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27 October 2011

Dear Mr Mery

## **Freedom of Information Act Complaint – [Ref. 2185]**

Further to your email dated 22 September 2011 in which you requested an internal review into the Council's handling of your Freedom of Information request.

### **1. Your request for information**

On 11 July 2011 you made a Freedom of Information request, which the council responded to on the 26 July 2011. The original questions from your request and the associated response are attached as Appendix A.

### **2. Your complaint**

On 22 September you made a complaint about the response made to you, a copy of your original complaint is attached as Appendix B.

### **3. History**

#### **Process issues**

The council processed the response to your information request in 12 working days, within the standard compliance period. The request was formally acknowledged and given a reference number on 12 July 2011. The council is satisfied that it carried out an effective and compliant process in responding to your request.

#### **The response made**

I have reviewed the previous Freedom of Information response made to you and your subsequent complaint. You requested information regarding the council's use of CCTV and ANPR, the council did not apply an exemption in their response. You complain that your request was only partially responded to and that after initial prompt correspondence from a colleague you have not had any further clarification since 28 August 2011.

### **4. Review of your complaint**

In your complaint you asked that the questions you raised were answered fully and also asked that I carry out an investigation into the handling of communication. I have separated these below.

a) Request for clarification

i) *'The document you link to in your first paragraph mentions that "CCTV operators are in constant two-way radio contact with the Metropolitan Police Service". From that I infer that no more data collected from these cameras (such as CCTV images) is directly shared with the police. Is this correct? If not what other data is shared?'*

Response:

As you have surmised the only data available to the police is the image data captured by the camera; this data also includes the time and camera location.

ii) *'This is the closest you went to answering my original question "6) with which external bodies is this data shared,". Is the police (and is that Met and the BTP forces?) the only external body with which some of the "data [that] is collected, [...] from the non ANPR-enabled cameras" is shared?'*

Response:

You are correct; the only external bodies that image data is shared with are the Metropolitan Police and the British Transport Police.

iii) *'In your third paragraph about "Information that is kept in the parking database is retained in order to identify persistent offenders and evaders.", you do not mention any specific retention period.'*

Response:

Image data is automatically deleted when a PCN is paid or cancelled, and is retained while the penalty charge remains unpaid and can still be recovered (this may be up to two years). Address data is retained for a period of six years. Image and address data is protected in line with the requirements of the Data Protection Act 1998.

iv) *'You explain that "In many cases personal data such as an address is not known or recorded in the system", but that does mean that in many other cases personal data is retained. Looking at the "ICPS Tickets - user guide" sections 8 "Photos card" and 9 "Address card", for instance, clearly shows this to be the case.'*

Response:

The only personal data retained is name and address data, where this is known.

v) *'Is this personal data retained indefinitely? If not for how long?'*

Response:

Name and address data is retained for a period of six years.

vi) *'And when it is shared with other areas of the council is it retained in different systems subject to different retention rules?'*

Response:

Information is only shared in relation to debt consolidation and recovery. Data is not transferred into other systems, instead individual calculations are prepared for specific cases as required.

I hope that the above clarifications now answer your questions and I am very sorry for the delay.

b) Handing of your information request

I have reviewed the correspondence between you and Brad Pearton. I will not go into the specific particulars of the various correspondence here, but have addressed the shortfalls below.

It is clear that we did not comprehensively answer the questions in your correspondence dated 9 July 2011, and that our responses to your subsequent questions were not answered in a way that could be clearly understood. I also recognise we did not acknowledge your three most recent communications, for this I can only apologise.

The central Freedom of Information team were not aware that there had been ongoing communication

as we were not copied in. I have spoken to the Team to remind them of the importance of ensuring that we are copied in to any further correspondence that they receive. We endeavour to keep requesters updated on the progress of their requests and I am sorry that this did not occur on this occasion.

## **5. Conclusion**

I am sorry that you did not receive an adequate response to your original request and that your subsequent communication did not draw this to a speedy conclusion and that both your requests and emails remained largely unanswered. As stated above, I have spoken to the team regarding this and reminded them of the need to ensure that the central Freedom of Information team are aware of any further correspondence so that we can keep accurate records and ensure that responses are sent.

Please also accept my apologies for the delay in sending you this response to your complaint.

I hope that we have now answered your questions fully and clearly. However if you have a complaint regarding this response you are entitled to complain to the Information Commissioner's Office, at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone: 01625 545 700. Web: [www.ico.gov.uk](http://www.ico.gov.uk)

Yours sincerely,

Leila Ridley  
Information Compliance Manager

If you would like this document in large print or Braille, audiotape or in another language, please telephone 020 7527 2000.

## Appendix A: Original response to the Freedom of Information request

- 1) how many traffic management cameras the Islington Borough Council owns, runs or maintains, if any,
- 2) how many of these cameras are automated number plate recognition (ANPR) enabled,
- 3) what data is collected, from the ANPR-enabled cameras and from the non ANPR-enabled cameras,
- 4) what use is made of this data,
- 5) how long is this data is retained for,
- 6) with which external bodies is this data shared,
- 7) and the location of these cameras.

Our response is:

1. How many traffic management cameras the Islington Borough Council owns, runs or maintains.

The Parking Services section loan 35 CCTV enforcement cameras from the Crime and Disorder unit for parking enforcement during controlled hours.

2. How many of these cameras are automated number plate recognition (ANPR) enabled

None of the 35 cameras are fitted with this device.

The further four questions you submitted all relate to ANPR and therefore are not applicable.

## Appendix B: Complaint relating to the Freedom of Information request

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Islington Borough Council's handling of my FOI request 'Traffic management cameras and ANPR'.

My request has only been partially answered. Can you please review the response so far and provide the missing information, in particular as detailed in my last substantive communication dated 28 August 2011.

Also, please review the handling of the communications about this request. The officer dealing with this request, initially very prompt and helpful, has not bothered to even acknowledge my latest communications, which leaves me no other possibility than requesting this review.

Email to Mr Pearton from 28 August 2011:

The document you link to in your first paragraph mentions that "CCTV operators are in constant two-way radio contact with the Metropolitan Police Service". From that I infer that no more data collected from these cameras (such as CCTV images) is directly shared with the police. Is this correct? If not what other data is shared? This is the closest you went to answering my original question "6) with which external bodies is this data shared,". Is the police (and is that Met and the BTP forces?) the only external body with which some of the "data [that] is collected, [...] from the non ANPR-enabled cameras" is shared?

In your third paragraph about "Information that is kept in the parking database is retained in order to identify persistent offenders and evaders.", you do not mention any specific retention period. You explain that "In many cases personal data such as an address is not known or recorded in the system", but that does mean that in many other cases personal data is retained. Looking at the "ICPS Tickets - user guide" sections 8 "Photos card" and 9 "Address card", for instance, clearly shows this to be the case. I trust that Islington residents are grateful that this data is retained "to help people [...] so information [...] may be made available to other areas of the council". Is this personal data retained indefinitely? If not for how long? And when it is shared with other areas of the council is it retained in different systems subject to different retention rules?