

Cabinet Background Documents



- a) **Parking ICT Case Management System & ANPR Cameras Procurement** (Pages 3 - 24)
Officer: Jacqueline Harris Baker
Key decision: no

JACQUELINE HARRIS BAKER
Council Solicitor and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Victoria Lower
020 8726 6000 x14773
020 8726 6000
victoria.lower@croydon.gov.uk
www.croydon.gov.uk/meetings

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Equality Analysis Form

1. Introduction

1.1 Purpose of Equality Analysis

The council has an important role in creating a fair society through the services we provide, the people we employ and the money we spend. Equality is integral to everything the council does. We are committed to making Croydon a stronger, fairer borough where no community or individual is held back.

Undertaking an Equality Analysis helps to determine whether a proposed change will have a positive, negative, or no impact on groups that share a protected characteristic. Conclusions drawn from Equality Analyses helps us to better understand the needs of all our communities, enable us to target services and budgets more effectively and also helps us to comply with the Equality Act 2010.

An equality analysis must be completed as early as possible during the planning stages of any proposed change to ensure information gained from the process is incorporated in any decisions made.

In practice, the term '**proposed change**' broadly covers the following:-

- Policies, strategies and plans;
- Projects and programmes;
- Commissioning (including re-commissioning and de-commissioning);
- Service review;
- Budget allocation/analysis;
- Staff restructures (including outsourcing);
- Business transformation programmes;
- Organisational change programmes;
- Processes (for example thresholds, eligibility, entitlements, and access criteria).

2. Proposed change

Directorate	Public Realm
Title of proposed change	New Parking Back Office ICT System & ANPR Cameras
Name of Officer carrying out Equality Analysis	Shane Roberts

2.1 Purpose of proposed change (see 1.1 above for examples of proposed changes)

Lot 1 - This is a re-procurement of the parking back office ICT system. It is required due to the expiry of the current contract with the present supplier.

The system is necessary in order to enable the issue and Processing of Penalty Charge Notices (PCNs) and the issue of Parking Permits. Functionality is for the most part dictated by legislative and regulatory requirements and is a specialised system, provided by a limited number of potential suppliers. It is not anticipated that from a customer perspective, there will be any noticeable change as all current methods of contact will be replicated and the supplier will be required to replicate the look and feel of any current web pages.

Lot 2 - The purchase and maintenance of ANPR cameras to replace obsolete CCTV cameras and provision of hardware for any new Controlled Parking Zones and School Streets Project. The main difference will be that the ANPR cameras do not require a camera operator to capture the contravention, only to review the footage of potential contraventions flagged by the system before issuing a Penalty Charge Notice. There will be no difference from a driver's perspective.

3. Impact of the proposed change

Important Note: It is necessary to determine how each of the protected groups could be impacted by the proposed change. Who benefits and how (and who, therefore doesn't and why?) Summarise any positive impacts or benefits, any negative impacts and any neutral impacts and the evidence you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic.

Where an impact is unknown, state so. If there is insufficient information or evidence to reach a decision you will need to gather appropriate quantitative and qualitative information from a range of sources e.g. Croydon Observatory a useful source of information such as Borough Strategies and Plans, Borough and Ward Profiles, Joint Strategic Health Needs Assessments <http://www.croydonobservatory.org/> Other sources include performance monitoring reports, complaints, survey data, audit reports, inspection reports, national research and feedback gained through engagement with service users, voluntary and community organisations and contractors.

3.1 Deciding whether the potential impact is positive or negative

Table 1 – Positive/Negative impact

For each protected characteristic group show whether the impact of the proposed change on service users and/or staff is positive or negative by briefly outlining the nature of the impact in the appropriate column. . If it is decided that analysis is not relevant to some groups, this should be recorded and explained. In all circumstances you should list the source of the evidence used to make this judgement where possible.

Protected characteristic group(s)	Positive impact	Negative impact	Source of evidence
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Age	Neutral	Neutral	N/A
Disability	Neutral	Neutral	N/A
Gender	Neutral	Neutral	N/A
Gender Reassignment	Neutral	Neutral	N/A
Marriage or Civil Partnership	Neutral	Neutral	N/A
Religion or belief	Neutral	Neutral	N/A
Race	Neutral	Neutral	N/A
Sexual Orientation	Neutral	Neutral	N/A
Pregnancy or Maternity	Neutral	Neutral	

Important note: You must act to eliminate any potential negative impact which, if it occurred would breach the Equality Act 2010. In some situations this could mean abandoning your proposed change as you may not be able to take action to mitigate all negative impacts.

When you act to reduce any negative impact or maximise any positive impact, you must ensure that this does not create a negative impact on service users and/or staff belonging to groups that share protected characteristics. **Please use table 4 to record actions that will be taken to remove or minimise any potential negative impact**

3.2 Additional information needed to determine impact of proposed change

Table 2 – Additional information needed to determine impact of proposed change

If you need to undertake further research and data gathering to help determine the likely impact of the proposed change, outline the information needed in this table. Please use the table below to describe any consultation with stakeholders and summarise how it has influenced the proposed change. Please attach evidence or provide link to appropriate data or reports:

Additional information needed and or Consultation Findings	Information source	Date for completion

For guidance and support with consultation and engagement visit <https://intranet.croydon.gov.uk/working-croydon/communications/consultation-and-engagement/starting-engagement-or-consultation>

3.3 Impact scores

Example

If we are going to reduce parking provision in a particular location, officers will need to assess the equality impact as follows;

1. Determine the Likelihood of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the likelihood of impact score is 2 (likely to impact)
2. Determine the Severity of impact. You can do this by using the key in table 5 as a guide, for the purpose of this example, the Severity of impact score is also 2 (likely to impact)
3. Calculate the equality impact score using table 4 below and the formula **Likelihood x Severity** and record it in table 5, for the purpose of this example - **Likelihood (2) x Severity (2) = 4**

Table 4 – Equality Impact Score

Severity of Impact	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	Likelihood of Impact			

Key

Risk Index	Risk Magnitude
6 – 9	High
3 – 5	Medium
1 – 3	Low

Table 3 – Impact scores

Column 1 PROTECTED GROUP	Column 2 LIKELIHOOD OF IMPACT SCORE Use the key below to score the likelihood of the proposed change impacting each of the protected groups, by inserting either 1, 2, or 3 against each protected group. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact	Column 3 SEVERITY OF IMPACT SCORE Use the key below to score the severity of impact of the proposed change on each of the protected groups, by inserting either 1, 2, or 3 against each protected group. 1 = Unlikely to impact 2 = Likely to impact 3 = Certain to impact	Column 4 EQUALITY IMPACT SCORE Calculate the equality impact score for each protected group by multiplying scores in column 2 by scores in column 3. Enter the results below against each protected group. Equality impact score = likelihood of impact score x severity of impact score.
Age	1	1	1
Disability	1	1	1
Gender	1	1	1
Gender reassignment	1	1	1
Marriage / Civil Partnership	1	1	1
Race	1	1	1
Religion or belief	1	1	1
Sexual Orientation	1	1	1
Pregnancy or Maternity	1	1	1

4. Statutory duties

4.1 Public Sector Duties

Tick the relevant box(es) to indicate whether the proposed change will adversely impact the Council's ability to meet any of the Public Sector Duties in the Equality Act 2010 set out below.

Advancing equality of opportunity between people who belong to protected groups

Eliminating unlawful discrimination, harassment and victimisation

Fostering good relations between people who belong to protected characteristic groups

Important note: If the proposed change adversely impacts the Council's ability to meet any of the Public Sector Duties set out above, mitigating actions must be outlined in the Action Plan in section 5 below.

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5. Action Plan to mitigate negative impacts of proposed change

Important note: Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative impact identified in Table 1. Attach evidence or provide link to appropriate data, reports, etc:

Table 4 – Action Plan to mitigate negative impacts

Complete this table to show any negative impacts identified for service users and/or staff from protected groups, and planned actions mitigate them.				
Protected characteristic	Negative impact	Mitigating action(s)	Action owner	Date for completion
Disability	N/A			
Race	N/A			
Sex (gender)	N/A			
Gender reassignment	N/A			
Sexual orientation	N/A			
Age	N/A			

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Religion or belief	N/A			
Pregnancy or maternity	N/A			
Marriage/civil partnership	N/A			

6. Decision on the proposed change

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Based on the information outlined in this Equality Analysis enter X in column 3 (Conclusion) alongside the relevant statement to show your conclusion.		
Decision	Definition	Conclusion - Mark 'X' below
No major change	Our analysis demonstrates that the policy is robust. The evidence shows no potential for discrimination and we have taken all opportunities to advance equality and foster good relations, subject to continuing monitoring and review. If you reach this conclusion, state your reasons and briefly outline the evidence used to support your decision.	X
Adjust the proposed change	We will take steps to lessen the impact of the proposed change should it adversely impact the Council's ability to meet any of the Public Sector Duties set out under section 4 above, remove barriers or better promote equality. We are going to take action to ensure these opportunities are realised. If you reach this conclusion, you must outline the actions you will take in Action Plan in section 5 of the Equality Analysis form	
Continue the proposed change	We will adopt or continue with the change, despite potential for adverse impact or opportunities to lessen the impact of discrimination, harassment or victimisation and better advance equality and foster good relations between groups through the change. However, we are not planning to implement them as we are satisfied that our project will not lead to unlawful discrimination and there are justifiable reasons to continue as planned. If you reach this conclusion, you should clearly set out the justifications for doing this and it must be in line with the duty to have due regard and how you reached this decision.	
Stop or amend the proposed change	Our change would have adverse effects on one or more protected groups that are not justified and cannot be mitigated. Our proposed change must be stopped or amended.	
Will this decision be considered at a scheduled meeting? e.g. Contracts and Commissioning Board (CCB) / Cabinet		Meeting title: CCB Date: Virtual

7. Sign-Off

Officers that must approve this decision		
Equalities Lead	Name: Yvonne Okiyo Position: Equalities Manager	Date: 19.9.19
Director	Name: Steve Iles Position: Director of Public Realm	Date: 09/10/19

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Data Protection Impact Assessment (DPIA)

Project Name:	Parking Services ICT & Re-Procurement
Project Manager or Sponsor (PM):	Shane Roberts
Name of person completing the DPIA if different to (PM):	
Service Team and Department:	Parking Services, Public Realm
Relevant Director and Executive Director:	Steve Iles
Information Management Champion(s) for service area:	Howard Passman
Date DPIA received by the IMT:	
Date approved by DPO:	
Date approved by IMT :	

1 Project Scope

You should describe here the nature, scope, context and purpose of the processed processing.

Reprocurement of the Parking back office ICT system and the potential sharing of data to enable bidders to effectively tender for the contract.

The DPIA for the project will also form the basis of the DPIA for the service when the successful supplier has been identified. The DPIA will be revised before contract award is confirmed to ensure that we have this in place before decommissioning, data migration and go live.

2 Data Description

Answer the questions below so that there is a clear understanding about how the information will be used, who will use it etc. Remember that it's personal information (i.e. information about individuals) that you need to be concerned with. If you do not have answers to all the questions at this time, simply record what you do know.

<p>Whose information is being used?</p> <ul style="list-style-type: none"> - Are there additional concerns that need to be considered due to individuals sensitive/ complex circumstances? i.e. vulnerable person 	<p>Registered Keeper details Customer Details Permit holder and applicant details</p>
<p>What information is being used?</p> <ul style="list-style-type: none"> - Consider the nature of this information E.g. Child's social care file 	<ul style="list-style-type: none"> • Registered Keeper details from the DVLA • Correspondence records • Permit holder and applicant details • Evidence provided by appellants to support Representations against Penalty Charge Notices (insurance details, medical information) • Vehicle Registration Marks from ANPR / CCTV cameras & collected by Civil Enforcement Officers to issue (PCNs)
<p>Does it include special category or criminal offence data?</p>	<p>No</p>
<p>Can an individual be identified easily from the information?</p>	<p>Yes</p>
<p>What is the potential impact on privacy of this information?</p> <ul style="list-style-type: none"> - What are the risks/ impact to an individual if this information was lost, stolen or manipulated? - E.g. could it be sold? 	<p>Could be used to locate an individuals address and potentially allow access to details of other PCNs, which could give information as to the driver's likely routine, or where a driver has been.</p>
<p>Will this change the manner in which we handle, use or protect this information? e.g. should it be encrypted?</p>	<p>No Security in place to protect data held on the system, restricted access, passwords, PC encryption, GDPR training already in place.</p>

3 Consultation process

Consider how to consult with relevant stakeholders.

When did you consult individuals?	14/05/19
How did you consult individuals?	Face to Face, HOS, team managers &

	process experts
If not explain why it is not appropriate.	
Who else within the organisation have you consulted with?	Information management via Legal instruction
Do you need to speak with your processor to assist?	No
Do you plan to consult information security experts or any other experts?	Council ICT to ensure system architecture supports compliance with GDPR before contract award

4 Assessment of necessity and proportionality of data usage

What is your lawful basis for processing?	<ul style="list-style-type: none"> • Public Task • Legal Obligation
Is consent being relied upon to share the information? Has explicit consent been obtained? Are data subjects able to opt out from giving consent?	No
Does the processing actually achieve your purpose?	Yes
How will the information be collected? Verbally, forms, intranet, interview, 3 rd party, anonymous)	Correspondence, responses to statutory documents, Representations against PCNs, Internet, e-mails & telephone calls.
Is there another way to achieve the same outcome?	No
How will the information be used? <i>e.g. to write a report</i>	Issue and processing of PCNs Enforcement of unpaid PCNs Issue of permits
Do the individuals know and understand how their information will be used? If there are changes to their information does the privacy notice need to be amended?	Yes
How will it be stored, kept up to date and disposed of when no longer required? <i>e.g. stored in locked cabinet/securely shredded</i>	Data is kept on remotely hosted ICT back office system. Data is deleted after retention period.
How will you ensure data quality and data minimisation?	We are required to accept data in multi channels, however, investigating officers keep PCN processing information up to date as they become aware of any changes during investigations. Any linked cases are updated at the same time.
Who will have access to the information within LBC? - <i>Include approximate number of users</i>	PCN processing officers and management, Access Croydon, approximately 40 staff in total
Are there new or significant changes to the way we manage, use, handle or collect this information? - <i>Include any identified concerns for the individuals, would these changes heighten risks involved</i>	No
Will individuals within an existing database be subject to new or changed handling? - <i>If yes amendments need to be made to the privacy notice and these individuals need to be informed.</i>	No
What are the internal arrangements for processing this information? <i>e.g. number of staff who will have access</i>	Circa 40 staff
How will the information be updated? <i>e.g. monthly</i>	As cases are processed.

<i>check</i>	Identified DVLA make mismatches are redacted automatically
Does the project involve the exchange of information outside of the UK and are there set standards for how the information will be treated? How will you safeguard international transfers?	No
How will you prevent function creep?	Data is only used for the purpose enforcing and processing parking and traffic comntraventions and the issuance of permits. System is secure using passwords. Data cannot be lawfully shared with other council departments and used for other reasons.

5 Assessment of the risks to the rights and freedoms of data subjects

You must describe the source of risk and the nature of potential impact upon individuals and identify any additional measures to mitigate those risks.

5a Security

Who will be responsible for the control for this information?	Back Office ICT Provider (currently Conduent) Croydon, Parking Services
How will the access to this information be controlled?	Authorised access, secured by password protection
Is the data correctly managed to reduce the risk of collateral intrusion to the data subject?	All officers with access to the data have had GDPR training and are aware of their responsibilities. Data is only disclosed to persons who have a legitimate reason to see it, such as the data subject, the Independent Parking Adjudication Service (ETA), Enforcement Agencies collecting debt on our behalf or officers dealing with casework.
Are there adequate provisions in place to protect the information? If so what are they? <i>e.g. Process, security</i>	Security such as egress, SFTP , password protection. Parking use Neopost to provide tracking of printed documents through the Royal Mail System and to ensure that the correct document is sent to the correct recipient.

5b Sharing

<p>Who is the information shared with, why are we sharing the information with this organisation?</p>	<p>External Enforcement Agencies:</p> <ul style="list-style-type: none"> • JBW • Phoenix • Newlyn • Equita • Whyte & Co • Ross & Roberts • Conferro Collections <p>In order to collect outstanding debt as in the process specified in the Traffic management Act 2004 and other parking legislation</p> <ul style="list-style-type: none"> • Internal Enforcement Agency Internal Debt Recovery Team & Croydon Gateway <p>In order to collect outstanding debt as in the process specified in the Traffic management Act 2004 and other parking legislation</p> <p>Evidence is provided to ETA following an appeal by the Registered Keeper to the Independent Parking and Traffic Adjudicator.</p> <p>Evidence may be provided to the Local Government Ombudsman following a complaint by the Registered Keeper.</p> <p>The Registered keeper, who may request information from the council.</p> <p>Council External Legal – should we need to defend claims.</p> <p>Back Office ICT provider when data is entered / uploaded onto the ICT system.</p>
<p>What purpose does the information we are sharing have to the third party?</p> <ul style="list-style-type: none"> - <i>Ensure that we only share relevant information and not excessively</i> 	<p>Details of who we believe to be the registered keeper of the vehicle and their location, in order that Enforcement Agencies can pursue unpaid debt.</p> <p>Where necessary, to rebut allegations of procedural impropriety and to defend the issue of the PCN.</p>

<p>Who will have access to the information, externally?</p> <ul style="list-style-type: none"> - <i>Include approximate number of users</i> - <i>Describe any sharing arrangements and what the level of access is. It may help to produce a diagram to show the data flows.</i> 	<p>Only those who have a legitimate need & under parking legislation.</p> <ul style="list-style-type: none"> • ETA • LGO • External Enforcement Agencies <p>Data (information) is transmitted using SFTP</p> <p>ICT Provider</p>
<p>How will it be transmitted to third parties and when? How often?</p>	<p>Only when required, this will depend upon the steps taken or not taken by the Registered Keeper. This will usually be by e-mail.</p>
<p>Is there a data sharing agreement in place?</p>	<p>External Enforcement Agencies and ICT Supplier are contractually obliged to handle data securely.</p>
<p>At what stage will the information be transferred?</p>	<p>Only at the appropriate point in the PCN Processing Cycle – Following an appeal following authorisation from Northampton County Court (TEC), or when there is a legitimate need to do so e.g. following an complaint to the LGO.</p>

5c Identified Risks and assessment:

You should take into account the sensitivity of the information and potential harm that inappropriate disclosure or use of the information could cause to any individuals concerned. You should also consider the reputational loss to the Council and the potential for financial penalties being imposed by the ICO.

To assess the level of risk you must consider both the **likelihood** and the **severity** of any impact on individuals. A high risk could result from either a high probability of some harm or a lower possibility of serious harm.

The severity impact level and likelihood should be scored on a scale of 1 to 10 with 1 being low severity and 10 high. The two scores should be **added** together. The RAG status is derived from the following scale:

Score:

- 15 to 20 = Red (High)
- 8 to 14 = Amber (Medium)
- Below 8 = Green (Low)

To be completed by Project Sponsor

Risk Identified	Severity of Impact	Likelihood of harm	Overall RAG rating
Data sent to back office system by CEO is inappropriately accessed by ICT provider	1	1	2
Data held on the back office system is inappropriately accessed by council staff	2	1	3
Information is disclosed by council staff to someone other than the Registered Keeper or Permit Holder	2	2	4
Information is processed incorrectly by back office staff, resulting in an incorrect address on statutory documents	1	3	4
Documentation is printed and enveloped incorrectly resulting in information being sent to someone other than the Registered Keeper	1	1	2

DVLA data sent to us to process in accordance with Parking and Traffic PCN processing is used for unauthorised purposes.	2	2	4
Permit Data is accessed by an unauthorised third party to find out an address for non-legitimate reasons	3	1	4
Sensitive data is released to a potential supplier as part of tender process	1	1	2

6 Identify measures put in place to reduce risk.

You must now identify additional measures you could take to reduce or eliminate any risk identified as medium or high risk in step 5.

To be completed by the Project Sponsor

Risk Identified	Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved
		Eliminated / reduced / accepted	Low / medium / high	Yes / No

Sign off and Record sheet

Item	Name/date	Notes
Measures approved by: Residual risks approved by:		Integrate actions back into project plan, with date and responsibility for completion. If accepting any residual high risk must consult ICO before going ahead.
DPO advice provided:		Summary of DPO advice: <i>(DPO should advise on compliance, measures to mitigate risk and whether processing should proceed)</i>
Consultation responses reviewed by:		If your decision departs from individuals views you must explain your reasons.
DPIA to be kept under review by:		Policy & Performance Manager

If you require further guidance to complete this DPIA please contact:

Information Management Team (IMT)

Ext: 47777

Email: information.management@croydon.gov.uk

Data Protection Officer

Email: DPO@croydon.gov.uk

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