



**SURVEILLANCE CAMERA
COMMISSIONER**

ico.
Information Commissioner's Office

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



Project name: CCTV Council Buildings

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 DPIA¹:

- | | |
|---|---|
| <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 building and site CCTV operated across West Lindsey. Data processed under 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.

The use of this system shall be for the purpose of:

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.
4. Assisting with the maintenance of public order.

¹ <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/>

5. Deterring and/or reducing the incidence of vandalism, graffiti, anti-social behaviour and environmental crime.
6. Improving the safety and security of staff and visitors.
7. Safety and security of buildings, property and assets at the location.
8. Delivering the aims of the WLDC CCTV Service as set within the CCTV Code of Practice

CCTV is a proven tool in detecting crimes and the perpetrators of it. Using CCTV can significantly reduce the time and cost on the Police service in investigating allegations. CCTV captures actual events and is not influenced by interpretation.

Monitored CCTV enables early detection of incidents before a crime has been committed. Early intervention is then possible to prevent a crime, damage or disorder from occurring.

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?

Recorded video images in locations where we have CCTV cameras on council buildings and sites. Video images of people, vehicles and property in the coverage areas. No audio recordings take place. Our video images will capture all persons including children and vulnerable people.

Recording from all our building and site CCTV cameras operates 24/7 with recorded images stored for 31 days.

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

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 data is available to CCTV Operators in live streaming and recorded video format. All video and metadata is automatically deleted after the retention period of 31 days. If video footage is required beyond this period for evidential purposes it is retained in a separate secure storage and deleted as soon as possible.

All data released to third parties is recorded in a separate media log. All requests for data are logged.

All data is kept within a secure network and server infrastructure.

All CCTV staff are vetted and undergo on-going training.

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.

Local Authority CCTV Control Room. Only video recording with metadata takes place. No audio recording takes place.

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)

Video footage is released on DVD, portable hard drive or memory stick. All items must be collected from the CCTV Control Room and signed out. We will share video footage on DVD via secure courier if the requesting organisation is unable to visit the control room. Any items sent via courier will be password protected.

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.

Stakeholder consulted	Consultation method	Views raised	Measures taken

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.

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

For CCTV in public spaces:

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

For CCTV in private locations or provided through contract:

6(f) The processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individuals personal data which overrides those legitimate interests

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 of our building and site CCTV cameras are designed to be visible and overt. Signage is positioned in areas covered by our CCTV highlighting its presence and providing a contact telephone number for enquiries.

It is reasonable to expect that you would be under surveillance in the locations we provide building and site CCTV. All locations are buildings or sites where staff and visitors access.

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?

CCTV Operators work to our CCTV Code of Practice ensuring appropriate and lawful use of surveillance. Regular vetting and on-going training takes place.

Privacy protection zones are actively used to protect vulnerable locations from being viewed by our cameras.

Annual monitoring report produced detailing level of CCTV monitoring. This is used to assess the impact of CCTV and if intended outcomes are being achieved.

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

All our CCTV systems record and securely store images 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 as soon as possible when no longer required for evidential purposes.

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)

CCTV staff perform regular checks to ensure processed images are not kept longer than 31 days if not part of an on-going investigation.

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?

All recorded footage is stored within secure servers located in a council building. Physical access is strictly controlled with various access controls in place. Access to all computers systems linked to our CCTV system are accessed controlled and not open for any unauthorised staff to use.

Recorded footage cannot be deleted or edited by CCTV Operators. Routine checks are conducted on CCTV Operators to ensure compliance with monitoring and processing of data.

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 CCTV. Any request is logged, criteria checked and identities confirmed prior to any release of data. Data from CCTV is only released if criteria are met and it does not impact on another person's data protection rights.

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.

CCTV provides recorded images that can support investigations into crime. Without CCTV it may not be possible to gather sufficient evidence. The use of CCTV in well used buildings and sites enables the deterrence and detection of crimes in a method that cannot be achieved through other feasible solutions to meet the same objectives.

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)

Routine checks on data requests and processing are completed by the Service Manager to ensure compliance with our CCTV Code of Practice and relevant policies.

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	Monitoring	Assessment of use of equipment (mitigations or justifications)
Guildhall, Gainsborough	Fixed	21	24hrs	24hrs Regular patrols based on risk and intelligence	The privacy expectations at this location are low. Appropriate signaged about CCTV use is in place with contact details.
The Plough, Gainsborough	Fixed	3	24hrs	24hrs Regular patrols based on risk and intelligence	The privacy expectations at this location are low. Appropriate signaged about CCTV use is in place with contact details.
Depot, Gainsborough	PTZ Fixed	1 3	24hrs	24hrs Regular patrols based on risk and intelligence	The privacy expectations at this location are low. Appropriate signaged about CCTV use is in place with contact details.
Trinity Arts Centre, Gainsborough	Fixed	8	24hrs	24hrs Regular patrols based on risk and intelligence	The privacy expectations at this location are low. Appropriate signaged about CCTV use is in place with contact details.
Lea Fields Crematorium	PTZ Fixed	2 15	24hrs	24hrs Regular patrols based on risk and intelligence	The privacy expectations at this location are low. Appropriate signaged about CCTV use is in place with contact details.
Market Rasen Leisure Centre	PTZ Fixed	2 20	24hrs	24hrs Regular patrols based on risk and intelligence	The privacy expectations at this location are low. Appropriate signaged about CCTV use is in place with contact details.

APPENDIX TWO: STEPS IN CARRYING OUT A DPIA



NOTES