Privacy Notice - Name and Shame Fly Tipping

Who we are

London Borough of Havering (LBH) is registered with the Information Commissioner's Office (ICO) as a 'Data Controller' This privacy notice applies to you ('the service user') and LBH ('the Council'). The Council takes the privacy of your information very seriously.

This privacy notice relates to our functions relating to our Environmental Enforcement 'Name and Shame' initiative. This project involves publishing images or video clips of unidentified individuals on our website and official social media channels to seek public assistance in identifying suspected perpetrators of environmental crimes, such as illegal fly-tipping.

It provides additional information that specifically relates to this particular service, and should be read together with our general privacy notice, which provides more detail.

What data do we collect

- The data collected will include an image or video of the flytipper, date, time and location where it took place. From the images it can be possible to show ethnic origin and gender. No other data will be collected.

Why we collect your data

- The Council has launched a campaign to help identify suspected fly tippers.
- This follows a change in Government legislation to increase fines and make it easier for Councils to crack down on fly tipping.
- This will mean publishing CCTV footage, video recordings, or still photographic images capturing individuals at the exact time and location of an alleged environmental offense on the council website.
- This will also mean promoting on Council social media channels and through the media.

We collect your data so that we to help identify suspected fly tippers as part of the campaign. When identified then the Council will take legal action that can include fines and prosecution.

The lawful basis for processing your data

We process this data under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. The specific lawful bases relied upon are:

- **Public Task (UK GDPR Article 6(1)(e)):** The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council. Specifically, our statutory duties to prevent, investigate, and clear environmental crime under legislation such as the Environmental Protection Act 1990.
- **Law Enforcement Processing:** Where the images are processed for criminal law enforcement purposes (identifying suspects for formal prosecution), the processing is carried out under Part 3 of the Data Protection Act 2018 for the prevention, investigation, detection, or prosecution of criminal offenses.

How we use your data

We may use your data (facial images) as evidence to support legal action against you if you are caught fly tipping. We do not need your consent to do this. If you see your image on our website in relation to an alleged offence, you can come forward and identify yourself and ask for the image to be removed. We will only do this once we have confirmed your identity and have explored any link to the alleged offence and are satisfied that further sharing of the image serves no further lawful and proportionate purpose. The sharing of the image is only

to secure your identity to assist with the investigation, and not to act as a punitive punishment in its own right.

Publishing images of individuals is a severe measure. The Council applies strict safeguards to ensure our actions remain proportionate, but it is accepted that we can only make this judgement with limited information.

- **Last Resort:** Images will only be published as a measure of last resort, where other investigative avenues (such as vehicle registration checks) have failed to identify a suspect.
- **Anonymisation of Bystanders:** Before publication, all images are reviewed. The faces of innocent bystanders, witnesses, children, and any unrelated vehicles or properties will be digitally blurred or obscured.
- **Targeted Removal:** Images will be promptly taken down from all digital channels as soon as the individual is successfully identified.

Who we will share your data with

Your data may be shared with law enforcement agencies to support prosecutions and/or at their request to support further investigations.

How long we will keep your data

Images published online on the Council website or social media channels as part of a public appeal will remain accessible to the public for a maximum of two years. If an individual is identified sooner, the image will be removed immediately from public view.

Once removed from public view, the original footage will be securely retained within internal enforcement files in accordance with our corporate retention schedule for criminal investigations (typically up to 6 years following the conclusion of legal proceedings).

How do we protect your data

We comply with all laws concerning the protection of personal information and have security measures in place to reduce the risk of theft, loss, destruction, misuse or inappropriate disclosure of information. Staff access to information is provided on a need-to-know basis and we have access controls in place to help with this.

Know your rights

We process your data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Find out about your individual rights at or at www.havering.gov.uk/privacy or For the public | ICO If you have any queries or concerns relating to data protection matters, please email: **dpo@havering.gov.uk**