

# [ Applying Privacy-by-Design to ITS Use Cases Using the ICO Handbook

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# Context

## 2nd joint meeting (Dec 2nd, 2009)

- Presentation made by telephone by Judith Jones, ICO on privacy by design. See [http://www.esafetysupport.org/download/eSafety\\_Activities/eSafety\\_Working\\_Groups/eSecurityWG/Article29mtg021209/eseurity\\_20091202\\_a\\_privacydesign\\_2.pdf](http://www.esafetysupport.org/download/eSafety_Activities/eSafety_Working_Groups/eSecurityWG/Article29mtg021209/eseurity_20091202_a_privacydesign_2.pdf)
- Following comment made
  - » Will there be a standard for privacy by design?
- Following action decided
  - » eSecurity and PRECIOSA will work on an ITS use case to describe associated privacy guidelines, from a technical point of view.
  - » This use case could be reviewed by ICO

## Specific meeting with ICO (Apr 22nd, 2010)

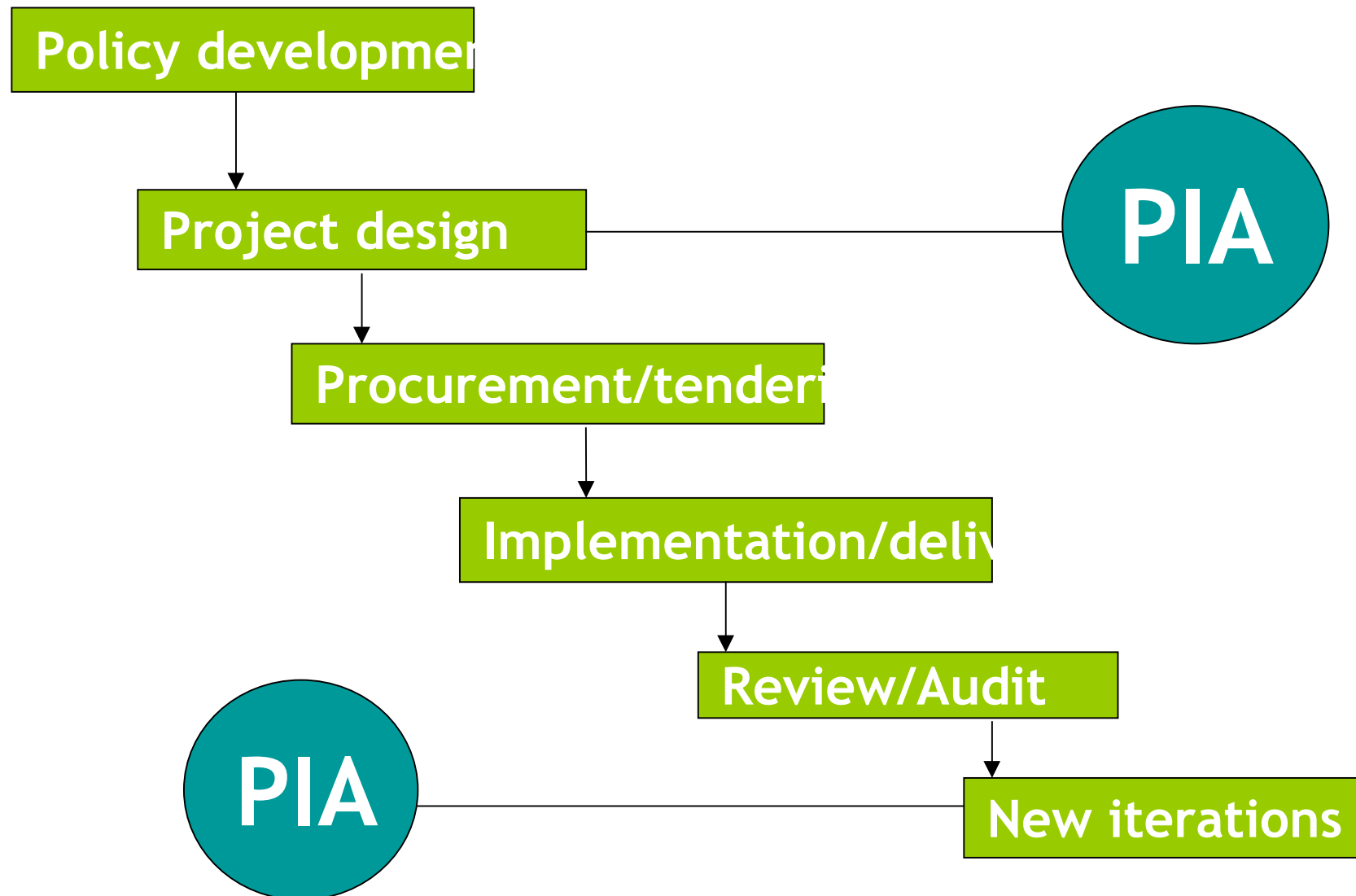
- Judith Jones, ICO, Lyn Wibberley, ICO, David Evans, ICO, Antonio Kung, Trialog
- Use case selected : Road Charging

# [ Convention Used

- Slides follow the ICO privacy by design handbook
- Everything in red is the use case

# PIAs in the life cycle of a project

PIA: Privacy Impact Assessment



# [ PIA Process

- Initial Assessment
  - Project Outline
  - Stakeholder Analysis
  - What Else
- Screening process
  - Full-scale PIA
  - Small-scale PIA
- Full Scale PIA
  - Preliminary Phase
  - Preparation Phase
  - Consultation and Analysis Phase
  - Documentation Phase
  - Review and Audit Phase

# [ Preliminary Phase

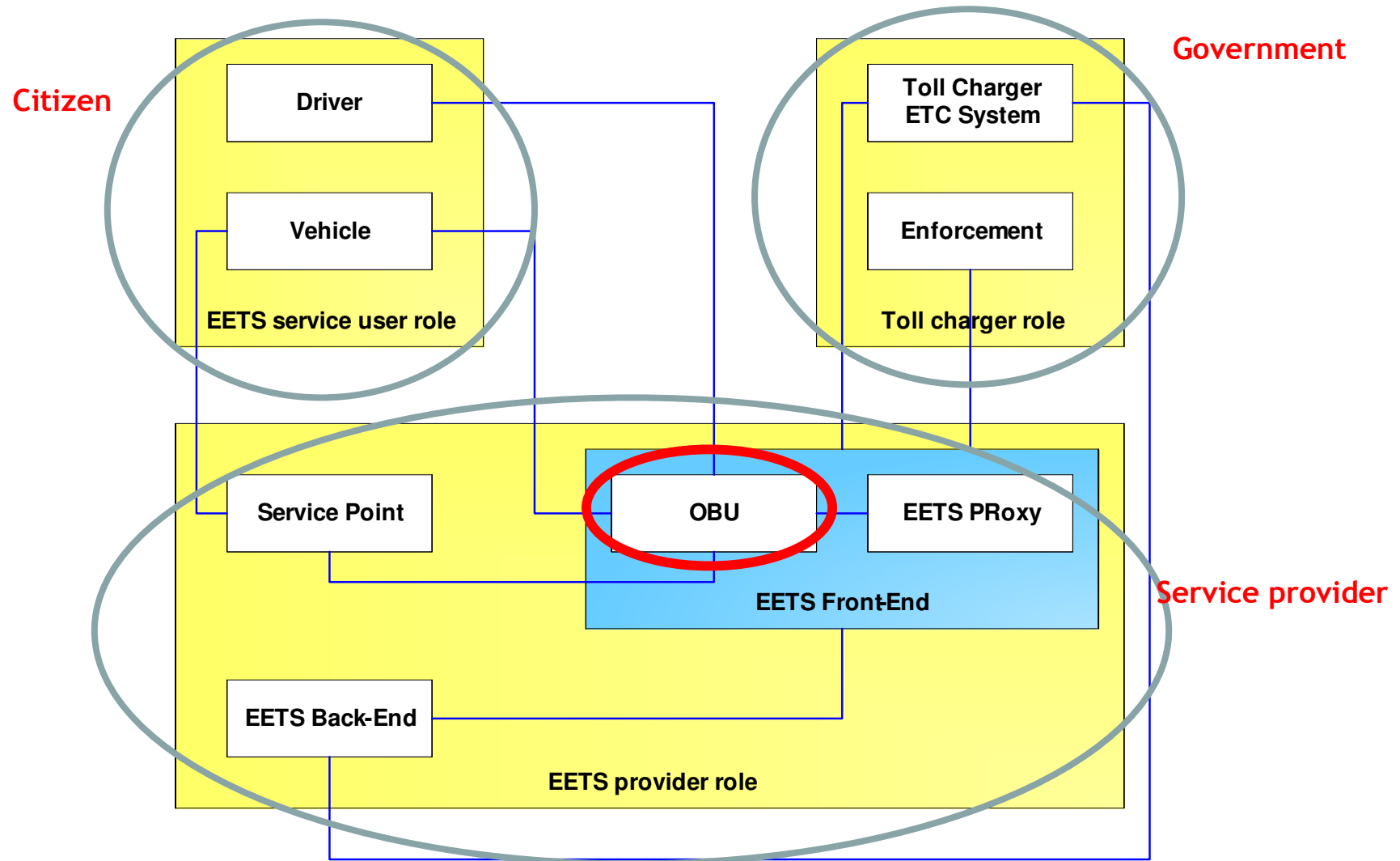
- Project Outline
- Stakeholder Analysis
- What Else

# [ Project Outline

## ■ Differentiated payment for mobility

- Covers various related applications
  - » Road pricing (EETS)
  - » Vehicle insurance (PAYD)
- Motivation
  - » Address mobility problem
  - » Mentality and behavioral change
  - » Fairness: heavy users have to pay more
- Concept:
  - » Users should pay depending on their use of the car and roads:
    - Long drives, high density roads, rush hours: higher fee
    - Sporadic use, second vehicle for weekends, young drivers with small salary: smaller fee

# Stakeholder Analysis



# [ What Else

- ITS Directive
- EDPS Opinion on BAT
- eSecurity - Article 29WG joint meetings

# PIA Screening

- 1 Does the project apply new or additional information technologies that have substantial potential for privacy intrusion?
  - Yes: GPS and Vehicle to server communication
- 2 Does the project involve new identifiers, re-use of existing identifiers, or intrusive identification, identity authentication or identity management processes?
  - Yes: Vehicle identification
- 3 Might the project have the effect of denying anonymity and pseudonymity, or converting transactions that could previously be conducted anonymously or pseudonymously into identified transactions?
  - Yes Probably
- 4 Does the project involve multiple organisations, whether they are government agencies (eg in 'joined-up government' initiatives) or private sector organisations (eg as outsourced service providers or as 'business partners')?
  - Yes: public authorities, service providers, equipment manufacturers
- 5 Does the project involve new or significantly changed handling of personal data that is of particular concern to individuals?
  - Yes: location tracking of vehicles

# PIA Screening

6 Does the project involve new or significantly changed handling of a considerable amount of personal data about each individual in the database?

- **yes Location tracking data**

7 Does the project involve new or significantly changed handling of personal data about a large number of individuals?

- **Yes location tracking**

8 Does the project involve new or significantly changed consolidation, inter-linking, cross-referencing or matching of personal data from multiple sources?

- **Yes: Insurance data (e.g. insurance) and distance per year.**

9 Does the project relate to data processing which is in anyway exempt from legislative privacy protections?

- **No but data could be of interest**

10 Does the project's justification include significant contributions to public security measures

- **No but data could be of interest**

11 Does the project involve systematic disclosure of personal data to, or access by, third parties that are not subject to comparable privacy regulation?

- **No**

[ Full PIA is needed!

# [ Next Screening Steps

- Privacy law compliance check
- Data protection compliance check
  - Template is based on the UK law
  - More appropriate for the data controller
  - Not for the supplier (he can second guess)

# [ PIA

- Preliminary Phase
- Preparation Phase
- Consultation and analysis Phase
- Documentation Phase
- Review and Audit Phase

# [ Preliminary Phase

- Review preliminary phase
- Update project outline
- Resource planning
- Preliminary discussion
  - With eSafety forum?
  - With BAT forum?
  - With DPAs
- Preliminary analysis of privacy issues
  - Thin client
  - Fat client
  - Smart client

# [ Preparation Phase

- Consultation plan
  - Meet toll chargers, service providers
- For a meeting group
- Background information

# [ Consultation and analysis Phase

- Re-consider the design options
- Select
  - Explain the Smart Client Approach
  - Anonymised Waypoints
- Provide the design features to the
  - PCG (PIA Consulting Group)
  - Project team

# [ Documentation Phase

- Final document
- PIA report
- Make PIA available to PCG
- Publish PIA report
  - Could add the privacy law compliance study
  - Could add the data protection act compliance study

# [ Review and Audit Phase

- Undertake review
- Prepare review report
- Present report to PCG
- Make report public

[ Thanks