agency to conduct a survey of users at Buckinghamshire Councils HRCs. That survey is also hosted on the Council’s website. The survey data is downloaded and passed to a Market Research agency by Buckinghamshire Council to provide one HRC user survey report. All data used in the report is anonymised. This full assessment will be updated during the contract period from time-to-time.

From time to time the Council may undertake a mini survey by an independent company appointed at the time by the HRC contractor. From time to time, the Council, including Slough Borough Council officers may undertake spot customer surveys. The purpose of the survey is to collect information on the usage of each site for Buckinghamshire residents and non-Buckinghamshire residents, assess patterns and trends for cross border usage and commercial waste across the ten HRC sites, to inform the fees and charges for the HRC service. Site users personal contact details will be taken for example, age, gender, postcode and racial or ethnic origin. Each survey is conducted in person and a privacy notice read out before the survey is undertaken with each individual. The process and data for mini surveys are the same as the annual survey.

Summary

Personal data categories

- Images, personal appearance, or behaviour.
- CCTV images.
- Web Cameras (low quality) exception Bledlow HRC external webcams viewing the Highway do not record or collect data.
- Vehicle reg numbers via ANPR.

Special category or criminal offence data

- Racial or ethnic origin and health and social care status may be gathered incidentally by CCTV, webcam, Body Worn Video (BWV) and customer surveys as images.

Personal data source

- Structured data including anything recorded.

Recipient categories

- Data subject access request direct customer /and or their representative via a subject access request.
- Third parties (data processors) contracted by Buckinghamshire Council to work on behalf of the Council to support our services.

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

- Other bodies in connection with the prevention of crime, criminal or legal investigations or proceedings including fraud (and the National Fraud Initiative) or regulatory functions (such as the Local Government Ombudsman) or in relation to safeguarding purposes.
- Environment Agency.
- DVLA.
- Housing associations and landlords.
- Other relevant services within the council.

Information/notices

- Waste Acceptance and Access Policy.
- Through signage at each HRC and Privacy Notice can be found on the Council's website [here](#).
- Permits and site restrictions | Buckinghamshire Council (buckscc.gov.uk).

Describe the scope of the use of the information:

1. *How often will you be collecting the information? Constantly in relation to images/video and as required in relation to permits (have expectation of how often will be used but review of DPIA and e-permit system may provide more details)*
2. *How many individuals' information will you be collecting (don't forget to count family members)? Significant number but exact depends on use made – see below for further details.*
3. *What geographical area are the individuals located in? Buckinghamshire administrative area.*

Waste Acceptance and Access Policy – in line with the council's retention schedules and transactional data held in line with financial requirements. Exception if being used for investigation purposes.

Webcams – A continuous live data stream (with a few seconds delay) and in use only during the opening hours of each of the ten HRC sites. The recordings are held by the contractor's third party supplier (Camera Security Services) and in line with the Council's retention policy (30 days). The exception to this is the webcams at Bledlow HRC that view the highway and data from these webcams is not collected, stored, or recorded. Data is for external public viewing only and is not recorded, stored, or held. Webcams do not stream footage when the sites are closed. However, the footage captured is not clear enough to show individual occupants of the vehicle or vehicle registrations. Webcams show an image of each internal HRC and the access road approach to each site for customers to ascertain queuing traffic and plan their visit during less busy times.

CCTV – operates every day at all ten sites including overnight for site security capturing customer, vehicles (employees and customers), site staff and visitors' activities. Retention time of recordings can be held for 30 days then deletes automatically by way of overwriting previous recordings (automatic loop system). The system would capture site activities including customers using each site which varies by seasons and low and peak demand periods (day of week and time). For example, 200 – 1700 customer visits per day per site. Annual customer visits across the ten sites range from 940,000 – 1.4m visits per annum.

CCTV plans and coverage are devised for each site to cover site perimeter, operational areas and camera resolution and footage would capture vehicles and individuals. Nighttime site monitoring reverts to the contractor's third party supplier (Camera Security Services) which is activated by a movement detection system. CCTV has a deterrent mitigation effect to minimise criminal activity. The contractor's proposals, systems and service combinations ensure maximum control for those 'out of hours' periods of vulnerability.

ANPR – during opening hours at all ten sites or if triggered by out of hours activity. Customers using each site varies by seasons, low and peak demand periods (day of week and time). For example, 200 – 1700 customer visits per day per site. Annual customer visits across the ten sites range from 940,000 – 1.4m visits per annum. Retention time is 30 days then deleted. Details recorded site name (ID), vehicle registration, date/time in and date/time exit the site.

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

The information will be provided upon request to the Council which is then uploaded and stored on the Contracts contract management portal along with other contract reporting requirements for the Council to access. The system used by the contractor is required to meet the council ICT requirement (including penetration testing).

A limited number of named individuals within the Council's Strategic Waste Management and Enforcement team are approved with log in and password details to access the contractor's contract management portal. The current contractor also limits the number of their staff able to access the contract management portal.

Body Worn Video (BWV) – Audio and visual data will be captured (including images, personal appearance, and behavior). Special category data of racial or ethnic origin and health and social care status may be gathered incidentally as images or in dialect and speech. The Body Worn Video (BWV) is activated by the wearer and the recordings will be used to undertake incident investigations.

Customer Surveys – A face-to-face on-site interview with customers will be completed annually to produce a user survey. From time to time the Council may undertake a mini survey by an independent company appointed at the time by the HRC contractor. Site users personal contact details will be taken for example, age, gender, postcode and racial or ethnic origin. There is an agreed target for the number of interviews to be completed in total and per site.

Optional data (which the interviewee may decline to answer) includes gender, age group, occupation group, ethnicity, and disability. This full assessment will be updated during the contract period prior to the first survey being undertaken. This is for demographic/monitoring purposes only as allowed by data protection legislation.

Summary

Purpose

- Contact customers to take part in reviews or surveys and ask your opinion about our services to understand how we can deliver a better service
- Ensure our databases are accurate for the administration of our services
- Provision of service users
- Managing our property
- Prevention and detection of crime
- Respond to customer feedback and complaints
- Perform any of our statutory enforcement duties

Personal data categories – please see above.

The legal basis for processing the data under the UK GDPR and Data Protection Act 2018 is set out above.

Describe the context of the process/project/activity and its use of personal information:

1. *What is your relationship with the individuals and how much control will they have? Usually, pre-requisite for using HRCs and therefore no control. In relation to non-Buckinghamshire residents, they have the option to attend their own local authority sites for free therefore they have alternative options and do not need to attend.*
2. *Would they expect you to use their information in this way? Yes.*
3. *Do they include children or other vulnerable people? Majority would be as passengers. Some vulnerable adults may however use the HRCs.*
4. *Are there prior concerns over the use of personal information in this way or security flaws? Not to our knowledge.*
5. *Is it novel or new in any way? No.*
6. *What is the current state of technology in this area? Standard use.*
7. *Are there any current issues of public concern that you should factor in? Not to our knowledge.*
8. *Are you/your provider signed up to any approved code of conduct or certification scheme? No.*

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

The Household Recycling Centre service is provided under statutory duties under the Environmental Protection Act (EPA) 1990 for residents within the Council administrative boundary.

Privacy Notice can be found on the Council's website [here](#). and signage is in place on each site to inform individuals CCTV, Webcams and ANPR are in use. The technologies used are commonplace and the use of the data would be expected in line with the Councils policies and privacy impact assessments.

The monitoring and maintenance can be undertaken directly by the supplier and/or subcontracted. The contract specification for the new contract states that they shall be responsible for the installation and monitoring (either directly or through third party providers) to a BS 8418 and BS 62676 or equivalent standard of CCTV systems, as necessary. Due to legal frameworks and compliance requirements the service operates the use of technology and security measures for managing the properties may change over time and/or managed by other third-party hosted system.

Internal and external webcams are utilised to enable customers to view external HRC's traffic queuing. External webcams were installed at three HRC's during early 2021, this was in response to customer feedback. The contracting arrangements requires all HRC's to be installed with external webcams. Webcams do not stream footage when the HRC's are closed. A continuous live data stream (with a few seconds delay) links are provided on the Councils website and data is for external public viewing and in use only during the opening hours of each of the ten HRC sites. The recordings are held by the contractor's third party supplier (Camera Security Services) and in line with the Council's retention policy (30 days). The exception to this is the webcams at Bledlow HRC that view the highway and data from these webcams is not collected, stored, or recorded.

Summary

Recipient categories – see above.

Rights available to data subject – see above.

Describe the purposes of the use of the information:

- 1. What do you want to achieve? Ensure statutory services provided for Buckinghamshire residents and charges applied for non-statutory services.*
- 2. What is the intended effect on individuals? Ensure they receive statutory services.*
- 3. What are the benefits of the processing – for you, for the individuals and more broadly? Statutory services supplied to residents, charges incurred for others, safety and security, improvement of services.*

Seeking to achieve:

- Webcams – providing customers the ability to plan their journey to each HRC to avoid peak and busy periods.
- CCTV and Body Worn Video (BWV) – provide images and recording of incidents and events for incident investigations and crime prevention.
- Automatic Number Plate Recognition (ANPR) – monitor vehicle movements and record vehicle registration marks (licence plate numbers) for identification and/or analytical and investigation purposes.
- Customer Surveys – monitor performance of customer satisfaction levels over time, provides insight of customer (Buckinghamshire residents and non-Buckinghamshire residents) demographic changes over time, including patterns and trends for cross border usage and commercial waste across the ten HRC sites and to inform the fees and charges for the HRC service. To allow customer insight intelligence for the Council to consider on-going improvements or changes in the service based on the customer feedback.

Intended effect on individuals and benefits to service:

- Webcams – Customers can plan ahead and minimise congestion externally and on-site at each HRC. The benefit to the service is facilitating swifter and safer traffic flows in and out of each HRC to help minimise peaks and troughs which can lead to customer complaints.

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

- CCTV and Body Worn Video (BWV) – Customers can feel safer and can provide evidence for the customer in incident investigations. The benefit to the service is to provide images and recording of incidents and events for incident investigations and crime prevention.
- ANPR – There should be minimal effect on the individual. The benefit to the service is to monitor vehicle movements and record vehicle registration marks (licence plate numbers) for identification and/or analytical and investigation purposes.
- Customer Surveys – The customer (Buckinghamshire residents and non-Buckinghamshire residents) has the opportunity to provide their feedback and views as a service user. The benefit to the service is to provide customer insight intelligence which can be used to monitor and improve the HRC service over time.

STEP 4: CONSULTATION PROCESS

Consider how to consult with relevant stakeholders:

1. Describe when and how you will seek individuals' views, or justify why it's not appropriate to do so? WAAP already in place (previous consultation) however latest changes as a result of legislation.
2. Who else do you need to involve within BC (i.e. Procurement, IT, Legal, Equalities)? See below.
3. Do you need to ask your data processors or suppliers, contractors or third parties to assist? Already dealt with.
4. Have you consulted information security experts, or any other experts? Internally only.
5. If this relates to new technology (e.g. computer system, App, platform, etc) has IT confirmed it meets current security standards? IT involved with e-permit system and security in relation to other technology. Data protection consideration in respect of video and images already carried out.
6. Have you consulted the Information Governance (IG) team? Consulted with legal services in relation to legal requirements.

The Strategic Waste Management and Enforcement team will keep the DPIA under review and if there is a substantive change to the processing of personal data, Information Governance (IG) will be consulted.

Internal stakeholders would include data and information officer(s) and the Data Protection Officer. When service contract suppliers and/or third party subcontracted suppliers, there will be a need to liaise with appropriate external and internal specialist security experts, for example and not limited to information and data officers, the Council's ICT team to obtain access to externally hosted systems cloud-based systems and request detailed information from the contractor and/or any external/third party system.

STEP 5: ASSESS NECESSITY AND PROPORTIONALITY

Describe compliance and proportionality measures, in particular:

1. Does the collection and use of the information actually achieve your purpose? Yes.
2. Is there another way to achieve the same outcome? No.
3. What information will you give individuals about this processing? Privacy notice – see below.
4. Provide a link to relevant Privacy Notice, screenshots of proposed form wording, correspondence or templates associated with the processing. See below.
5. How will you help to support the individual's data protection rights? As part of usual and standard internal procedures which are compliant with data protection legislation in this regard.
6. If there is a supplier, contractor or third party collecting, using or storing information on our behalf, is this detailed in the proposed contract with them? We understand this to be the case.
7. What measures are you taking to ensure suppliers, contractors or third parties comply? Standard contractual provisions, consideration of data protection legislation, contractual monitoring arrangements, ongoing discussions.

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

8. How will you safeguard any international transfer of data? As per ICO guidance however we do not anticipate that there will be any international transfers.

The processing achieves the Council's purpose, as stated earlier in 'The Need for a DPIA'.

- There is no other way to achieve the same outcome.
- Function creep will be minimised by a regular review of this assessment and make sure the data is being used for its intended purpose only. The service provider and relevant staff within the Council will need to adhere to this assessment and as required clarify / consult with the Council's Information Governance Business Partner.

To ensure data quality and data minimisation: Personal Data processed in connection with obligations under the Contract. For example and not limited to include: not to transfer Personal Data outside of the United Kingdom unless prior written consent has been obtained from the Council and at the written direction of the Council, delete or return Personal Data (and any copies of it) to the Council on termination of the Contract unless the service provider is required by legislation to retain the Personal Data and appropriate safeguards are in place in relation to the transfer (whether in accordance with GDPR Article 46 or Section 7 of DPA 2018).

- Webcams – the camera resolution level would ensure no individual can be identified and only provide the intended views to ensure wider public privacy.
- CCTV, Body Worn Video (BWV) and ANPR - installation of equipment that captures images of the appropriate quality whilst encouraging privacy friendly technology.
- Customer Surveys – Review the appropriateness of the questions and the data being collected regularly with the Council's Consultation Officer.

Investigations related to an incident, complaint and a SAR can lead to various external parties making requests for data recordings. For example, at any HRC a vehicle collision incident could occur individuals may require their respective legal representatives / police to request data held/recorded for their investigation purposes.

Information which would reasonably be provided to individuals:

There is a balance to strike in terms of compliance consideration of the 'right to access information' under a Subject Access Request, but also important to ensure that all parties personal data is protected including any third party /individuals captured in images.

As appropriate /required discussions and liaison would be undertaken with the information and data officer.

The legal basis for processing the data under the UK GDPR and Data Protection Act 2018 is set out above.

Recipient categories – see above

Rights available to individuals (data subject) see above

STEP 6: IDENTIFY AND ASSESS RISKS

Describe source of each risk and the nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.

Risk ref	Description	Likelihood of harm Remote, Possible or Probable	Severity of harm Minimal, Significant or Severe	Overall risk Low, Medium or High
1	Retention of information	Possible	Minimal	Low
2	Access to systems storing data/information	Remote	Possible	Low
3	Council shares complaint and compliment feedback with the supplier.	Possible	Possible	Low
4	Council requires payments to be collected for services (residents and commercial waste)	Possible	Significant	Low

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

STEP 7: IDENTIFY MEASURES TO REDUCE RISKS

Identify additional measures you could take to reduce or eliminate each risk identified as Medium or High risk in step 6. If N/A, please state

Risk ref	Options to reduce or eliminate risk	Effect on risk Eliminated, Reduced or Accepted	Residual risk Low, Medium or High	Measure approved Yes or No
1	Retention of information - Obligations provided as part of the Contract and the Council retention policy forms part of the schedules of documents.	Reduced	Low	Yes
2	Retention of information - Undertake spot contract checks	Reduced	Low	Yes
3	Retention of information – Contractual & compliance obligations including GDPR, SAR and Council Policies.	Reduced	Low	Yes
4	Retention of information - The Contract contains provisions a section and process on how we manage complaint data sharing.	Reduced	Low	Yes
5	Retention of information - To calculate charges an app is used. Information captured includes type and volume of waste. If the resident requests a receipt they enter their email address. Spot checks to be undertaken by contractor and council.	Reduced	Low	Yes

STEP 8: SIGN-OFF AND RECORD OUTCOMES

	Name/role/date	Notes
Measures approved by:		
Residual risks approved by:		<i>If accepting any residual High risk, you MUST consult the ICO before proceeding.</i>
Reviewed/agreed by:		
IG advice provided:	8 Dec 2023 – DPIA reviewed by DPO	<i>IG advice to include compliance, step 7 measures and if processing can proceed.</i>

Summary of IG advice:

8 Dec 2023 DPO advice – Background information and discussions have taken place regarding the new legislation and what this means in respect of data protection. Overall, the issue is that the Council will only allow free disposal of household DIY waste up to the statutory threshold and anything above this will be charged for.

A permit system is therefore required to keep track to allow over threshold disposal to be charged for. This will require collection of personal data in all cases. Due to the short timescales of enactment the permit system is still under development and the full implications are not yet known. The changes above are those currently expected to take place but there is also expected to be further design and refinement to allow phased implementation and although risks are not identified within this assessment in detail they have been discussed and a review will take place in 6 months which will include review of usage, monitoring, and effectiveness. It is therefore possible that data protection issues may arise in the meantime and where this is the case further advice will be sought. The risks as set out do not necessarily reflect the risks of the permit system but until the system is finalised further details cannot be set out.

Buckinghamshire Council

Data Protection Impact Assessment (DPIA)

It is acknowledged that the enforcement of the permit system may present its own data issues – abuse of the system may amount to fraud and has implications for fly tipping (itself a criminal offence). Data matching either internally or externally or automated checking may be included but this is not yet known.

The DPO does however recommend the following:

1. Specific risks not set out above (currently) include too much information collected – this can be checked on review; access by permit requestors to other permit information – this can be considered as part of design; retention period – to be considered as part of design; checking identity for permit – to be considered as part of design.
2. The design of the permit system (including its enforcement) is reviewed to check that the minimum amount of information is being collected; that the information is held only for the necessary amount of time.
3. Information Management is given regular updates on the progress of the design of the system so that they can highlight any data protection issues that arise.
4. The enforcement of the system is reviewed separately.
5. Regular update/meeting with DPO to identify ongoing issues (if any).
6. DPIA risks to be regularly reviewed to ensure appropriate overview.

IG advice accepted or overruled by:	Roger Seed – Waste Contracts Team Leader on behalf of Gurbaksh Badhan - Head of Strategic Waste Management and Enforcement	<i>If overruled, explain your reasons.</i>
Comments:		
Consultation responses reviewed by:		<i>If decision departs from individuals' views, explain your reasons.</i>
Comments:		
DPIA to be kept under review by:	Waste Contracts Team (HRC Contract Lead)	<i>IG team may also review ongoing compliance with DPIA.</i>
Date DPIA sent to IG:	5 th December 2023	