



Specific Privacy Notice: Automatic Number Plate Recognition

Introduction

This Privacy Notice has been created to make it easier for you to understand what personal data Lancashire Constabulary processes about you, how and why in respect of Automatic Number Plate Recognition (ANPR).

It meets the requirements placed upon the Chief Constable by the General Data Protection Regulation (Articles 13 and 14) in relation to general processing and the Data Protection Act 2018 (Section 44) in relation to law enforcement processing.

It should be read in conjunction with the force's general Privacy Notice which can be accessed from the home page of Lancashire Constabulary's internet site. This Privacy Notice provides you with complete details of the rights you have relating to the personal data we may hold about you now and any personal data we might collect about you in the future.

If you have received a hard copy of this Notice and do not have access to the internet but require a copy of the Lancashire Constabulary Privacy Notice please contact the Lancashire Constabulary Data Protection Office (contact details below) and they will provide a copy to you.

What is ANPR?

ANPR refers to a series of fixed and mobile cameras which are deployed across Lancashire to automatically read the registration numbers of vehicles which pass their field of view. The ANPR camera takes a picture of the registration plate and associated vehicle which the ANPR camera has read. The registration number and the associated pictures are sent, via a secure connection, to Lancashire Constabulary and on receipt, the system check the information to identify if the vehicle is of interest.

Why do we use it?

ANPR has been proven to be important in the detection of crime and has assisted identifying vehicles involved in cases of serious crime. This includes locating people wanted for arrest, helping locate missing people, as well as identifying witnesses, stolen and uninsured vehicles.

What is the purpose?

ANPR is used for law enforcement purposes. Law enforcement is defined as the prevention, investigation, detection or prosecution of criminal offences, the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security, or common law policing purposes.

ANPR is used as follows:

- **Operational response**

A vehicle, which is of interest to officers, may be circulated via a list known as a Vehicle of Interest (VOI) list. If that vehicle passes by an ANPR camera, an alert is created, and resources may be deployed to stop the vehicle to deal appropriately with the reason for the circulation.

- **Supporting investigations**

Searches of ANPR data can confirm whether vehicles associated with suspects have been in the area at the time of an incident as well as identify potential witnesses. This can dramatically speed up investigations enabling quicker outcomes for victims of crime.

- **Intelligence development**

The research of vehicles stored within the ANPR systems can be of significant benefit in supporting intelligence relating to organised crime and this can reduce the need for more intrusive surveillance activity and reduce costs.

In exceptional circumstances and where the seriousness of the matter warrants, Lancashire Constabulary will also use the technology internally to investigate cases of police misconduct and it has in place a policy with its Professional Standards Department on circumstances when it can be used.

Where are ANPR cameras installed?

As well as being in police vehicles, ANPR cameras are used at fixed locations across Lancashire's road network. In line with national policy, Lancashire Constabulary does not reveal details of these locations as this information is likely to be of benefit to those with criminal intent.

National guidelines state that if Lancashire Constabulary want to install ANPR cameras, an assessment must be undertaken to demonstrate a clear need, taking account of the following factors:

- National security and counter terrorism
- Serious, organised and major crime

- Local crime
- Community confidence, reassurance, crime prevention and reduction.

In assessing whether new cameras are to be deployed, a Data Privacy Impact Assessment (DPIA) will be completed. Consultation will also be undertaken with individuals and organisations who have a reasonable interest in the proposal, unless that would be against the purpose of the development which is to detect, deter and disrupt criminality.

Regular reviews of the location of ANPR cameras takes place to make sure their use remains justified. All reviews will consider the impacts on privacy.

What is Lancashire Constabulary's legal basis for processing my personal data?

As a competent authority, Lancashire Constabulary will collect data for the purposes of law enforcement, which are defined at Section 31 of the Data Protection Act 2018, as:

“the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security’.

Where general processing is undertaken (for example locating missing people), the lawful basis will be:

GDPR 2016 Article 6(e) - *the processing is necessary for the performance of a task carried out in the public interest.*

When processing is undertaken on the grounds of public interest, the necessity for processing will arise from the exercise of a function conferred on a person by an enactment or rule of law. (Section 8 (c) Data Protection Act 2018). Such functions may be identified from common law policing powers and the following statutory provisions:

Section 39A of the Police Act 1996 requires Chief Officers to give “due regard” to statutory codes. The statutory Code of Practice relating to the Management of Police Information (MOPI) sets out the policing purposes as:

- protecting life and property,
- preserving order,
- preventing the commission of offences,
- bringing offenders to justice, and
- any duty or responsibility of the police arising from common or statute law.

Further, the Police Reform and Social Responsibility Act 2011, Sch 2. (7) provides that a Chief Constable may do anything which is calculated to facilitate, or is conducive to, the exercise of the functions of a Chief Constable, the delivery of efficient and effective policing, and managing complaints.

Other relevant legislative provisions where general processing might take place include but are not limited to:

The Civil Contingencies Act 2004.

The Crime and Disorder Act 1998

The Policing Protocol Order 2011

Should general processing include the capture of a special category of personal data, which is defined at Article 9 of GDPR as data revealing:

- racial or ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetic data, biometric data
- data concerning a natural person's sex life or sexual orientation

Law enforcement processing will be undertaken on the basis that it meets one of the conditions set out at Schedule 8 of the Data Protection Act 2018, namely:

- a function conferred by an enactment or rule of law, necessary in the substantial public interest
- the administration of justice
- the safeguarding children and individuals at risk

General processing will be undertaken in accordance with the condition set out at Article 9(g), substantial public interest on the basis of law, where one of the following conditions from Part 2, Schedule 1 is met:

- prevention/ detection of unlawful acts
- protecting the public against dishonesty
- regulatory activity
- safeguarding of children and adults at risk

What are the categories of personal data collected?

The following personal data will be collected:

- Vehicle registration mark ('number plate').
- Image of the registration plate and vehicle.
- The location of the ANPR camera that the vehicle passed.
- The date and time that the vehicle passed an ANPR camera.

If my personal data was obtained by Lancashire Constabulary from someone else from who or where was it obtained by Lancashire Constabulary?

Your registration number may be captured by another Law Enforcement Agency and that information be made available to Lancashire Constabulary via the originating agencies systems or via the National ANPR Service. The National ANPR Service (NAS) is operated by police forces and other Law Enforcement Agencies the chief officers of which are Joint Controllers within the meaning of Section 58 Data Protection Act 2018.

Who will my personal data be disclosed to by Lancashire Constabulary?

Your registration number will be uploaded to the National ANPR Service. The National ANPR Service (NAS) is operated by police forces and other Law Enforcement Agencies (LEA) the chief officers of which are Joint Controllers within the meaning of Section 58 Data Protection Act 2018.

How long will my personal data be retained by Lancashire Constabulary?

Your personal data will be stored in-line with the National ANPR Standards for Policing and Law Enforcement by Lancashire Constabulary and within the National ANPR Service for a period of 12 months.

Where data is of evidential or investigative value, it is retained as long as is necessary in accordance with the requirements of the Data Protection Act 2018, the College of Policing's Authorised Professional Practice on the Management of Police Information, and Criminal Procedures and Investigations Act 1996.

Details of vehicles of interest are deleted when no longer required or automatically deleted 28 days after their last revision, whichever is the sooner.

Your rights

Amongst other rights, you have a right to [request a copy](#) of personal information that Lancashire Constabulary holds about you.

Further details of all your rights can be found within the general [Privacy Notice](#) referred to above.

The person who determines the purpose and means by which your personal data is processed) is:

Chief Constable of Lancashire Constabulary
Lancashire Constabulary
HQ
Saunders Lane
Hutton
PR4 5SB

The contact details of Lancashire Constabulary's Data Protection Officer

The Data Protection Officer
Lancashire Constabulary
Police Headquarters
Saunders Lane
Hutton
PR4 5SB

Email: data.protection@lancashire.police.uk

If you wish to Complain

The Information Commissioner is the independent regulator responsible for enforcing the Data Protection Act and advising on privacy rights. The information Commissioner's Office contact details are as follows:

The Information Commissioner's Office can be contacted as follows:

Telephone: 0303 123 1113

Website: <https://ico.org.uk/make-a-complaint/>

Mail: The Information Commissioner's Office
Wycliffe House
Wilmslow
Cheshire
SK9 5AF