



2020
CIVITAS
Cleaner and better transport in cities

DESTINATIONS



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Abstract

This report documents the processes by which CIVITAS DESTINATIONS partners have ensured compliance with GDPR during the delivery of measures in the six sites. Ethical issues relate primarily to the involvement of humans and personal data in limited areas of the project's work.

The examples in the report – including many relating to the use of technologies – can help to inform other projects in their planning and delivery of research, ensuring ethical principles are upheld.

Project Partners

Organisation	Abbreviation	Country
Horários do Funchal, Transportes Públicos, SA	HF	PT
Agência Regional da Energia e Ambiente da Região Autónoma da Madeira	AREAM	PT
Câmara Municipal do Funchal	CMF	PT
Secretaria Regional da Economia Turismo e Cultura	SRETC	PT
Agência Regional para o Desenvolvimento da Investigação, Tecnologia e Inovação	ARDITI	PT
Limassol Tourism Development and Promotion Company Ltd	LTC	CY
Municipality of Limassol	LIMA	CY
Stratagem Energy Ltd	STRATA	CY
Dimos Rethimnis	RETH	EL
The Research Committee of the Technical University of Crete	TUC	EL
Comune Di Rio	Rio	IT
Comune Di Portoferraio	PF	IT
MemEx S.R.L.	MEMEX	IT
Authority for Transport in Malta	TM	MT
Valletta Kunsilli Lokali – Valletta Local Council	VLC	MT
Universita ta' Malta	UoM	MT
Ministry of Tourism	MOT	MT
Guaguas Municipales Sociedad Anonima	Guaguas	ES
CINESI S.L consultoria de transport	CINESI	ES
Ayuntamiento de Las Palmas de Gran Canaria	LPGC	ES
Ingeniería Electrónica Canaria S.L	INELCAN	ES

Sociedad Municipal de Aparcamientos de Las Palmas de Gran Canaria	SAGULPA	ES
Istituto di Studi per l'Integrazione dei Sistemi	ISINNOVA	IT
European Integrated Project	EIP	RO
Sustainable Services	GV21	ES
Vectos GmbH	VECTOS-G	DE
Conférence des Régions Périphériques Maritimes d'Europe	CPMR	BE

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Glossary

GDPR	General Data Protection Regulation
ERB	Ethics Review Board
DMP	Data Management Plan
LDMP	Local Data Management Plan
GPS	Global Positioning System
DPM	Data Protection Manager

1 Executive Summary

CIVITAS DESTINATIONS partners have primarily collected and managed data in an anonymous and aggregated way. In some cases however, personal data has been collected for the sole purpose of the project activities. Appropriate procedures for Informed Consent and handling of data have been established in these cases.

This report focuses on these examples where cities have taken different steps to ensure compliance with General Data Protection Regulation – GDPR 2016/679 (and with the national law adopting GDPR at country level).

For example, they have: sought advice from Data Protection Officers; acquired Informed Consent from data subjects; ensured terms and conditions are publicised on websites and applications for users to accept; and guaranteed GDPR compliance through their contracts with external suppliers.

2 Introduction

DESTINATIONS demonstrates and evaluates the effectiveness of innovative sustainable mobility solutions in six tourist cities with different characteristics but sharing common challenges. DESTINATIONS develops an innovative holistic approach to building sustainable urban mobility systems for both residents and tourists. The project impacts are making a positive contribution to demonstrating how this can achieve growth and therefore provide a benchmark for other EU tourist cities.

3 Process of ethical review in DESTINATIONS

3.1. Project Level

At the start of the project each partner signed a Data Protection Certificate with the following declaration: *“I confirm to comply with the ethical dimensions of the project ... all data collection and processing will be carried out according to EU and national legislation and according to Ethics chapter 5.1 of GA”*.

It is within this spirit the project has proceeded.

The **Ethics Review Board (ERB)** convened every 6 months in conjunction with the MSC. Here the ERB Chair (Vectos) gave briefings on key data ethics aspects to consider when planning and delivering research. Site partners in particular shared updates on data they were collecting and discussed how to best ensure GDPR adherence. The overall principles of data management were set out in D1.1 **Ethics Compliance Report (ECR)** underlining the core aspects of GDPR, the EC Ethics Self-Assessment checklist and key considerations including:

- Gaining consent from data subjects to be surveyed;
- How to protect and store personal data; and
- Seeking advice from National Data Authorities.

The **Data Management Plan (DMP)** is the tool allowing the Ethics Review Board to identify possible risks in data collection (based on D1.1), to foster Sites Manager awareness and sensitise them to take appropriate actions (i.e. check of national regulation, request of opinion for national data protection authority)

The DMP specifies what data is collected, the procedures, tools and how it is collected, stored and handled. It advises on data ownership, the access rights and possible use for dissemination and exploitation.

The **Local Data Management Plan (LDMP)** describes collection/handling procedures adopted in demonstration Work Packages pertaining to site measures. Information was collected and updated every 6 months (from month 6) to capture evolving data being collated. The LDMPs highlighted the sensitive data and procedures regarding human involvement.

The LDMP was the tool by which the ERB checked in detail the compliance of sites' project activities of data collection/management with the guidelines and indications defined in the ECR along the whole project lifetime.

4 Adherence to GDPR

4.1. Types of data handled in the project and those considered sensitive

Headline data types planned to be handled were identified at the outset of the project via the Ethics Compliance Report. Subsequent to which more precise data types and procedures were identified in the Data Management Plan, followed by more detail in the individual Local Data Management Plans for each DESTINATIONS site. The LDMPs collated details on whether data was deemed to be sensitive, and, where this was the case, a requirement for measures to be put in place to ensure adequate protection.

Ethical issues in DESTINATIONS pertained to the involvement of human participants and collation, analysis, storing or reporting of personal data from the pilots. This included:

- Personal data about mobility habits, preferences, attitudes, use of services; and
- Actual movements, via remotely collated data: GPS tracking, surveillance cameras, traffic counts

As such data fell into the following categories:

- **Personalised Data** - Some demonstrations needed to handle details of individuals (names, addresses, phone numbers...) to register human participants to project activities (i.e. focus groups, surveys, etc.) and to measure qualitative impacts;
- **Anonymous or Aggregated Data** - Collected to assess impacts in measures (travel patterns, tourist attitudes, car ownership) based on surveys;
- **Primary Data** - Collected for a specific purpose in DESTINATIONS such as original market research; and
- **Secondary Data** - Existing data collected by other bodies (e.g. government) to use for multiple purposes (e.g. socio-demographic / travel patterns).

4.2. Procedure for data handling

At the outset of the project, partners identified the presence of an in-house Data Protection Officer (DPO) or equivalent to help guide ethical research during the project.

Public Transport Authorities have the highest propensity to handle sensitive data such as passenger details, credit card information and travel movements. As such these have well established procedures for ensuring data protection. In this way, Horários do Funchal, Transportes Públicos (HF) and Guaguas Municipales Sociedad Anonima (GUAGUAS) both made use of their in-house Data Protection Teams and Data Protection Officers (DPOs) who offered their expertise to ensure adherence with GDPR principles. DPOs validated proposed approaches concerning surveys and tender documentation ensuring the use of Informed Consent Forms.

Equally, universities have well established DPOs and equivalents in their organisations in their capacity of research experts. As such the likes of the University of Malta (UoM) and the

Technical University of Crete (TUC) were able to draw upon their in house experts in the design and delivery of related research, ensuring data protection principles. UoM and TUC drew advice from their University Ethics Committee.

In Rethymno most actions involving questionnaires and field surveys were GDPR compliant since they did not collect any personal data, for example The “Green your Drive” application developed by TUC, as part of the eco and safe driving campaign. In some limited cases, where web-based applications were developed and utilised to support specific measures, personal data of users (e.g. Smart Parking System, e-bikes and e-scooters sharing systems) was gathered by the private operators who themselves followed GDPR processes.

In Elba, the DPO provided opinions to ensure the correct procedures and rules for the storing and preservation of personal data provided by the users of some of the services offered through the Shared Mobility Agency, namely the management of ridesharing.

As part of the evaluation process sites handled various types of data. In Elba, two interview surveys were delivered to evaluate ELB 3.1 - Increase level of safety of pedestrian crossings (target of the interviews were citizens) and ELB 6.1 - Combined products for tourism and mobility: the accommodation and mobility package (target of the interview were hoteliers). In both cases the interviews were carried out according to the procedures described in Local Data Management Plan. They were designed to capture data to analyse requirements and expectations in the design phase of the local measures. The target audience was selected randomly, with vulnerable groups excluded. Informed consent was asked verbally at the beginning of the interview together with explanations about the purpose of the survey, the use of collected data and how the interviewed may withdraw during the interview. Data collected was aggregated immediately after the interview.

4.3. Challenges faced, their impacts and the solutions found to address them

Across the six sites, the majority of measures were delivered in a way that negated the propensity of handling personal or sensitive data. Techniques employed included:

- Random selection and interview surveys and samples;
- Anonymously and aggregated data (e.g. surveys without personal details collected);
- Making use of secondary data from public sources; and
- Through tendering of sub-contractors, inclusion of GDPR requirements in the brief.

For the evaluation of some measures, it was necessary to collate personal data and so then measures were put in place to protect it. For example through:

- Informed consent forms completed verbally or written;
- Personal data removed to and kept under password protection in separate spreadsheet; and
- Use of technology to anonymise.

The following chapters illustrate how GDPR was followed through a number of different ways.

4.3.1. Informed Consent

Most sites indicated that informed consent was not required and no specific procedures for data management were needed as the data was collected under an anonymous form or as aggregation so no sensitive data was involved. However, there were some examples where informed consent was required.

- **MAL 4.1 Promoting e-bike sharing and car sharing, MAL 6.2 Introducing Low Emission Zone – Study, MAL 6.3 Promoting sustainable mobility among tourists and MAL 7.1 Integration of ferries into the Public Transport**

Participants in the telephone surveys with local residents under MAL4.1, MAL6.2 and MAL7.1 were selected following a stratified random sampling strategy using the telephone directory of one of the main national telephone providers.

Participants for the in-person surveys with local residents and tourists under MAL6.3 and MAL7.1 were randomly selected for participation at the airport, ferry terminal and cruise line terminal in the case of MAL6.3, and while waiting to board the ferry or whilst on the ferry for MAL7.1.

Data collected pertained to levels of acceptance, awareness, satisfaction and occupancy.

The respondents were asked whether they would like to participate in the research. During the introduction, the interviewer explained that it is on a voluntary basis. Under 18s were excluded.

Consent was requested verbally during the telephone survey, as well as during in-person surveys. The respondent was informed they could stop during the interview process should he/she wished to do so. Data was collated in MS Excel tables and aggregated for dissemination purposes.

The subcontractor in charge of collecting data (EMCS) put in place processes to make sure that only those people in their organisation who need to access that specific data could do so. Only the necessary data elements were collected during the telephone survey and no further personal info was obtained. The telephone number was stored after the telephone survey was conducted for quality and random spot checks only. The results were kept anonymous and the telephone numbers separated from the rest of the data when transferred to the client. EMCS have appropriate security controls in place to protect personal data. Risk assessments were performed including assessing risks to the rights and freedoms of data subjects.

- **ELB 4.1-4.4 Shared Mobility Agency**

Personal data (name, phone, contact, type of vehicle used for sharing the trip, etc) has been handled for the operation of Elba Sharing Agency. Data is required to allow the user to register to the services for the management of sharing trips and to allow the matching of demand and offer in case of sharing of private car trip or taxi trip.

GPS locations are collected and stored for guaranteeing safety tracking service. The safety tracking service is activated and configured by the user on a volunteer basis for the purpose of their personal safety.

Access to the area/functions for the management of sharing services is secured by password. Configuration and activation of safety tracking service is carried out by the user on its personal area (secured by password). At the registration time, the user can view the informed consent and the conditions/rights related to the provision and handling of personal data such as GPS. These terms need to be accepted by the user in order to proceed.

Data about users and interactions with the services provided by the Agency (visualized by the Agency operator) is aggregated. Data is stored in the Agency database on the “cloud” (hosting service). The owner of the data is the Municipality of Portoferraio and the management is carried out by the sub-contractor, PluService, the IT company awarded for the implementation of the platform supporting the Agency operation.

As part of the Informed Consent process (specifically referring to Art. 6 and Art.13 of GDPR 2016/679) the user was provided with the following information upon registration:

- The organisation owning the data (Municipality of Portoferraio);
- The objectives and restrictions on use of the data provided;
- How data is managed and stored plus the organization responsible (PluService, IT provider of Elba Shared Mobility Agency);
- Who is permitted to access data (only for the management of the Agency platform and the related services): IT provider, back-office operators, MemEx as supporting partner of the Municipality of Portoferraio, Livorno Shire, National Privacy Authority and Judiciary. Data is not accessible/transmitted to any other external organizations or for purpose not related to the provision of Agency services;
- The maximum time for which the data is stored (24 months from the last use of the Agency services). When this period expires data will be removed and the user will be required to register once again; and
- The rights of the user to ask for a copy of the data provided, to ask for the cancellation of their account (and related data), to ask for any modification of the data provided and to make available the data to third party in a standardised format.

A screenshot of the Informed Consent page from the application is provided.

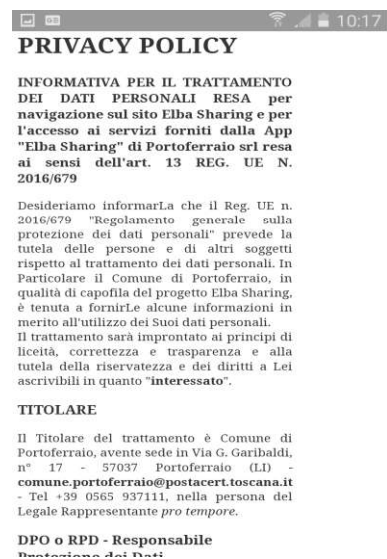


Figure 1: Informed Consent – Elba Shared Mobility Agency

• LPA 3.1 Attractive, safe and accessible public space at major attractions

The interviews for the mobility survey carried out in LPA 3.1 were made by using Computer Assisted Telephone Interview (CATI) software. This software automatically selects the people to interview based on criteria in order to reach a representative sample.

The criteria adopted was to reach a proportional sample to the whole area (inhabitants of Las Palmas de Gran Canaria and the whole island of Gran Canaria) based on age, gender, employment status, etc.

Once the CATI software dialled the phone numbers the interviewer asked the interviewee his/her consent to get his/her answers recorded.

There was an Informed Consent for each interview that was carried out for the mobility survey.

Data collected pertained to mobility patterns (trip purposes, mode of transport) and public transport access of residents and non-residents.

The transcript used for gaining informed consent amongst participants is as follows.

Telephone Survey Informed Consent Transcript

“Buenos días/tardes, me llamo ----__ y soy entrevistador/a de la empresa GESOP.

Estamos realizando una encuesta sobre temas de movilidad en GC.

Hemos elegido este hogar al azar para hacer una entrevista y solicitamos su colaboración para que responda a una serie de preguntas. Muchas gracias por su colaboración.

Las informaciones que les pedimos son para la elaboración de un estudio de opinión. La empresa que recoge sus datos, está obligada por ley a garantizar el anonimato y el secreto estadístico y a cumplir la normativa de protección de datos de carácter personal. Tiene derecho a no responder a todas las preguntas. Su respuestas serán tratadas de forma anónima.”

Figure 2: Informed Consent – Telephone Survey – Las Palmas de Gran Canaria

• MAD 6.1 Behaviour change application

One of the primary functions of the application is to track the journeys of users. As such informed consent for this, as well as the storing of details name, email and a password, was gained from users directly from the app under the Terms and Conditions section. This is shown in the image below.

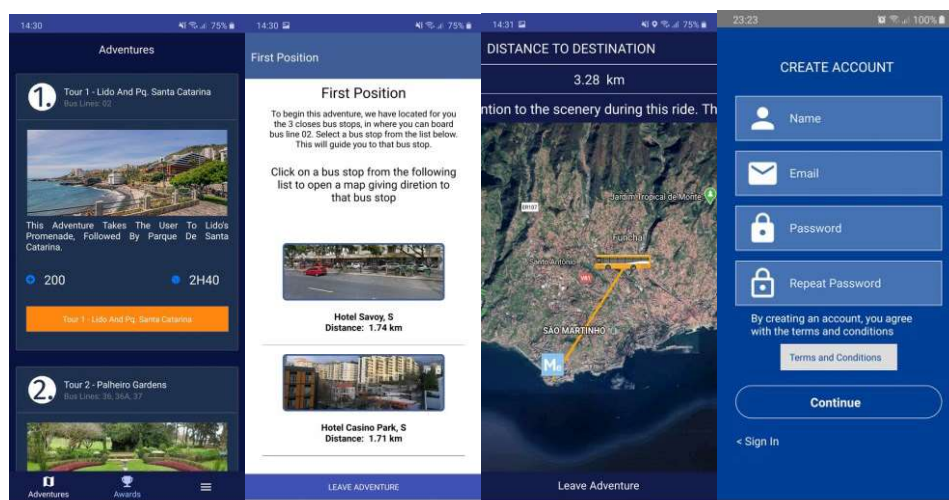


Figure 3: Informed Consent – Madeira Behaviour Change Application

In order to proceed, users must agree with the terms as set out below:

- ARDITI and the CIVITAS-DESTINATIONS project respect individual privacy and value the trust of all users of the MARGe platform. As such, we are committed to protecting any personal information you may share with us.
 - DATA RECEPTION - By voluntarily providing us your name and email address or any other personal information, these will only be accessed by our services. This data will never be transferred to third parties.
 - INFORMATION UPDATE - At any time you can request the update or deletion of your data.
 - LINKS TO THIRD PARTY SITES - The MARGe app may contain links to other sites (e.g. Google Maps), which may contain information and / or useful tools for our users. Our privacy policy is not applied to these third party sites.
 - PRIVACY POLICY - Ensuring data confidentiality of users of the MARGe platform is very important for ARDITI. All information related to users registered on the MARGe platform will be treated in accordance with GDPR (General Data Protection Regulation).
 - The use of the MARGe platform implies acceptance of these terms and conditions of use.
- **MAD 2.2 Smart metering / sensing and user generated content to improve urban mobility planning and services. “Pick up and Ride App”**

This application collated the following personal data: name; email; mobile phone number; vehicle characteristics and school of attendance etc.

AREAM was committed to ensuring that the collected information was secure. All the information is stored at an external server that complies with secure requisites according with the law. To prevent unauthorized access or disclosure there are suitable physical, electronic, and managerial procedures to safeguard and secure the information collected online. Data is encrypted.

When opening an account, users agree with the app privacy policy.

The registration page is shown in the image on the right.



Figure 4: Informed Consent – Madeira Pick up and Ride App

Background data collection is the responsibility of Google's Firebase analytics and their privacy policy can be found at <https://firebase.google.com/support/privacy>.

• **MAD 2.1 - Sustainable Regional Mobility Plan (SRMP) in touristic regions**

Questionnaires were delivered collecting information on travel behaviour, attitudes and expectations. 646 questionnaires were delivered in total (421 collected at the regional airport and 225 at the Port of Funchal). A sample of users were selected to be provided with the questionnaires.

The organisation responsible for management and storing of data is the consultant within the framework of PAMUS. The result / analysis of the results is made available and kept in Direção Regional da Economia e dos Transportes (DRET). The data is available only to SRETC.

Questionnaires about mobility and tourism were delivered across two years:

- In 2018 410 questionnaires were delivered (196 collected at the Port of Funchal, 193 collected at the regional airport).
- In 2019 411 questionnaires were delivered (212 collected at the Port of Funchal, 199 collected at the regional airport).

4.3.2. Paper questionnaires – Anonymous data

Data collection was carried out with a sample of the population which has been selected randomly and whose size has been defined to make statistical inference. The target of questionnaires were volunteer tourists and to assure a representative sample related to the CIVITAS measure in place. The location for implementation of the surveys was chosen to guarantee that the representative sample criterion is met. For that purpose, the main gathering points were selected, the entry/exit point of the island (check in airport area and cruise port), points with the most variety of possible participants and the better opportunity to evaluate the related tourists and mobility CIVITAS measures.

4.3.3. Focus Group – Personalised data

Along with the survey, the participants were invited to join a tourist Focus Group, for which they could be contacted once or twice a year to answer mobility/tourism related questions. For that case, the inquiry provides personal data such as name, phone number and e-mail. The data is stored in a separate database and for this case we keep specific codes for specific individuals.

A separate Excel database is created to store the personal data provided, which is protected by a strong password, and stored on a PC with access restrictions. The analysis of personal data does not reveal or publish the intelligence from specific respondents to questionnaires. The participants were assigned anonymous codes to prevent tracking.

The survey was anonymous, until the point that the participant was invited to join a Focus Group dynamic. If they decided so, for that purpose the tourist had to provide personal data: Name, phone number and e-mail. At that point participants were provided with a “DATA PROTECTION AND PRIVACY NOTICE” to read and sign. See appendix. This consent form was in Portuguese and English and was elaborated together with HF lawyers.

HF is responsible for collecting and storing this data. Access to the information is well documented and approved, and there will be no dissemination of personal information without written consent.

• LPA 4.1 Public bike system

This public bike scheme was accessed through a smart phone app and account (name, address, bank account provided by user). For the implementation of the public bikes system, personal data collection was done in order to manage a customer database system that complies with national and international regulations regarding personal data storing, access and management.

Data was stored securely in the servers of the provider of the system (NextBike) which is anonymised and aggregated before disseminating:

- Users profile (age, gender, nationality); and
- Origin – Destination Matrix

The image below shows the registration page for the bike scheme where users are directed to the terms and conditions to accept before signing up.

The screenshot shows the registration page for SITYCLETA. The header includes the logo and navigation links: SIGN UP, BUSINESS CLIENTS, ES, EN, DE, LOGIN, HOW IT WORKS, LOCATIONS, PRICES. The form fields are: Phone number* (+34), Gender* (Male, Female, Other/Unspecified), Birthday (e.g. 1986.07.16)*, Last name*, First name*, Address, Zip/ Postcode, City, Country (Spain), Email, and Subscription (Please select a subscription (optional) ...). Below the form, there is a checkbox for newsletter subscription and a checked checkbox for accepting terms and conditions. A green button labeled 'Order with obligation to pay' is visible, along with a link to 'What does that mean?' and a disclaimer at the bottom: 'Don't worry, the registration is free of charge. We are legally obligated to use this wording. Only when buying a tariff or renting your first bike the'.

Figure 5: Informed Consent – Public bike scheme – Las Palmas de Gran Canaria

In the following link the Privacy Policy, Legal Notice and Cookies Policy can be found: <https://www.sitycleta.com/es/privacy/>

- **LIM 6.3 Bicycle challenge: competition between employees of companies**

Participants kept logbooks to record the days and distances travelled by bike. With the permission of the individuals, their names were recorded so that winners could be identified for a prize, but no other personal information was given. All the data extracted from the mentioned databases is temporarily stored on the server of Strategem and deleted after the prize draws.

- **LPA 6.1 Green Credits Scheme**

As a Public Transport Authority, Guaguas Municipales is experienced in handling customer database sensitively and was advised by a local consultancy. Data here pertained the number of monthly users of the contactless urban public transport smart card “BonoGuagua”. The data is stored in an electronic format.

The data is stored in a database and statistics data tables are made depending on the needs.

At the beginning (first six months of the project), and in order to analyse the suitability of the chosen card to develop the Green Credits Scheme, data collected was anonymous.

However, for the implementation of the Green Credits Scheme (after business model development), personal data collection was needed in order to manage a customer loyalty database system that complies with national and international regulations regarding personal data storing, access and management. Data is stored in the Guaguas Municipales server (Urban Public Transport Company). The images below show the registration pages.

Figure 6: Informed Consent – Registration Pages of Green Credits Scheme

The legal notice and privacy policy of the Guaway Club can be found at <https://www.guaway.es/politicadeprivacidad>

- **RET 2.1, RET 3.1, RET 3.2, RET 7.2 – Surveys for RET 2.1 SUMP Baseline**

Rethymno Municipality and the SUMP subcontractor (NTUA), supported by TUC, designed and delivered a number of anonymous surveys to complete: the SUMP baseline for residents and tourists; specific baseline for bicycle use and needs (RET 3.1 a); mobility patterns of school

students (RET 3.2); user and satisfaction levels of PT services (RET 7.1); and the modal share of residents and tourists (RET 2.1).

The surveys were conducted using a random sample of citizens including the parents of students (RET 3.2) and PT service users (RET 7.2). For tourist surveys, the sample was selected randomly also, consisting mainly of volunteer tourists. The survey methods included hard copies questionnaires, online questionnaires using tailored survey software and phone surveys based on the geographical distribution of the municipality's administrative districts (using telephone directories). All of the surveys were conducted anonymously so no personal data was collected.

- **RET 7.2 Eco-driving application**

TUC developed a tailored app which consists of a quiz testing drivers' knowledge on eco-driving practices, estimations of their ecological footprint and best practice driving rules to save emissions and fuel.

All surveys and apps developed by TUC do not collect any personal data. Profile data is recorded and analysed in an aggregated form, apart from cases where the user voluntarily adds their e-mail account. To take the quiz, the user is asked to provide anonymized data (i.e. gender, age and city). The user can also voluntarily add their email address after reading the Terms of Use and giving their consent. The app operates in compliance with GDPR. Data is stored online in the application's backend database, where only the app administrator (TUC) has access.

The image below shows "Green your Drive" web application, consent note, and terms of use section.

Figure 7: Registration Pages of Green your Drive application

When clicking on the Terms of Use link, the user is provided with the following details

4.3.4. Terms of use and Privacy Policy

The GREEN YOUR DRIVE app was designed by the Renewable and Sustainable Energy Systems Lab of the Technical University of Crete, within the framework of the CIVITAS DESTINATIONS project. The project aims to integrate sustainable tourism and mobility strategies through innovative solutions in six European insular cities, and has received funding from the European Union's Horizon 2020 research and innovation programme under the grant agreement No 689031.

Your participation to the eco-driving quiz is voluntary and anonymous. Your personal information will not be requested, processed or stored. No information that identifies you is recorded, apart from information that you may intentionally provide to us. Your answers will remain confidential and will be used exclusively for the processing of aggregate findings for research purposes, without publishing them to third parties, in accordance with the General Data Protection Regulation (GDPR). The estimated time for the completion of the quiz is about 4-5 minutes. If you have registered your email, you can contact us at any time to request to be unsubscribed from our registry, via the email address (destinations.tuc2@gmail.com).

4.3.5. COVID-19 Surveys

During the pandemic of COVID-19, TUC conducted a two-stage online survey to capture the impact of restrictions on citizens' daily transportations, in March during the national lockdown and at the beginning of June during the easing of restriction measures. The survey gathered anonymized data which was analysed aggregated for statistical purposes.

4.3.6. Citizens and Visitors surveys/feedback forms during open-air labs

Since 2017, TUC, organises and holds interactive open-air laboratories, the "Design Days" to inform and consult citizens. Feedback forms in hard-copy distributed to capture the participants' opinions, views, and preferences on mobility services and equipment developed through the DESTINATIONS project. No personal data is collected.

In 2020, the workshop took place virtually. The survey was delivered through an online questionnaire, and the participants provided their consent to process anonymized data according to the Terms of Use.

4.3.7. Tender specification and subcontracts

A number of sites have ensured GDPR compliance by including such requirements in tender specifications and contracts.

- **ELB 4.1-4.4 Shared Mobility Agency**

In Elba, GDPR obligations were also ensured through the contract signed with a subcontractor Pluservice, the IT company providing the technological platform for the Shared Agency.



CAPITOLATO TECNICO		
GG/ANNO 2017	Procedura Aperta per l'affidamento del servizio di progettazione, fornitura, avvio operativo, collaudo e manutenzione di una piattaforma tecnologica per la gestione dei servizi di infomobilità e mobilità condivisa per l'Isola d'Elba nell'ambito del Progetto EU CIVITAS DESTINATIONS - "ELBA SHARING"	Comune di Portoferraio
	<p>utenti registrati e connessi "on-line" basandosi sui dati di localizzazione della cella. L'APP richiede, in questo caso, all'utente l'attivazione del segnale GPS per gestire un dato di localizzazione più preciso. A seguito dell'attivazione del segnale GPS, l'APP può rendere visibile la richiesta nelle stesse modalità di cui al punto 4.1.1 (qualora il dato GPS confermi che la richiesta risulta compatibile rispetto al suddetto utente). La notifica viene resa immediatamente visibile o notificata alla prima connessione, qualora l'utente non sia connesso.</p> <p>124.5) Rendere disponibili i riferimenti per mettere in contatto gli utenti che avverrà comunque esternamente all'APP (telefonicamente).</p> <p>124.6) Garantire la sicurezza e l'affidabilità degli utenti iscritti. In particolare:</p> <p>124.6.1) Deve essere garantita la possibilità agli utenti, di fornire reciproche valutazioni di affidabilità e la generazione/visualizzazione un indice di affidabilità degli iscritti (sulla base dei feedback degli utenti, e da ulteriori informazioni (vedi scenario A1) con modalità da specificare in fase di Progettazione Esecutiva;</p> <p>124.6.2) Deve essere fornita una funzione specifica di tracking di sicurezza del passaggio bastato sul tracciamento GPS, ed una serie di controlli con le modalità indicate nello scenario specifico definito (vedi scenario C), o con modalità analoghe da concordare con il Committente.</p> <p>124.7) Includere il tracciamento della posizione degli utenti con funzioni "intelligenti" (ad esempio arrivo all'imbarco tracciato con GPS e deduzione della nave da orari, basandosi su GPS e/o su informazioni fornite dall'utente ("sono sulla nave").</p> <p>124.8) Utilizzare la base informativa centralizzata e georeferenziata dell'Open Data Layer quale possibile supporto alla gestione degli scenari descritti in questa sezione e di altri proposti dall'Offerente (ad esempio: utilizzo dei dati programmati dei servizi di trasporto pubblico (traghetti), ecc.).</p> <p>124.9) Gestire rispettando la normativa sulla privacy un database di dati personali (identità, dati personali con dati sensibili).</p> <p>124.10) Fornire un'interfaccia "Gestore del servizio mobilità condivisa" che possa risolvere eventuali conflitti con/tra gli utenti (ad esempio: nel caso in cui l'utente voglia ricorrere contro la modifica del livello di affidabilità determinato, a suo parere, da cause non dipendenti dalla sua volontà) e ricevere, in ogni caso, segnalazioni, da parte degli utenti, in merito alla fruizione dei servizi di mobilità condivisi gestiti dalla piattaforma.</p>	

Figure 8: Adhering to GDPR through tender contracts - Elba

Point 124.9 specifies the requirement for the storing and management of personal data according to the GDPR (“normative sulla privacy”).

4.3.8. Technology

- **Madeira MAD 5.1 Smart and clean urban freight logistics at tourist destinations**

For MAD 5.1, the development of the Sulp implied data collection that ranged from surveys to traffic counts. One of these traffic campaigns comprised of assessing the time and the routes selected by the fleet dedicated to freight operations. In order to perceive the traffic flows for each type of vehicle, it was necessary to register the car plate. This data is very important to identify spatial patterns thus, to facilitate the strategy to improve freight logistics. No further information was pursued.

- **MAL 6.4 Smart parking management system for Valletta**

The number of daily entrants to the city was captured using real time data collected by Automated Number Plate Recognition (ANPR) Cameras. Data made available for project use was anonymous and aggregated by CVA Operator and Transport Malta.

The ANPR cameras focusses specifically on the vehicle registration plate and so other elements like a driver's face are completely indistinguishable.

- **RET 2.2 Smart systems for urban planners, PT operators and users**

The measure required the installation of appropriate sensors that could accurately monitor traffic data without raising ethics issues.

At the end of 2018 advice was sought and received that in order to adhere to GDPR it was preferable to procure cameras which avoided collecting any personal data (in this case, facial recognition). As such thermal cameras were installed to monitor real time traffic flows. This was a very useful process and meant the technology could also be used for Smart Parking management system.

The Smart Car parking operation is compliant with GDPR, a specific term about Data Protection is referred in the Article 16 of the service provider's contract. According to this article, the two involved parties, the Municipality, as the Head of Data Processing, and the OTE S.A. as Service operator, signed jointly the Personal Data Processing Contract, which is an integral part of the Smart Car Parking Contract.

Article 16 of the Contract for Car Parking Management System is shown below.



Figure 9: Contract for Car Parking Management System

- **RET 4.2 eBike system**

The Municipality of Rethymno proceeded with an auction for renting the public space. The specifications of this tender describe specifically that “*All data collected must be managed in accordance with the personal data protection legislation*”. Therefore, the private investor who operates the system is responsible for the application and compliance with GDPR.

The Lime e-scooter sharing system operates as an individual private investor, having no contractual relationship with the Municipality. The company provides the app as GDPR compliant based on European and Greek legislation.

- **LIM 4.2 Bike share system**

The city has a contract with NextBike CY with customer details managed and stored by that company. The clients pay through PayPal and T Pay services so NextBike does not keep any details regarding bank accounts.

5 Conclusions

Human participation in the mobility measures demonstrated in CIVITAS DESTINATIONS is mainly related to questionnaires/interviews/surveys carried out for the assessment of local needs (design of the measures) and the assessment of impacts/level of satisfaction (evaluation of the measures). The selection of participants has been carried out randomly, the participants have been always able to provide the informed consent and free to decline participation.

Data has been collected mostly in an anonymous and aggregated way. In some cases where personal data has been collected appropriate procedures for Informed Consent and handling of data have been established.

The Informed Consent has been asked in different ways (written/verbally). The purpose for collecting the Informed Consent varies case by case: in a large number of cases, the Informed Consent focused mainly on informing the participants why the data has been collected (when the data collected are not sensitive) and sometimes to specify the procedures for data storing and handling (when sensitive data are collected).

This report presents a number of measures where cities have taken different steps to ensure compliance with GDPR 2016/679 (and with the national law adopting GDPR at country level). They have: sought advice from Data Protection Officers; ensured terms and conditions are publicised on websites and applications for users to read and accept; sought to anonymise data and guaranteed GDPR compliance through their contracts with external suppliers.

6 Appendices

- **Madeira Informed Consent Form**

ANNEX 1 – DATA PROTECTION AND PRIVACY NOTICE

I. Controller

Horários do Funchal - Transportes Públicos, S.A., with head offices at Travessa da Fundoa de Baixo, no. 5 - São Roques, 9020 - 242 Funchal (hereinafter referred to as 'HF') is the "Data Controller".

II. Purpose and Means of processing of your personal data

The processing of your personal data is carried out for the purposes of the present survey. The legal basis for the processing of your personal data are i) the legitimate interest of HF in collecting data for participation in a Focus Group where the data subject will be contacted once or twice a year to respond to questionnaires related with mobility/tourism and ii) your consent.

HF will only process the personal data collected in this survey in the context of the purposes expressly indicated above and always in accordance with HF's Internal Policies and Standards, using at all times appropriate technical and organizational measures to uphold its security and confidentiality, in particular with regard to unauthorized or unlawful processing of your personal data and its accidental loss, destruction or deletion.

III. Data Retention and your rights

Personal data shall be kept for a maximum period of two (2) years from the last survey, except where there is a legal obligation or a prevailing legitimate interest which requires the data to be retained for a longer period.

As data subject you have the right to: i) request and receive all relevant information and communications regarding the processing of your personal data made by HF; ii) request access to your personal data, namely, to obtain confirmation that your personal data are processed by HF; iii) rectify, erase or restrict the processing of your personal data by HF.

Data subjects may at any time and for any relevant matter related with privacy and data protection, contact HF through the email protecaodedados@horariosdofunchal.pt.

IV. Consent

The respondent declares to authorize the collection and processing of his personal data by HF, in the scope of the present survey, for the purposes indicated above.

- **Guidelines for management of video surveillance**



GUIDELINES TO DESTINATIONS SITES FOR DEFINING AN ETHICAL STRATEGY FOR THE MANAGEMENT OF VIDEO SURVEILLANCE/IMAGES RECOGNITION DATA

The management of video surveillance or images recognition data collected during Destinations project demo measures has to comply with:

- European regulation which for now consists of the Directive 95/46/Ce (in the upcoming future this Directive will be replaced by the new Directive 2016/680 promulgated on the 27th of April 2016 once it will be adopted at national level by May 2018 then during the Destinations project lifetime);
- National regulation on data privacy, where applicable (i.e. in Italy, Spain and others).

The management of video surveillance data deals with the following procedures:

- Images recording;
- Data storing;
- Images access.

In the following some guidelines Destinations sites can check and adapt to their national regulation and specific requirements:

- Each organization (at least when it is over a predefined size of dependents) responsible of the management of video surveillance data must nominate a “Data Protection Officer” who is responsible, in general, of guaranteeing the compliance to privacy rules;
- Before the activation of video surveillance system, the organization must communicate to the National Authority the decision to start the system. An authorization (including the release of a “sign-off” certification) must be required;
- Data must be cancelled after a max allowed time (i.e. in Italy 72 hours);
- Before their cancellation, images must be accessible only to Data Protection Officer upon request of allowed Authorities (i.e. Police, Magistrate);
- Images recording and data storing must be carried out preventing the possibilities to use it for tracking of personal behaviour;

- Events of “data breaches” which could affect the responsible organization must be promptly communicated to the National Authority;
- The video surveillance system must be technically designed to guarantee the presence of tools/procedures allowing data protection and compliance with privacy regulation (“privacy by design”);
- A privacy impacts assessment plan must be elaborated and made available at organizational level.

- **Informed Consent Template**



INFORMED CONSENT TEMPLATE INDIPENDENT HUMAN SUBJECTS

Data collected in the <survey> will be managed by <organization> in accordance with national and international rules on privacy data protection <indicated the specific national rule applicable> through the here detailed method/procedure <to be detailed>.

Data can be shared within the Destinations consortium assuring the compliance with international rules on privacy data protection and project rules on ethics appraisal. Collected data will be used only for the purpose of elaboration and production of Destinations project's outputs and reports.

Destinations consortium is responsible towards the EU Commission (H2020 Horizon) which has co-funded the initiative. Then the outputs and reports produced by Destinations project will be make accessible to EU Commission. Extract of these outputs/reports can be publicly available. Furthermore the Destinations consortium can be requested by EC to produce evidence of data collected upon request.

Data will be elaborated in an anonymous way and/or under aggregated form <or alternatively when applicable, when data will be used in a personalized form, Data will be used to track the personal behaviour (i.e. attitude/use of Public Transport and sustainable, etc.)> in accordance with the data privacy rules and restricted to Destinations project's purpose. Then relations of collected data with any other personal preferences or social attitude not directly dealing with mobility behaviour will be left out. Any results that will be involuntary produced/found during data elaboration will be avoided by the adoption of appropriate Destinations project's rules against Incidental Findings.

The signing person declares to have been duly informed about the Destinations project purpose and use of the collected data and to be aware of the impacts of providing his/her informed consent.