

**Data protection impact assessments**  
template for carrying out a data  
protection impact assessment on  
surveillance camera systems



**Project name:** West Lindsey District Council Body Worn Video

**Data controller(s):** West Lindsey District Council

**This DPIA template should be completed with reference to the guidance provided by the Surveillance Camera Commissioner and the ICO. It will help you to identify whether the use of surveillance cameras is appropriate for the problem you wish to address, assess the risks attached to your project and form a record of your decision making.**

**1. Identify why your deployment of surveillance cameras requires a DPIA<sup>1</sup>:**

- |   |   |
|---|---|
| <input type="checkbox"/> Systematic & extensive profiling | <input type="checkbox"/> Large scale use of sensitive data        |
| <input checked="" type="checkbox"/> Public monitoring     | <input type="checkbox"/> Innovative technology                    |
| <input type="checkbox"/> Denial of service                | <input type="checkbox"/> Biometrics                               |
| <input type="checkbox"/> Data matching                    | <input type="checkbox"/> Invisible processing                     |
| <input type="checkbox"/> Tracking                         | <input type="checkbox"/> Targeting children / vulnerable adults   |
| <input checked="" type="checkbox"/> Risk of harm          | <input type="checkbox"/> Special category / criminal offence data |
| <input type="checkbox"/> Automated decision-making        | <input type="checkbox"/> Other (please specify)                   |

**2. What are the timescales and status of your surveillance camera deployment?** Is this a proposal for a new deployment, or the expansion of an existing surveillance camera system? Which data protection regime will you be processing under (i.e. DPA 2018 or the GDPR)?

Existing system of body worn video operated by West Lindsey District Council. Processing is carried out under the guidelines of DPA 2018.

**Describe the processing**

**3. Where do you need to use a surveillance camera system and what are you trying to achieve?**

Set out the **context** and **purposes** of the proposed surveillance cameras or the reasons for expanding an existing system. Provide evidence, where possible, including for example: crime statistics over an appropriate time period; housing and community issues, etc.

Body worn video is used by council staff as part of personal protective equipment to achieve the following:

1. Providing West Lindsey District Council and Lincolnshire Police with evidence to take criminal and civil action in the Courts
2. Reducing the fear of crime and providing reassurance to the public
3. Providing assistance in the detection and prevention of crime

<sup>1</sup> <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/when-do-we-need-to-do-a-dpia/>

4. Assisting with the maintenance of public order
5. Maintaining and/or enhancing the safety and security of staff and members of the public.
6. Enhanced ability to reduce the number of potentially confrontational incidents
7. Ability to record accurately incidents that occur

**4. Whose personal data will you be processing, and over what area?** Set out the **nature** and **scope** of the personal data you will be processing. Who are the data subjects, and what kind of information will you be collecting about them? Do they include children or vulnerable groups, and what is the scale and duration of the processing?

The system records video and audio of anyone within the field of view when a body worn video device is activated. It has the potential to capture live images of people and anything they may say. The system is reactive to individual situations where body worn video is used and it will not be used to gather large amount of data (for example it will not be used to record during an entire day while a staff member is working).

The data subjects will be anyone the staff member feels they need to record with appropriate use of the body worn video device. If a recording is activated it will be stopped once a specific situation or incident has ended.

**5. Who will be making decisions about the uses of the system and which other parties are likely to be involved?** Will you be the sole user of the data being processed or will you be sharing it with other organisations or agencies? Record any other parties you would disclose the data to, for what purposes, and any relevant data sharing agreements. Note that if you are processing for more than one purpose you may need to conduct separate DPIAs.

Our system is fully controlled by the Council and data is processed by us and shared under certain conditions detailed within our CCTV Code of Practice. Data is shared with authorised investigating bodies/organisations that have approved investigatory powers such as Lincolnshire Police. The Council maintains an information sharing agreement with the Police.

**6. How is information collected? (tick multiple options if necessary)**

- Fixed CCTV (networked)
- Body Worn Video
- ANPR
- Unmanned aerial systems (drones)
- Stand-alone cameras
- Redeployable CCTV
- Other (please specify)

**7. Set out the information flow, from initial capture to eventual destruction. You may want to insert or attach a diagram.** Indicate whether it will include audio data; the form of transmission; the presence of live monitoring or use of watchlists; whether data will be recorded; whether any integrated surveillance technologies such as automatic facial recognition are used; if there is auto deletion after the retention period. You may have additional points to add that affect the assessment.

All recorded images and audio on a body worn video device stay on the device until it is placed into a docking station to upload. Docking stations are located in secure working environments controlled by the council. Each staff member using body worn video is issued their own account on a Digital Evidence Management System. When recorded images are uploaded they are assigned to that staff members and can only be viewed by them or an administrator.

Unless marked as evidential all recordings are automatically deleted after 31 days. Evidential recordings are retained for a period of up to 2 years. Data on body worn video devices is automatically deleted from the device after uploading.

The system does not use facial recognition technology or have live streaming.

**8. Does the system’s technology enable recording?**

- Yes
- No

If recording is enabled, state where it is undertaken (no need to stipulate address, just Local Authority CCTV Control room or on-site will suffice for stand-alone camera or BWV), and whether it also enables audio recording.

Images and audio are recorded on site.

**9. If data is being disclosed, how will this be done?**

- Only by on-site visiting
- Copies of footage released (detail method below, e.g. encrypted digital media, via courier, etc)
- Off-site from remote server
- Other (please specify)

Police or other investigating agencies would need to attend a council premises where body worn video docking takes place to receive any recordings.

**10. How is the information used? (tick multiple options if necessary)**

- Monitored in real time to detect and respond to unlawful activities
- Monitored in real time to track suspicious persons/activity
- Compared with reference data of persons of interest through processing of biometric data, such as facial recognition.
- Compared with reference data for vehicles of interest through Automatic Number Plate Recognition software
- Linked to sensor technology
- Used to search for vulnerable persons
- Used to search for wanted persons
- Recorded data disclosed to authorised agencies to support post incident investigation, including law enforcement agencies
- Recorded data disclosed to authorised agencies to provide intelligence
- Other (please specify)

## Consultation

11. Record the stakeholders and data subjects you have consulted about the deployment, together with the outcomes of your engagement.

<b>Stakeholder consulted</b>	<b>Consultation method</b>	<b>Views raised</b>	<b>Measures taken</b>
WLDC - Joint Staff Consultative Committee	Engagement during committee meetings	Engagement conducted when body worn video was introduced. Fully supported as part of PPE for staff members.	

## Consider necessity and proportionality

**12. What is your lawful basis for using the surveillance camera system?** Explain the rationale for your chosen lawful basis under the relevant data protection legislation. Consider whether you will be processing special categories of data.

The system is used under Section 115 of the Crime and Disorder Act 1998 to enable evidential release of any incidents.

In order to lawfully process special category data we have identified lawful basis under Article 6 GDPR as listed below:

6(e) The processing is necessary for you to perform a task in the public interest or for your official functions and the task or function has a clear basis in law

To process special category data we have also identified the following lawful conditions of Article 9 GDPR:

9(2)(a) Explicit consent

9(2)(b) The obligations of employment, social security and social protection law

9(2)(f) Processing is necessary for the establish, exercise or defence of legal claims or whenever courts are acting in their judicial capacity

9(2)(g) Processing is necessary for reasons of substantial public interest

9(2)(i) Processing is necessary for reasons of public interest in the area of public health

**13. How will you inform people that they are under surveillance and ensure that they are provided with relevant information?** State what privacy notices will be made available and your approach to making more detailed information available. Consider whether data subjects would reasonably expect to be under surveillance in this context.

All body worn video devices are worn in prominent positions by staff members and not concealed. If a staff member begins to records they are trained to verbally tell the person being recorded that body worn video is now recording them including audio.

**14. How will you ensure that the surveillance is limited to its lawful purposes and the minimum data that is necessary for those purposes?** Explain the adequacy and relevance of the data you will be processing and how it is limited to the purposes for which the surveillance camera system will be deployed. How will you know if it is delivering the benefits it has been deployed for?

All staff members using body worn video are trained in its use including associated policies and procedures.

The system is effective if reducing or preventing assaults and abuse on staff members and providing evidential footage.

**15. How long is data stored? (please state and explain the retention period)**

The system securely stores data for 31 days. Our systems automatically delete recorded images after this date.

Recorded images will be retained for longer than 31 days if they are required for evidential purposes. This data will then be destroyed after 2 years.

**16. Retention Procedure**

- Data automatically deleted after retention period
- System operator required to initiate deletion
- Under certain circumstances authorised persons may override the retention period, e.g. retained for prosecution agency (please explain your procedure)

The Digital Evidence Management System used automatically deletes non-evidential recordings after 31 days. Recordings marked as evidential are stored for up to 2 years and deleted automatically after this time unless deleted sooner by staff if no longer required.

**17. How will you ensure the security and integrity of the data?** How is the data processed in a manner that ensures appropriate security, protection against unauthorised or unlawful processing and against accidental loss, destruction or damage? What measures do you take to ensure processors comply? How do you safeguard any international transfers?

Staff members using body worn video are all trained in its use and how to correctly dock and transfer data to our Digital Evidence Management System. Individual staff members only have access to the recordings they make and cannot see any other device recordings.

The system stores data on a stand alone server with no outward connections and is located within the council's CCTV Control Room. Physical access is strictly controlled with various access controls in place.

The CCTV Manager can perform regular checks for compliance with processes and policies

**18. How will you respond to any subject access requests, the exercise of any other rights of data subjects, complaints or requests for information?** Explain how you will provide for relevant data subject rights conferred under the legislation. You must have procedures in place to respond to requests for camera footage in which a subject appears, and to respond to any other request to meet data protection rights and obligations.

The Council maintains a Subject Access Request process for all data including recorded footage from body worn video. Any request is logged, criteria checked and identities confirmed prior to any release of data. Data from body worn video is only released if criteria are met and it does not impact on another person's data protection rights or ongoing criminal investigation. Any release of recorded footage is logged.

**19. What other less intrusive solutions have been considered?** You need to consider other options prior to any decision to use surveillance camera systems. For example, could better lighting or improved physical security measures adequately mitigate the risk? Does the camera operation need to be continuous? Where you have considered alternative approaches, provide your reasons for not relying on them and opting to use surveillance cameras as specified.

Personal video recording can be completed using various types of devices including mobile phones. Body worn video devices however provide a dedicated type of recording device that meets the needs of personal protective equipment and ensures best possible compliance with data protection and security.

The use of body worn video devices is well established amongst public sector organisations delivering services where staff members may be exposed to increased risks of assault and abuse. The importance of providing protection for staff members supports the use of this system.

**20. Is there a written policy specifying the following? (tick multiple boxes if applicable)**

- The agencies that are granted access
- How information is disclosed
- How information is handled

Are these procedures made public?       Yes       No

Are there auditing mechanisms?       Yes       No

If so, please specify what is audited and how often (e.g. disclosure, production, accessed, handled, received, stored information)

All associated policies and reviewed on a regular basis.

## APPENDIX ONE

This template will help you to record the location and scope of your surveillance camera system and the steps you've taken to mitigate risks particular to each location.

**Location:** Each system operator/owner should list and categorise the different areas covered by surveillance on their system. Examples are provided below.

Location type	Camera types used	Amount	Recording type	Monitoring	Assessment of use of equipment (mitigations or justifications)
WLDC Body Worn Video	Reveal Media D3	12	Images and audi	None	Detailed in Section 3.

## APPENDIX TWO: STEPS IN CARRYING OUT A DPIA



## NOTES