

Response to Request for Information

Reference FOI 002535
Date 16 July 2018

Kingdom Services Group

Request:

1. As Joint Controllers of the data being processed for the Environmental Enforcement contract with KSG (KSG), can you confirm that either you or KSG reported the breach (within 72hrs) of Kingdom's "Bonus Spreadsheet for 2018" being available online for anyone to observe? The spreadsheet was not password protected. It also contained the names of all the council's working with KSG and all of their employee names and FPN totals for each day (no security whatsoever).

Following reasonable enquiries, it has been established that the Council does not hold the above requested information.

Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Freedom of Information Act 2000 ("The Act"), that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".

To advise and assist you under Section 16 of the FOIA, you need to re-direct your enquiry to Kingdom Services Group.

2. As Joint controllers of the data being processed for the Environmental Enforcement contracts, can you confirm that either you or KSG formally informed all of their employees (authorised council officers), whose names were on the spreadsheet?
As above
3. Could you confirm that all the Body Worn Cameras being used to collect personal identifiable information from members of the public have been encrypted as per the GDPR (2016). KSG use Body Worn Cameras supplied by Pinnacle. The PR5 model is not encrypted and cannot be used to collect personal identifiable information. Therefore, they must be using the PR6 model. Could you confirm the model being used for your contract?
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However, to advise and assist you under Section 16 of the FOIA, we can confirm the following:

The Information Commissioners Officer (ICO) refer to the Government Body-Worn Video Technical Guidance which states:

"The Information Commissioner's Office provides the following advice. "The ICO recommends that portable and mobile devices used to store and transmit personal information should be protected using approved encryption software which is designed to guard against the compromise of information. If encryption is used the key must remain secret in order for the encryption to provide an appropriate level of protection against such threats. However, if this is not possible, organisations need to put alternative, robust security measures in place to circumvent the risk of not using encryption. Data controllers should be aware that personal data being processed on body worn video cameras is likely to be sensitive and is therefore likely to cause damage or distress if it was lost or stolen and this should be reflected in the security measures that are adopted. Systems should also be in place so that only authorised personnel can extract and view the data from the device. Furthermore, if encryption is not possible on the device its use should not be ignored in other areas of the evidence management system." At the current time, encryption is not a standard feature in many BWV cameras. Note also that some suppliers may erroneously claim files are encrypted when they are in reality recorded in a non-standard format. Where encryption is used, this should be to a recognised standard. The use of non-standard recording formats is not an acceptable substitute and would conflict with the essential "interoperability" requirement."

Kingdom ensure that all data is downloaded to a secure location at the end of every patrol therefore reducing the volume of data on the hard drive to a minimal amount.

Each camera is either personally assigned to an officer and is booked in and out at the start and end of every shift. All staff are aware of the sensitive nature of the footage contained on the camera and therefore the security of the camera is paramount for the officer whilst on patrol.

Kingdom staff at Wolverhampton use the Pinnacle PR5 camera.

4. Can you confirm that all officers employed by KSG have been trained in accordance to DPA 1998 and GDPR (2016) and that you have seen the signed training records for this training?

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However, to advise and assist you under Section 16 of the FOIA, we can confirm the following:

GDPR awareness training has been disseminated to all Kingdom staff produced by a qualified trainer. This awareness has since been implemented into the recruit training package.

A copy of the signed training record is available for the council to view.

5. Can you confirm that all the officers employed by KSG, authorised to enforce littering offences on behalf of the council have been fully vetted and have valid DBS check, which the council have seen?

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However, to advise and assist you under Section 16 of the FOIA, we can confirm the following:

All staff are fully vetted to DBS standard.

A copy of the DBS is available for the council to view.

Could you confirm KSG have a Data Protection Officer/department and the contact email for this person/department.

Kingdom have a Data Protection Officer in place who can be contacted via:

dataprotectionofficer@kingdom.co.uk

Could you provide me with a copy of the following documents/policies which will have been updated in accordance with the General Data Protection Regulations

(2016), the regulations came into force on 25th May 2018. Therefore, all of the documents will have been updated.

1. A copy of your Data Sharing Agreement with KSG for the delivery of Environmental Enforcement Services and a variation to this agreement to show the inclusion of GDPR (2016).
The process of varying contracts to bring them into compliance with GDPR has begun and the Kingdom contract variation will be executed in due course. The document is therefore not available at this time.
2. A copy of the Data Protection Impact Assessment for The Environmental Enforcement Services delivered by KSG on behalf of the council, which will show the inclusion of GDPR (2016). This assessment will include all systems used for processing Personal identifiable information e.g. systems, Body Worn Cameras, Handheld Computers and officer notebooks.
Data Protection Impact Assessments are being completed and will be signed off by Kingdom Senior Management.
3. A copy of the Body Worn Camera Policy being adhered to by the officers employed by KSG working on behalf of the council. Also the previous version of this policy before adhering to the GDPR (2016).
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4. A copy of the data retention policy being used in accordance with GDPR (2016) for the Environmental Enforcement contract with KSG.
We can confirm that the department holds information that you have asked for in relation to the above. However, the information is exempt under section 21 of the FOI Act because it is reasonably accessible to you, and I am pleased to inform you that you can access it on our website via the following link:

<http://www.wolverhampton.gov.uk/CHttpHandler.ashx?id=1523&p=0>

Section 21(1) of the Freedom of Information Act exempts disclosure of information that is reasonably accessible by other means, and the terms of the exemption mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

You can find out more about Section 21 by reading the extract from the Act, available at: <http://www.legislation.gov.uk/ukpga/2000/36/section/21>