



Information Commissioner's Office

The Information Commissioner's Response to the Department for Transport's Consultation: The Traffic Signs Regulations and General Directions 2016

The Information Commissioner (the Commissioner) has responsibility for promoting and enforcing the Data Protection Act 1998 (DPA) and the Freedom of Information Act 2000 (FOIA), the Environmental Information Regulations 2004 (EIR) and the Privacy and Electronic Communications Regulations (PECR).

The Information Commissioner's Office (ICO) is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. The Commissioner does this by providing guidance to individuals and organisations, solving problems where he can, and taking appropriate action where the law is broken.

The Commissioner welcomes the opportunity to respond to this consultation. He has discussed his information rights concerns about the inadequacy of current prescribed camera enforcement traffic signs with the Department and is pleased that there is provision in the TSRGD 2016 for signs to include the name and crest of the authority that is responsible for the cameras. This will assist organisations to comply with their legal duties to ensure that those under surveillance are aware of who is monitoring them.

We have confined our response to Question 1B because this is the question that is relevant to our main information rights responsibilities mentioned above. We have not responded to those questions that fall outside of our regulatory remit.

Question 1B

Please tell us about any ideas or initiatives which would help to reduce sign clutter.

In May 2014 we responded to the [DfT consultation on draft TSRGD 2015](#). One of the questions asked was whether there was anything more that could be done within TSRGD to reduce sign clutter. We took the opportunity to explain our view that including a new prescribed camera enforcement traffic sign permitting the name of the organisation responsible to be included should reduce the resulting overall sign clutter

as it would prevent the need for camera enforcement traffic signs to be supplemented by bespoke signs designed by separate authorities under permissions in the planning regime. We remain of this view and are therefore pleased that the 2016 Regulations will include a new prescribed camera enforcement traffic sign that can include the name of the authority concerned.

However, in spite of the new prescribed sign we consider it is valuable for the Department to explore other long-term ways in which individuals could be informed about the enforcement cameras on our roads. Although the new sign is essential to ensuring compliance with data protection legislation, the extent of surveillance cameras means that there will have to be signs indicating the various authorities involved in surveillance in that area of the road network. There is another solution that could reduce the overall number of such signs as drivers pass between, for example, different local authority areas.

We suggest that in the long-term it would be beneficial to set up a national government website, as part of GOV.UK, that would provide the public with information about enforcement cameras. This website could be used by individuals as a reference tool and operate a layered approach so that the public can simply click on a map of the UK, zooming in to the areas of interest identifying who operates cameras in each area and, if they wish to find out more, the purpose for these cameras and how to establish whether their personal data has been collected and if so apply for a copy of that data. This also provides the opportunity to be dynamic reflecting the use of cameras on just a given day by an agency such as the DVLA who are making more extensive use of mobile automatic number plate recognition equipment for vehicle tax enforcement purposes.

Adopting a more innovative and modern approach of having a camera sign showing something like a 'www.cameras.gov.uk' website will ultimately reduce the number of signs which will inevitably otherwise grow as more and more cameras are deployed by different bodies along the road network

We have made this suggestion before and it is our understanding that, for road safety reasons, the Department do not favour traffic signs that include website addresses. It believes that drivers may consult the website whilst driving thus affecting road safety. We understand the Department's view that the content of signs must not affect the safety of road users but feel it is no more likely that a driver will consult that website whilst driving than use a smart phone or other device to search for information about a named tourist attraction or business displayed on brown tourist information signs perhaps to find out opening times or acquire a postcode to put into a satellite navigation device. Similarly, new

technology has been embraced by bodies such as Highways England who provide mobile device apps to provide traffic reports. There is just the same potential for these to be consulted by motorists whilst driving despite warnings to the contrary.

In any event promotion around the existence of a government website for the public to find out all they need about enforcement cameras could be supported by other means of communication. The website could be promoted on the Department and its agencies' websites and on local authority websites. It could also be advertised by the DVLA when it sends other communications to drivers. It is our view that in time this website could become so well known that it could supplement, and possibly reduce the need for as many camera enforcement traffic signs.

The collation and publication of information about the use of cameras on the road network would also be a valuable manifestation of the Department's commitment to the Government's open data and reuse of public sector information requirements. Releasing the dataset so this can then be used by third parties, such as those who provide satellite navigation or digital mapping products, will potentially allow these to show details of who is using cameras in particular areas (not precise camera location). This will again mean that there is less need for specific camera signs as such devices and applications become more ubiquitous.

It is important that, in the same way that camera based image technology has been adopted to help authorities achieve their objectives, similarly innovative ways are adopted to help ensure not only compliance with data protection and privacy laws but to inspire public trust and confidence in the use of cameras on the road network. Appropriate transparency is a key component towards establishing and maintaining trust, and developing new ways of achieving this in practice is going to be an increasingly essential facet in all areas of surveillance by public bodies.