GDPR aspects for system integrators and end customers

Axis business intelligence applications and AXIS Store Reporter

AXIS®
COMMUNICATIONS

May 2021

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Some key terms explained that are used in this document:

The **GDPR** is short for Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

User content: Information captured by and processed in Axis business intelligence applications.

Personal data: The GDPR defines personal data as any information relating to an identified or identifiable person (human being). An identifiable person is someone who can be identified directly or indirectly, in particular by reference to an identifier such as an image (still or video), a name, an identification number, location data, online identifier such as an IP address or cookie identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

Processing of personal data (data processing activity): Any activity performed on or with personal data, for example (collection, storing, etc.).

Personal data controller: Someone who decides the means and purposes of a data processing activity. The user of an online or cloud service is typically the personal data controller of personal data processed (collected, stored, analyzed, etc.) in the service.

Personal data processor: Someone who processes personal data on behalf of a personal data controller, without deciding the means and purposes of a data processing activity. The provider of an online or cloud service is typically the personal data processor of personal data processed (collected, stored, analyzed, etc.) in the service.

An overview from a use case perspective

1. Introduction

1.1 About the General Data Protection Regulation (GDPR)

Until 25 May 2018, EU's data protection and privacy legislation consisted of national laws based on an EU directive. As of that date, the General Data Protection Regulation (GDPR) replaced this directive, along with the existing national data protecting laws of each EU member state.

The GDPR deals with the protection of individuals' personal data i.e., how companies may and may not process and what requirements companies need to fulfill when processing such data, for example having appropriate safety precautions in place for personal data that the company holds.

1.2 About Axis Communications

Axis is the market leader in network video and innovators in the video surveillance industry. The majority of Axis sales are generated by the video product area e.g.; network cameras, video encoders, accessories, and application software.

1.3 About Axis business intelligence applications and AXIS Store Reporter

Competition is fierce today. Businesses are constantly looking at ways to learn more about their visitors' behavior and improve their experience. Axis business intelligence applications are deployed on Axis network cameras and provide businesses access to data that gives additional insights for business improvement and optimization.

1.4 Purpose and intended usage of this document

The purpose of this document is twofold:
1. To describe how data (user content) is processed in Axis business intelligence applications and AXIS Store Reporter; and

2. in doing so, to facilitate and support your GDPR compliance work in the best possible way, whether you are a system integrator or an end customer.
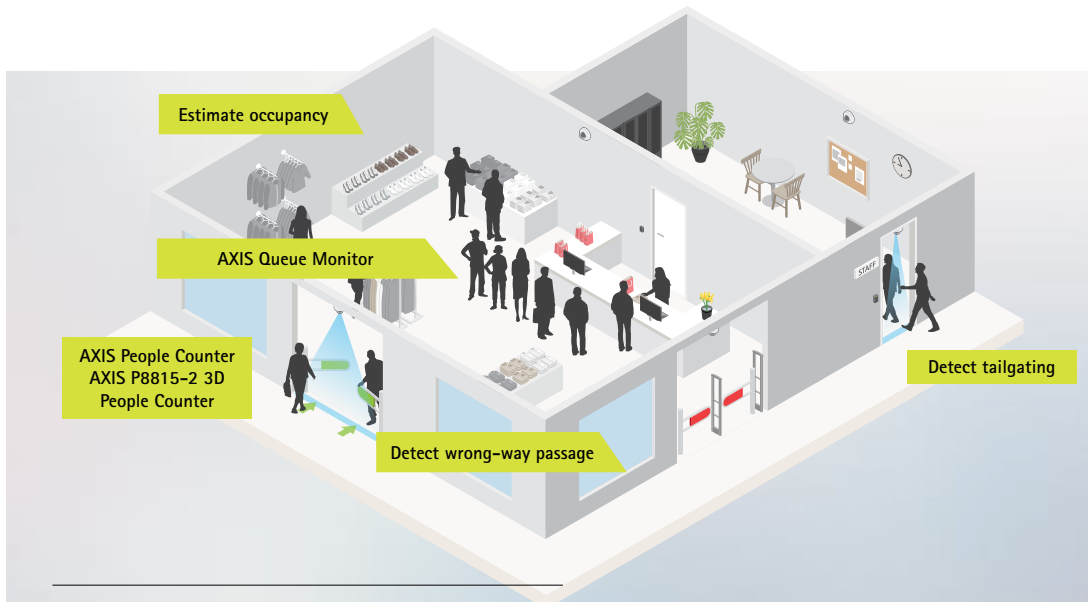
Axis business intelligence applications is a collective name used in this document for the applications AXIS People Counter; AXIS P8815-2 3D People Counter; AXIS Queue Monitor; and AXIS Store Data Manager. AXIS Store Reporter is a cloud service that visualizes the data from Axis business intelligence applications.

2. What do Axis business intelligence applications do and how do they work?

Axis business intelligence applications are deployed and run embedded on Axis network cameras similar to apps on smartphones. Axis business intelligence applications gather numeric statistical data mainly for the use of businesses to obtain insights on how to improve, for example, store performance and visitor satisfaction. AXIS People Counter can also trigger an event from the camera when a certain behavior is detected, e.g., a person is walking in an undesired direction, maximum location occupancy is reached or a person is tailgating. Below are some data insights from Axis business intelligence applications:

AXIS People Counter: Counts people in both directions simultaneously and tracks when they enter and exit a location. It also provides insights into the number of people present in a location or in a certain area at specific times. In some scenarios, it is also possible to obtain average visit time. It is possible to trigger an event when the occupancy at a location reaches a user-defined threshold. Detects if more than one person passes under the camera during a user-defined time interval and can trigger an event based on this. Detects in what direction people are passing under the camera and can trigger an event based on the direction a person is heading. The application only saves the number of persons entering and exiting a location and when they do so. The events are not saved by the application.

AXIS P8815-2 3D People Counter: Counts people in both directions simultaneously and tracks when they enter and exit a location. It also provides insights into the number of people present in a location or in a certain area at specific times. It is possible to trigger an event when the occupancy at a location reaches a user-defined threshold. The event is not saved by the application. The application only saves the number of persons entering and exiting a location and when they do so.

AXIS Queue Monitor: Provides insights into the average number of people standing in a queue as well as periods of time with high- and medium-length queues. It is possible to trigger an event when the queue exceeds a certain threshold. The event is not saved by the application.

AXIS Store Data Manager: Is an administration tool for the system integrator/reseller. If deployed, the statistical data from Axis business intelligence applications is pushed to AXIS Store Data Manager which is used to store, consolidate and organize camera application data for an unlimited time based on hardware storage specifications. Other functionalities of AXIS Store Data Manager include monitoring camera connections, sending e-mail alerts for inconsistencies and connection issues, creating static or dynamically updated (permalink) exports of data from the applications into business intelligence applications.

AXIS People Counter   AXIS P8815-2 3D People Counter   AXIS Queue Monitor   AXIS Store Data Manager

3. What type of data is collected and stored by Axis business intelligence applications?

As mentioned the only data stored by Axis business intelligence applications is numeric information output, for example, the number of people entering and exiting a location during a period of time. None of Axis business intelligence applications store footage or video and none of the information captured by or processed in Axis business intelligence applications can be used to identify human beings in standard operation mode. This means that the information captured (i.e., user content) does not per se constitute personal data.

*Example of numeric information from AXIS People Counter in CSV-format.*

```
Interval start,Interval stop,Camera serial number,Counter name,Pedestrians coming in,Pedestrians going out
2016-03-01 00:00:00,2016-03-01 01:00:00,00408CAC5BC5,Office Front entrance [Axis],0,0
2016-03-01 01:00:00,2016-03-01 02:00:00,00408CAC5BC5,Office Front entrance [Axis],0,0
2016-03-01 02:00:00,2016-03-01 03:00:00,00408CAC5BC5,Office Front entrance [Axis],0,0
2016-03-01 03:00:00,2016-03-01 04:00:00,00408CAC5BC5,Office Front entrance [Axis],0,0
2016-03-01 04:00:00,2016-03-01 05:00:00,00408CAC5BC5,Office Front entrance [Axis],0,0
2016-03-01 05:00:00,2016-03-01 06:00:00,00408CAC5BC5,Office Front entrance [Axis],0,0
2016-03-01 06:00:00,2016-03-01 07:00:00,00408CAC5BC5,Office Front entrance [Axis],0,0
2016-03-01 07:00:00,2016-03-01 08:00:00,00408CAC5BC5,Office Front entrance [Axis],0,0
2016-03-01 08:00:00,2016-03-01 09:00:00,00408CAC5BC5,Office Front entrance [Axis],20,7
2016-03-01 09:00:00,2016-03-01 10:00:00,00408CAC5BC5,Office Front entrance [Axis],102,55
2016-03-01 10:00:00,2016-03-01 11:00:00,00408CAC5BC5,Office Front entrance [Axis],176,78
2016-03-01 11:00:00,2016-03-01 12:00:00,00408CAC5BC5,Office Front entrance [Axis],205,143
2016-03-01 12:00:00,2016-03-01 13:00:00,00408CAC5BC5,Office Front entrance [Axis],333,223
2016-03-01 13:00:00,2016-03-01 14:00:00,00408CAC5BC5,Office Front entrance [Axis],321,178
2016-03-01 14:00:00,2016-03-01 15:00:00,00408CAC5BC5,Office Front entrance [Axis],403,323
2016-03-01 15:00:00,2016-03-01 16:00:00,00408CAC5BC5,Office Front entrance [Axis],321,276
```

It is important to keep in mind that the data stored is non-personal data based on the fact that in standard operation mode it cannot be used to identify human beings.

Axis route to market and business model
Axis delivers solutions to customers all over the world through an indirect sales model – which means that we sell to distributors who then sell to system integrators and resellers who, in turn, sell to end customers. Our system integrators and resellers meet the end customers and/or handle the design, integration, installation, and service of the Axis portfolio. Some work with end customers in a specific industry segment, while others work across several segments.

In the case of Axis business intelligence applications and AXIS Store Reporter, it is normally the system integrator/ reseller who sells, installs, configures, and calibrates as well services and maintains the system to/for the end customer.
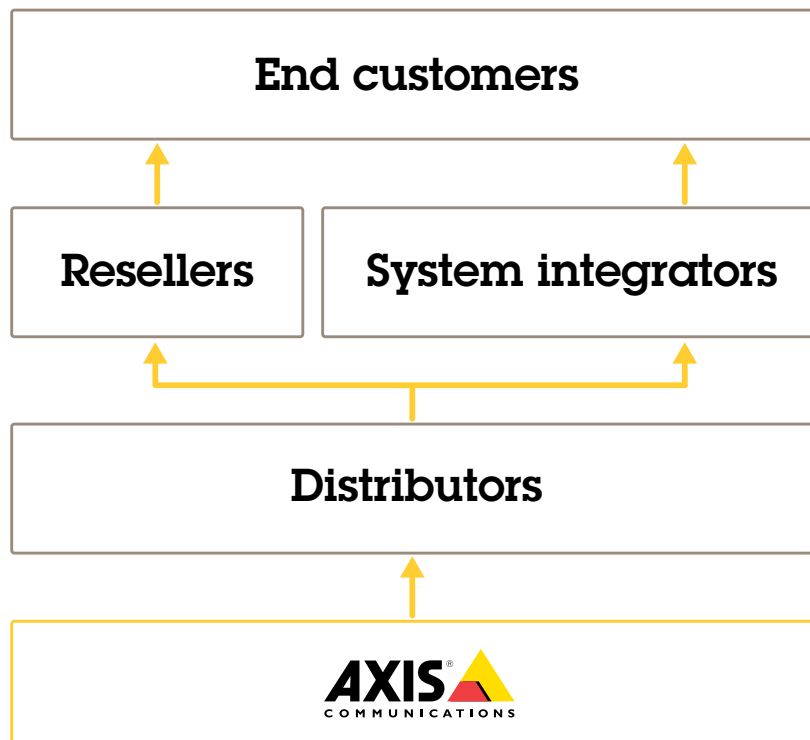
4. GDPR roles and responsibilities

It is the user of Axis business intelligence applications (typically the end customer) who is responsible for making sure that any use of these applications to process personal data is conducted in a GDPR compliant manner. The GDPR refers to such a user as a personal data controller. Axis has no responsibility under the GDPR for such use of the Axis business intelligence applications.

If the Axis business intelligence applications are connected to AXIS Store Reporter, then Axis has an independent GDPR responsibility as a personal data processor, but only for the data in AXIS Store Reporter and the hosted version of AXIS Store Data Manager, learn more about this in section 5.

According to the GDPR, when processing personal data, the personal data controller has an obligation to implement technical and/or organizational measures designed to implement the data protection principles set out in the GDPR. Think of it as creating a built-in method/feature for complying with the GDPR (to the extent technically and financially feasible). The GDPR refers to this as privacy by design. For Axis business intelligence applications, examples of such measures would be encryption and permanent anonymization of video footage.

The personal data controller also has an obligation to implement technical or organizational measures which by default ensure the least privacy intrusive processing of the personal data in question. The GDPR refers to this as privacy by default. In the context of Axis business intelligence applications examples of such measures would be having encryption and permanent anonymization of the application's live video stream as the default mode.

Privacy by design and privacy by default are the obligations of the controller. The GDPR does not obligate developers/manufacturers to build in privacy by design and privacy by default.

4.1 Axis GDPR commitment for Axis business intelligence applications

Whereas the GDPR compliance obligation lies with users of Axis business intelligence applications, Axis firm ambition is to facilitate, such users' GDPR compliance. Providing you with the information in this document is one way of doing just that. In addition, the anonymization functionality features in the Axis business intelligence applications are designed to facilitate your GDPR compliance and your compliance with the privacy by design and privacy by default provisions of the GDPR.

4.1.1 Anonymization

As mentioned earlier Axis business intelligence applications do not store any personal data in standard operation mode. In addition, most of the applications can be configured so that persons can no longer be identified from the live view of the camera.

AXIS People Counter and AXIS Queue Monitor offer two levels of anonymization; soft and hard. The soft feature blocks all video streams and images from the camera. The live view still shows a blurred image which means it is possible to see what is going on but you cannot identify people from the video stream. The anonymization hard feature removes all administrator users, locks the root password, and can only be reversed by doing a reset to factory default on the camera.

With AXIS P8815-2 3D People Counter, if you want to prevent people from being identified in the live view or recordings, you can turn on privacy mode. This will block all video streams and images and turns the live view into a black image.

Axis business intelligence applications, once deployed, run embedded on Axis network cameras. As a camera manufacturer, Axis Communications takes cybersecurity seriously and provides means to make products and applications more resilient and secure - for example by authentication, authorization, and password enforcement. This is not specific to Axis business intelligence applications, but part of the Axis vision of creating a smarter safer world, you can read more here: www.axis.com/cybersecurity

4.2 Specifically about user's GDPR responsibility in relation to Axis business intelligence applications

If information captured by and processed in Axis business intelligence applications constitutes personal data, you (your company) as the user of these applications are a personal data controller under the GDPR. The GDPR imposes a number of requirements on personal data controllers. We believe that the most important ones are[1]:

> Make sure that you have legal ground, as provided for in the GDPR, for processing personal data in Axis business intelligence applications.

> Always provide clear and unambiguous information to the persons whose personal data you process when using the Axis business intelligence applications. The information shall cover, among other things, what types of personal data that you collect and for what purposes you will use the data.

> Never use personal data for any other purpose than the purpose(s) you informed about (see previous item)

> Implement and maintain efficient management capabilities of personal data to be able to comply with requests from Data Subjects concerning their personal data that you hold

> Implement and maintain adequate safety for any personal data that you process

> Set up your own system in accordance with the principles of privacy by design and privacy by default

> Execute a data processor agreement (DPA) with your personal data processor

5. Use cases

Use case 1 / Axis business intelligence applications in a local area network installation

How it works

One way of deploying Axis business intelligence applications is to mount the network camera deployed with, e.g., AXIS People Counter at a location and use AXIS Store Data Manager to store, consolidate and organize camera application data. In this use case, all activities, take place in the local area network of the end customer, regardless of the number of cameras or stores. The cameras are located at the locations and report only numeric data to AXIS Store Data Manager, which is typically located at head office. The end customer may choose to visualize data in tables and charts for further analysis by using a third-party visualization tool.

AXIS People Counter → AXIS Store Data Manager → Third-party analytics
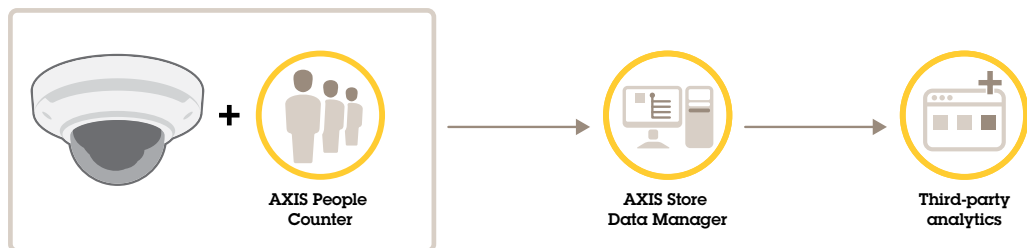
GDPR aspects of use case Axis business intelligence applications in a local area network installation

To fulfill the end customer needs and set up AXIS Store Data Manager in the local area network, the system integrator needs to include the following data; company name, user first name, user last name, user email as well as details about the end customer who would like to receive for example an e-mail alert system for inconsistencies and connection issues. If you deploy Axis business intelligence applications in your own local network, Axis will not access your user content, i.e., the information captured by and processed in Axis business intelligence applications, unless you provide such access.

If the Axis business intelligence applications are installed in a local network and not connected to AXIS Store Reporter, then Axis is not a personal data processor in relation to any personal data captured by Axis business intelligence applications. Axis only supplies these applications – without any further involvement in the use and/or processing of personal data through the application.

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[1] Please note that it is important that you yourself investigate what exact GDPR or other legal obligations that may apply to you or your company when you use Axis business intelligence applications. In this respect, Axis refers to the legal disclaimer at the end of this document.

Depending on the setup of Axis business intelligence applications, the roles of data processor and data controller can be transferred from the end customer to the system integrator and vice versa. We recommend that you investigate how the GDPR responsibility will be allocated under your specific setup. In addition, if you choose to connect the Axis business intelligence applications to any other service provider (i.e., third-party visualization tool), we recommend that you investigate how the GDPR responsibility will be allocated under that specific service setup.

Use case 2 — Axis business intelligence applications and AXIS Store Reporter

Another use case is to mount the AXIS P8815-2 3D People Counter or a network camera deployed with, e.g., AXIS Queue Monitor and connect to AXIS Store Reporter. As a user of AXIS Store Reporter, you access a cloud service solution, including the functionality of a hosted version of AXIS Store Data Manager. AXIS Store Reporter is a visualization tool showing graphs and charts to visually illustrate the statistical information obtained by the Axis business intelligence applications.

In this use case Axis business intelligence applications are installed at your location and operating in your (your company) network. As described under section 3, Axis business model is to work with partners. To allow access to the services in AXIS Store Reporter to an end customer, certain information needs to be provided and in most cases, this is done by a system integrator/reseller.
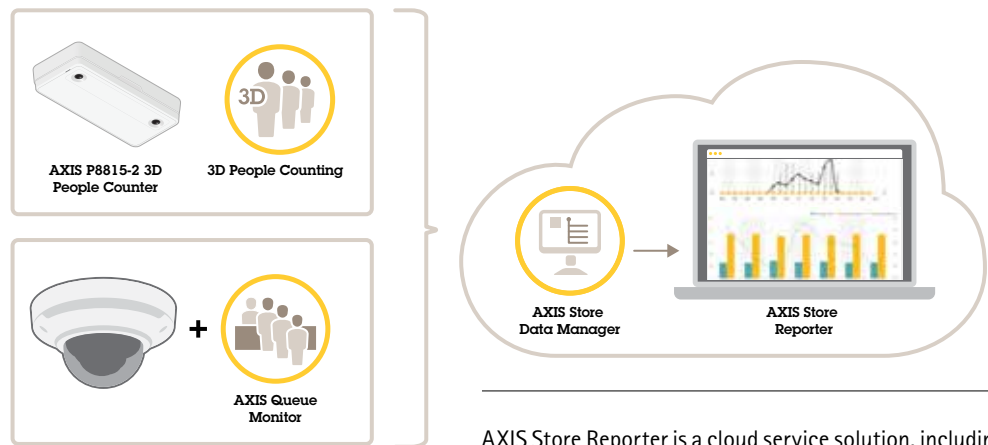
AXIS Store Reporter is a cloud service solution, including the functionality of a hosted version of AXIS Store Data Manager. AXIS Store Reporter is a visualization tool, i.e., graphs and charts illustrating the statistical information obtained by the Axis business intelligence applications. You can access and view a demo version of AXIS Store Reporter at:
http://asr-demo.axis.com/tour/start

How it works
In order to sell Axis business intelligence applications and set up AXIS Store Reporter, the system integrator needs to be part of Axis Channel Partner Program. More information available here: www.axis.com/partners/channel-partner-program

The first step to set up AXIS Store Reporter is for the system integrator to access Axis Partner Pages and create an instance in the hosted version of AXIS Store Data Manager.

The following data of the system integrator needs to be inserted.
> Company name (typically system integrator)
> User first name
> User last name
> User email

For the hosted version of AXIS Store Data Manager, the data is stored on Axis servers in Sweden. The system integrator is by design the administrator of the service and can invite the end customers as additional administrators of their respective end customer company. Axis does not have any control of these settings, as it is up to the system integrator to manage the access to the end customer companies. Different end customers hosted by the same system integrator cannot see each other's data.

Once the hosted AXIS Store Data Manager is set up, the system integrator can set up additional users (typically employees of the system integrator and/or end customer) in AXIS Store Data Manager to receive for example warnings if the system is not receiving statistical data.

The next step is to connect the AXIS Store Data Manager to AXIS Store Reporter. When a system integrator creates an end customer company, he/she will receive an invite to the AXIS Store Reporter which will require him/her to access the portal and generate a new invite to the end customer(s).

In the meantime, cameras need to be connected to the AXIS Store Data Manager. This activity is typically also performed by the system integrator. In order to receive the information, the details listed below need to be included. Depending on roles and access privileges, it is possible for the user of the system to invite additional users adding the same information.

> Company name (typically end customer)
> User First Name
> User Last Name
> User email.

AXIS Store Reporter is a cloud service and provided by Zoined Oy, in this context, an Axis affiliate. The data on this service is stored on Amazon Web Services servers (AWS) in Ireland.

All information captured by, and processed in Axis business intelligence applications (i.e., user content) ends up and is processed in the Axis affiliate's cloud. In order to properly run AXIS Store Reporter, Axis will need to access some of information. Beyond that, Axis will only access user content if explicitly instructed so by the user, e.g., for technical support purposes.

Types of data processed in AXIS Store Reporter
AXIS Store Data Manager: All of the above described numeric information (i.e., user content) and also any information related to administrator/user accounts as set up by/for the user. Information related to administrator/ user accounts may contain personal data, as described above, the name and email of employees of the user/ administrator.

Note that similar to the locally installed version of AXIS Store Data Manager, it is possible to create static or dynamically updated (permalink) exports of data or sets of data to provide the numeric data output from the applications into other systems as well as to visualize it in AXIS Store Reporter. If you choose to connect the hosted AXIS Store Data Manager to any other service provider (i.e., third party visualization tool) than AXIS Store Reporter, we recommend that you investigate how the GDPR responsibility will be allocated under that specific service setup.

AXIS Store Reporter: All of the above described numeric information (i.e., user content) and also any information related to administrator accounts as set up by/for the user. Information related to administrator/user accounts may contain personal data such as name and email of employees of the user/administrator.

GDPR aspects of the use case Axis business intelligence applications and AXIS Store Reporter
In AXIS Store Reporter, GDPR responsibility is allocated as follows:

System integrator's customer (typically end customer): personal data controller for personal data contained in (1) employee information submitted in AXIS Store Data Manager when setting up user accounts.

System integrator/Reseller: personal data controller for personal data in employee information submitted in AXIS Store Data Manager when setting up user accounts; and personal data processor on behalf of its customers for personal data in (1) employee information submitted in AXIS Store Data Manager when setting up system integrator's customer user accounts. If the system integrator uses personal data processed in AXIS Store Reporter by its customers, for any other purpose than for AXIS Store Reporter, the system integrator may be deemed data controller of such personal data.

Axis: personal data processor on behalf of the system integrator for personal data contained in employee information submitted by the system integrator in AXIS Store Data Manager when setting up system integrator user accounts; and personal data sub-processor on behalf of the system integrator for personal data contained in (1) employee information submitted in AXIS Store Data Manager when setting up system integrator's customer user accounts.

Zoined Oy: Personal Sub-Data Processor on behalf of Axis for personal data contained in (1) employee information submitted by the system integrator in AXIS Store Data Manager when setting up system integrator user accounts;

(2) employee information submitted in AXIS Store Data Manager when setting up system integrator's customer user accounts.

Amazon Web Services (AWS): Personal sub-data processor on behalf of Zoined for personal data contained in (1) employee information submitted by the system integrator in AXIS Store Data Manager when setting up system integrator user accounts; (2) employee information submitted in AXIS Store Data Manager when setting up system integrator's customer user accounts.

Axis executes data processor agreements (DPA's) according to the above with all system integrators that provides Axis Store Reporter. The system integrator has to execute separate DPA's with its customers.

In addition, Axis has executed a DPA with Zoined Oy for the data processing activities that Zoined Oy performs on behalf of Axis, as Axis' Personal Sub-Data Processor, in relation to AXIS Store Reporter (as described above). Correspondingly, Zoined Oy has has executed a DPA with AWS for the data processing activities that AWS performs on behalf of Zoined, as Zoined's Personal Sub-Data Processor, in relation to AXIS Store Reporter.

As a Personal Data Processor within the context of Axis Store Reporter, Axis is committed to following the privacy and data protection principles of the GDPR.

Where the GDPR compliance obligation lies with users of AXIS Store Reporter, Axis firm ambition is to facilitate, in the best possible way, such users' GDPR compliance. Providing you with the information in this document is one way of doing just that.

About Axis Communications

Axis enables a smarter and safer world by creating network solutions that provide insights for improving security and new ways of doing business. As the industry leader in network video, Axis offers products and services for video surveillance and analytics, access control, intercom and audio systems. Axis has more than 3,800 dedicated employees in over 50 countries and collaborates with partners worldwide to deliver customer solutions. Axis was founded in 1984 and has its headquarters in Lund, Sweden.

For more information about Axis, please visit our website www.axis.com.

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