

Privacy Notice for VivaCity Accident Near Miss Sensors



Nottingham City Council
Information Compliance

Service Area: Transport Strategy
Directorate: Growth & City Development
PN-359

February 2024

The **Transport Strategy team** are part of Nottingham City Council, who are the data controllers for the personal data (or personal information) that we process about you. When we process personal information relating to you, we will only do so when it is necessary and where we have a lawful reason to do so. When we process your personal information, we will comply with data protection legislation and enable you to exercise your rights contained within the legislation.

On this occasion we are processing your personal data for the following purpose:

- As part of the Future Transport Zone project funded by the Department for Transport, Nottingham City Council is deploying approximately 3 sensors to monitor the number of Accident near misses and actual accidents at the Derby Road/Lento Boulevard Junction in order to monitor the effectiveness of a road safety scheme at this junction

What personal information will the Council process?

The information that we collect about you to fulfil the purposes, objectives, or to deliver the services outlined above will relate to:

Your video image of the road space and you or your vehicle- *This data comprises short 20 second video clips of incidents which the sensor recognises as a near miss or an accident. The data processor VivaCity Labs Ltd can view these to verify the sensor is working correctly however this image is deliberately blurred within 48 hours of capture so that it is not possible to identify any specific vehicle or individual. City Council Transport Strategy officers can view a the blurred version of these video clips. THIS IS NOT A CCTV CAMERA AS IT DOES NOT CONTINUALLY RECORD VIDEO*

- **Lawful basis for processing**

The basis under which we use your personal information for these purposes is that as per Article 6 1) e) of the UK GDPR it is necessary for the performance of a task carried

out in the public interest by the Council or in the exercise of official authority vested in the Council. This is a result of the powers or duties contained in s16 and s17 of the Traffic Management Act 2004.

Will my information be shared with other organisations or used for other purposes?

The Council will only share your personal information with other departments within the Council, and with other organisations when it is necessary to provide the services to you, and when we have a lawful reason to do so. The Council may also share your information when we are obliged to by law. In relation to this service, the Council will share your personal information with:

- **VivaCity (a company which produce sensors to capture road space usage data typically for Local Authorities)**

The information may also be used for the purpose of any other function carried out by the Council. This may include sharing your information across the Council, or with external organisations. Information about these functions and the legal basis on which information is used for them can be found at <http://www.nottinghamcity.gov.uk/privacy-statement/> . The information will only be used for another purpose where it is lawful to do so.

Do I have to provide the information?

You **are not** obliged by statute or contract to provide the information that is specified here. However, your image will be captured as a road user if you pass any of the sensors.

How long will the Council retain the data for?

The video clips will be retained in an unblurred format for up to 48hours. The video clips will then be blurred so that no individual or vehicle can be identified and be retained for the duration of the evaluation i.e. up to 2 years. The Council publish an Information Asset Register (IAR), this will outline the retention periods for the personal data we process. You can find this IAR on our website <https://geoserver.nottinghamcity.gov.uk/information-asset-register/>

Information Rights

The UK General Data Protection Regulation provides for the following rights as prescribed by the legislation:

A right to request a copy of your information

A right to request rectification of inaccurate personal data

A right to request erasure of your data known as ‘the right to be forgotten’

A right to in certain circumstances to request restriction of processing

A right in certain circumstances to request portability of your data to another provider

A right to object to processing of data in certain circumstances

A right regarding automated decision-making including profiling

However, Nottingham City Council can restrict the above rights in certain circumstances for example to avoid obstructing an investigation, avoid prejudicing the prevention, detection, investigation or prosecution of criminal penalties or to protect the rights and freedoms of others.

Data Protection Officer

The Data Protection Officer is Naomi Matthews. You can contact the data protection officer at:

Loxley House,
Station Street,
Nottingham,
NG2 3NG

or at data.protectionofficer@nottinghamcity.gov.uk .

Information Commissioner's Office

The Information Commissioner's Office (ICO) website provides guidance on data protection and privacy matters, you can visit the website at www.ico.org.uk. You also have the right to complain to the ICO if you consider that the Council have processed your personal data incorrectly or that we have breached our obligations to you. You can contact the ICO at:

Wycliffe House,
Water Lane
Wilmslow,
Cheshire
SK95AF

www.ico.org.uk

Further Information

For more information about these rights please refer to our detailed privacy statement at <https://www.nottinghamcity.gov.uk/privacy-statement> .