

SBCP

GO! Southampton

***Live Facial Recognition and Body Worn Video Privacy
Notice***

DOCUMENT CONTROL

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Introduction

GO! Southampton (referred to as “GO! Southampton” “We, “Our” or “Us”) are committed to protecting the privacy and security of your Personal Data.

We have developed this Privacy Notice to inform you of the data we collect when we deploy any device that operates Live Facial Recognition Technology, what we do with your Personal Data, what we do to keep it secure as well as the rights and choices you have over your Personal Data. It is important that you read this notice, along with our other privacy notices as applicable, so that you are aware of how and why we are using such information.

Definitions

For the purposes of this notice:

Body Worn Video (BWV) refers to the small body worn video camera that is operated by the security company who are contracted to protect designated licenced premises within the Southampton BID area.

Company (referred to as “GO! Southampton”, “the Company”, “We”, “Us” or “Our” in this Agreement) refers to GO! Southampton Network Eagle Lab, Portland Terrace, Southampton, SO14 7SJ registered with the ICO under ZA363052.

Data Controller for the purposes of both UK and EU GDPR, refers to the Company as the legal person which alone or jointly with others determines the purposes and means of the processing of Personal Data. For both UK and EU GDPR, the Company is the Data Controller.

Data Processor for the purposes of both UK and EU GDPR, refers to the Company’s Service Providers.

Data Protection Legislation refers to the UK General Data Protection Regulation (UK GDPR) and The Data Protection Act 2018.

Live Facial recognition (LFR) refers to the automated one-to-many ‘matching’ of near real-time video images of individuals with a curated ‘exclusion list’ of facial images where it is operated as part of a surveillance camera system.

Personal Data is any information that relates to an identified or identifiable individual.

For the purposes of both UK and EU GDPR, Personal Data means any information relating to you such as a name, an identification number, location data, online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity.

You means the individual accessing or using the BWV camera with the LFR software, the company, or other legal entity on behalf of which such individual is accessing or using the body worn device, or the person who is being captured by the BWV and LFR technology as applicable.

Do we process your personal data?

The data that we collect about you depends on who you are and what you are doing:

- A security officer who is operating a Body Worn Video (“**BWV**”) Camera with Live Facial Recognition (LFR) capabilities;
- An employee, contractor or other party associated with GO! Southampton; or,
- A data subject who enters or attempts to enter a venue where the BWV device equipped with LFR is operating.

If you are visiting the area that the BWV cameras are deployed in, between the hours that the licensed premises are open, you will see signs that informs you that BWV cameras equipped with LFR are operating. These are present at each of the venues and also on both the camera and a lanyard that the security officer is wearing.

Your image, and therefore your personal data, will only be captured and processed by the LFR if you interact with, or pass within a maximum of 6 metres of the security officer who is wearing the BWV device.

If you are captured by the BWV device and LFR software, and are **not** on the exclusion list, then your personal data will be processed for no longer than a few microseconds and the associated biometric template will be deleted, and no personal data will be retained.

If you are captured by the BWV device and LFR software, and **are** on the exclusion list, then your personal data will be processed in line with our retention period below.

Data Protection Legislation

Throughout this document we refer to Data Protection Legislation.

Where data is processed by a controller or processor established in the European Union (EU) or comprises the data of people in the European Union, it is subject to the General Data Protection Regulation (Regulation (EU) 2016/679) ('EU GDPR') as well as any local data protection implementation laws. This includes any replacement legislation coming into effect from time to time.

In the United Kingdom (UK), Data Protection Legislation means the Data Protection Act 2018 ('DPA 2018'), United Kingdom General Data Protection Regulation ('UK GDPR'), the Privacy and Electronic Communications (EC Directive) Regulations 2003 ('PECR') and any legislation implemented in connection with the aforementioned legislation.

GO! Southampton SBCP is the Data Controller ('controller') for the Personal Data we process, unless otherwise stated.

You can contact us either by phone, email, or post.

Our main trading/postal address:

GO! Southampton

Southampton Business Improvement District Ltd
Network Eagle Lab
Portland Terrace
Southampton
SO14 7SJ

Phone: 02380 003637

Email info@gosouthampton.co.uk

Our Data Protection Officer: Stephen Manion and can be contacted by email at stephen.manion@gosouthampton.co.uk

The information we collect

GO! Southampton deploy BWV cameras with LFR software in a very defined and localised area of Southampton by allocating them to security officers employed by Synergy Security.

The aim is to reduce the instances of persons who have previously been excluded from entering licenced premises in a defined area of Southampton city centre from gaining entry and committing verbal threats and abuse and to deter these persons from assaulting others. The cameras will be a visible deterrent as well as contain an effective and reliable mechanism, the LFR software, to detect those on an exclusion list.

We only collect Personal Data that we know we will genuinely use and in accordance with the Data Protection Legislation.

The personal data that we will collect about you is as follows:

- Name (on the exclusion list)
- Still images
- Moving images – video recording footage
- Audio recording including anything that you, the security officer or persons nearby may say
- Biometric facial template

We may also process other sensitive personal data relating to racial or ethnic origin, religious or philosophical beliefs, health, sexual orientation, and criminal offences or allegations to the extent that this data is visible in the images or audio recorded by our BWV cameras or on the exclusion list details.

If you believe you may be a person whose personal data is contained on our exclusion list, please see our dedicated Privacy Notice for Offenders at <https://www.gosouthampton.co.uk/wp-content/uploads/2024/03/Privacy-Notice-for-Offenders-updated-by-DPO-March-2024-PDF-1.pdf>

How we use your information

We will only process your Personal Data when the law allows us to do so. The BWV cameras and LFR software will be used to:

- detect, deter, and mitigate the potential of crime or criminal offences (including assault and threats of assault as well as verbal abuse and criminal damage).
- reduce fear of crime and antisocial behaviour.
- provide a secure, independent method of capturing reliable evidence for submission to authorities where appropriate.

The LFR software on the BWV camera will convert the facial image captured by the BWV camera to a biometric template and compare it against a reference image/template that is stored in our systems, containing those persons who have previously been found to have committed criminal offences or anti-social behaviour in or around licenced premises in Southampton City Centre.

Where the LFR software believes that there is a high likelihood that the person in front of the security officer wearing the BWV cameras matches a reference image on the exclusion list, it will alert the security officer of this match. This information is then reviewed by the human security officer who will then check this information to decide what, if any, necessary action will be taken.

If a match is detected the BWV camera will also automatically begin recording the interaction between the security officer and the data subject to provide an evidential standard record of the interaction. This recording will be retained in line with our retention periods.

If no match is made when comparing two images, the live image taken by the BWV camera/LFR software, and its associated biometric template is immediately and automatically deleted in microseconds.

The BWV camera can also be used as a traditional recording device if the wearer activates it. This will generally only occur where the security officer genuinely believes that it will be a useful tool to achieve one of the goals listed in the bullet points above.

Images of persons on the exclusion list - “Offenders”

The images of persons reasonably suspected to have engaged in potential or actual criminal offences and anti-social behaviour are compiled by the members of the GO! Southampton, Southampton Business Crime Partnership (SCBP). These are shared with other members of the SCBP and Hampshire and Isle of Wight Constabulary. These images are also uploaded onto the BWV and LFR

software system to enable them to be matched against persons trying to enter one of the licenced premises in Southampton.

We ensure the quality of these images meet the standard required to be uploaded onto the LFR software and ensure that only the minimum amount of data is uploaded to fulfil its purpose on the system.

Lawful basis for processing your data

We do not store, process, or share the data of persons on the exclusion list or of those captured by the BWV/LFR software unless we have an appropriate lawful reason to do so.

Under Data Protection Legislation, the lawful bases we rely on for processing your information are:

- **GDPR, Article 6(1)(f) – We have a legitimate interest, namely to prevent and detect potential or actual criminal offences and anti-social behaviour in order to safeguard those persons who are out in the nighttime economy in Southampton.**

Additionally, we are required to identify an Article 9 lawful basis to process special categories of data. For this our lawful basis will be:

- **Article 9 (2) (g) - processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.**

Additionally, for both the Art 9 and Art 10 processing of criminal offence data, we are required to identify the substantial public interest condition that will be relied on as per Part 2 of Schedule 1 of the DPA 2018, which in this case is:

- **Preventing or detecting unlawful acts**

The persons on the exclusion list have been assessed to pose a significant enough threat to the safety of the people and property in the area that LFR is operating that early, proactive identification and management of these persons, which may including barring them from entering and accessing certain locations

and services, is the most appropriate course of action to take to prevent unlawful acts.

We may use your information for the following purposes:

Processing Activity	Lawful Basis
Prevent and detect potential crime or criminal offences	Legitimate Interest
Provide evidence to authorities for criminal investigations	Legitimate Interest
Add a person to the exclusion list	Legitimate Interest
Conduct internal regulatory or disciplinary investigations	Legitimate Interest
To respond to and defend against legal claims, where you have provided us with information which may give rise to legal claims	Legitimate Interest

We will only use your Personal Data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose.

If we need to use your Personal Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your Personal Data without your knowledge or consent, in compliance with the above activities, or where this is required or permitted by law.

Who we might share your information with

We may share your personal data with:

- government bodies and regulatory authorities, including the Police and other crime prevention and detection agencies and the UK Information Commissioner's Office;
- the courts and other dispute resolution arbitrators and mediators, other parties to legal proceedings; or

- If we need to share Personal Data in order to establish, exercise or defend our legal rights – this includes providing Personal Data to others for the purposes of detecting and preventing fraud.
- Other members of the Southampton Business Crime Partnership (SCBP).
- Synergy Security as the security company who will be operating the BWV devices at the licenced premises.
- Reveal Media provide the LFR software and technology utilised in this deployment.

We use Service Providers (“Data Processors”) who are third parties who provide elements of services for us. We have Data Processor Agreements in place with our data processors. This means that they cannot do anything with your Personal Data unless we have instructed them to do it. They will not share your Personal Data with any organisation apart from us or further sub-processors who must comply with our Data Processor Agreement. They will hold your Personal Data securely and retain it for the period we instruct.

Where we share your data with another data controller, we have entered into an appropriate data sharing agreement with them that governs the sharing of your data.

How long we keep your information for

We will always retain your Personal Data in accordance with the Data Protection Legislation and never retain your information for longer than is necessary. GO! Southampton has a retention schedule which outlines how long we will retain your Personal Data. As such, unless otherwise required by law, your data will be retained for the period specified in the summarised table below and then securely deleted in accordance with our internal policies and procedures.

Purpose	Retention Period
Name and facial image (on the exclusion list)	Minimum 12 months – for full details see dedicated Privacy Notice for Offenders
Still images, moving images – video recording footage, audio recording	6 months or until the footage has been handed to the relevant authority for use in proceedings

Biometric facial template (on the BWV device)	If no match, then this is deleted from the device in microseconds. If there is a match the wearer is alerted and the template and data on the device is deleted at the end of the day once the device is taken off
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Automated decision making

Your data when captured and processed by the LFR is subject to an automated process in relation to the comparison of the exclusion list image and the person stood in front of the BWV camera. However, any decisions and actions taken are made only following a review of any match by the security officer who is wearing the BWV camera with the LFR software.

Your rights over your information

The right to be informed about our collection and use of personal data

You have the right to be informed about the collection and use of your personal data. We ensure we do this with our internal and external Privacy Notices (including this document). These are regularly reviewed and updated to ensure these are accurate and reflect our data processing activities.

Right to Access Your Personal Data

You have the right to access the Personal Data that we hold about you in many circumstances, by making a request. This is sometimes termed ‘Data Subject Access Request.’ If we agree that we are obliged to provide Personal Data to you (or someone else on your behalf), we will provide it to you or them free of charge and aim to do so within 1 month from when your identity has been confirmed.

We may ask for proof of identity and sufficient information about your interactions with us that we can locate your Personal Data.

If you would like to exercise this right, please **Contact Us** as set out below.

Right to Rectify Your Personal Data

If any of the Personal Data we hold about you is inaccurate, incomplete, or out of date, you may ask us to correct it.

If you would like to exercise this right, please **Contact Us** as set out below.

Right to Erasure

You have the right to have personal data erased. This is also known as the 'right to be forgotten'. The right is not absolute and only applies in certain circumstances. For instance, the right to erasure does not apply where we have a legal obligation to retain your Personal Data.

If you would like to exercise this right, please **Contact Us** as set out below.

Right to Restrict Processing

You have the right to ask us to restrict the processing of your personal data. For example, this may be because you have issues with the accuracy of the data we hold or the way we have processed your data. The right is not absolute and only applies in certain circumstances.

If you would like to exercise this right, please **Contact Us** as set out below.

Right to Portability

The right to portability gives you the right to receive personal data you have provided to a controller in a structured, commonly used, and machine-readable format. It also gives them you the right to request that a controller transmits this data directly to another controller.

If you would like to exercise this right, please **Contact Us** as set out below.

Right to Object

You have the right to object to our processing of some or all the personal data that we hold about you. This is an absolute right if we use your data for direct marketing but may not apply in other circumstances where we have a compelling reason to do so, e.g., a legal obligation.

If you would like to exercise this right, please **Contact Us** as set out below.

Rights Related to Automated Decision-Making

You have the right to object to our processing where a decision is made about you solely based upon automated processes and which has significant or legal effects. However, this right does not apply as there is significant human involvement in decision making during the processing.

For more information about your privacy rights

In the UK, the Information Commissioner's Office (ICO) regulates data protection and privacy matters. They make a lot of information accessible to consumers on their website, which you can access here: <https://ico.org.uk/for-the-public>.

You can make a complaint to the ICO, or any other supervisory authority, at any time about the way we use your information. However, we hope that you would consider raising any issue or complaint you have with us first. We will always do our absolute best to solve any problems you may have.

Security

Data security is of great importance to GO! Southampton. We have put in place appropriate technical and organisational measures to prevent your Personal Data from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed.

We take security measures to protect your information including:

- Limiting access to our buildings and resources to only those that we have determined are entitled to be there;
- Managing a data security breach reporting and notification system which allows us to monitor and communicate information on data breaches with you or with the applicable regulator when required to do so by law;
- Implementing access controls to our information technology; and,
- Deploying appropriate procedures and technical security measures (including strict encryption, anonymisation and archiving techniques) to safeguard your information across all our computer systems, networks, websites, and offices.

International Transfers

It is not expected that the use of BWV or LFR will involve the transfer of your personal data internationally.

However, if this does happen and we are required to transfer your Personal Data out of the UK or EU to countries not deemed by the ICO or European Commission (as relevant) to provide an adequate level of Personal Data protection, the transfer will be based on safeguards that allow us to conduct the transfer in accordance with the Data Protection Legislation, such as the specific contracts containing standard data protection clauses approved by the ICO or European Commission (as relevant) providing adequate protection of Personal

Data. You can obtain a copy of this documentation by contacting us at **Contact Us** section below.

Contact Us

If you would like to exercise one of your rights as set out above, or you have a question or a complaint about this Privacy Notice or the way your Personal Data is processed, please contact our Data Protection Officer by one of the following means:

By email: stephen.manion@gosouthampton.co.uk

By post: Southampton Business Improvement District Ltd

Network Eagle Lab

Portland Terrace

Southampton

SO14 7SJ

Changes to Our Privacy Notice

Thank you for taking the time to read our Privacy Notice.

We may change this Privacy Notice from time to time (for example, if the law changes). We recommend that you check this Privacy Notice regularly to keep up to date.

This Notice was last updated March 2024