DATA PROTECTION IMPACT ASSESSMENT

CARRYING OUT A DATA PROTECTION IMPACT ASSESSMENT ON SURVEILLANCE CAMERA SYSTEMS

ELSENHAM PARISH COUNCIL

Purpose of this advice and template

Principle 2 of the surveillance camera code of practice[1] states that the use of a surveillance camera system must take into account the effect on individuals and their privacy, with regular reviews to ensure its use remains justified. The best way to ensure this is by carrying out a data protection impact assessment (DPIA) before any surveillance camera system is installed, whenever a new technology or functionality is being added on to an existing system, or whenever there are plans to process more sensitive data or capture images from a different location. This will assist in assessing and mitigating any privacy issues linked to the use of a surveillance system.

A DPIA is one of the ways that a data controller can check and demonstrate that their processing of personal data is compliant with the General Data Protection Regulation (GDPR)[2] and the Data Protection Act (DPA) 2018. There are statutory requirements to carry out a DPIA in Section 64 DPA 2018 and article 35 of the GDPR.

The Information Commissioner has responsibility for regulating and enforcing data protection law, and has published detailed general guidance on how to approach your data protection impact assessment. In many cases under data protection law, a DPIA is a mandatory requirement. The Surveillance Camera Commissioner (SCC) and the Information Commissioner's Office (ICO) has worked together on this advice, which is tailored to the processing of personal data by surveillance camera systems.

Suggested steps involved in carrying out a DPIA are shown in **Appendix One.**

A further benefit of carrying out a DPIA using this template is that it will help to address statutory requirements under the Human Rights Act 1998 (HRA). Section 6(1) HRA provides that it is unlawful for a public authority to act in a way which is contrary to the rights guaranteed by the European Convention on Human Rights (ECHR). Therefore, in addition to the above, as a public body or any other body that performs public functions you must make sure that your system complies with HRA requirements. Whilst the particular human rights concerns associated with surveillance tend to be those arising from Article 8 which sets out a right to respect for privacy, surveillance does also have the potential to interfere with rights granted under other Articles of the ECHR such as conscience and religion (Article 9), expression (Article 10) or association (Article 11).

If you identify a high risk to privacy that you cannot mitigate adequately, data protection law requires that you must consult the ICO before starting to process personal data. Use of any surveillance camera system with biometric capabilities, such as Automated Facial Recognition technology, is always likely to result in a high risk to the rights and freedoms of individuals and therefore a DPIA must always be carried out in respect of those systems before you process any personal data. There is a risk matrix at **Appendix Two** that can help you to identify these risks.

Who is this template for?

To complement the ICO's detailed general guidance for DPIAs, the SCC has worked with the ICO to prepare this template specifically for those organisations in England and Wales that must have regard to the Surveillance Camera Code of Practice under Section 33(5) of the Protection of Freedoms Act 2012. This template helps such organisations to address their data protection and human rights obligations in the specific context of operating surveillance cameras.

This surveillance camera specific DPIA is also intended to be of value to the wider community of public authorities and any other bodies, whether public or private, who perform public functions. This secondary audience is subject to the same legal obligations under data protection and human rights legislation, and

[1] Surveillance Camera Code of Practice issued by the Home Secretary in June 2013 under Section 30(1)(a) Protection of Freedoms Act 2012

[2] Regulation (EU) 2016/679 of the European Parliament and European Council, also known as the General Data Protection Regulation, was transposed into UK law through the Data Protection Act 2018. Any processing of personal data by competent authorities for the prevention, investigation, detection or prosecution of criminal offences is regulated under Part 3 of the Data Protection Act 2018 which transposes Directive (EU) 2016/680, also known as the Law Enforcement Directive, into UK law.

is encouraged by the SCC to follow guidance in the Surveillance Camera Code of Practice on a voluntary basis.

When should you carry out the DPIA process for a surveillance camera system?

- Before any system is installed.
- Whenever a new technology or functionality is being added on to an existing system.
- Whenever there are plans to process more sensitive data or capture images from a different location.

In deciding whether to carry out a DPIA and its scope, consideration must be given to the nature and scope of the surveillance camera activities and their potential to interfere with the privacy rights of individuals.

You **must** carry out a DPIA for any processing of surveillance camera data that is likely to result in a high risk to individual privacy. The GDPR states that a DPIA "shall in particular be required in the case of ……. systematic monitoring of publicly accessible places on a large scale" (Article 35).

Furthermore, as a controller in relation to the processing of personal data, you must seek the advice of a designated Data Protection Officer when carrying out a DPIA.

To assess the level of risk, you must consider both the likelihood and the severity of any impact on individuals. High risk could result from either a high probability of some harm, or a lower possibility of serious harm. It is important to embed DPIAs into your organisational processes such as project planning and other management and review activities, and ensure the outcome can influence your plans. A DPIA is not a one-off exercise and you should see it as an ongoing process, and regularly review it.

As part of an ongoing process, your DPIA should be updated whenever you review your surveillance camera systems, it is good practice to do so at least annually, and whenever you are considering introducing new technology or functionality connected to them.

The situations when a DPIA should be carried out, include the following:

- When you are introducing a new surveillance camera system.
- If you are considering introducing new or additional technology that may affect privacy (e.g. automatic facial recognition, automatic number plate recognition (ANPR), audio recording, body worn cameras, unmanned aerial vehicles (drones), megapixel or multi sensor very high resolution cameras).
- When you are changing the location or field of view of a camera or other such change that may raise privacy concerns.
- When you are reviewing your system to ensure that it is still justified. Both the Surveillance Camera Code of Practice and the ICO recommend that you review your system annually.
- If your system involves any form of cross referencing to other collections of personal information.
- If your system involves more than one company or agency undertaking activities either on your behalf or in their own right.
- When you change the way in which the recorded images and information is handled, used or disclosed.
- When you increase the area captured by your surveillance camera system.
- When you change or add an end user or recipient for the recorded information or information derived from it.

If you decide that a DPIA is not necessary for your surveillance camera system, then you must record your decision together with the supporting rationale for your decision.

Description of proposed surveillance camera system

Provide an overview of the proposed surveillance camera system

This should include the following information:

- An outline of the problem(s) the surveillance camera system is trying to resolve.
- Why a surveillance camera system is considered to be part of the most effective solution.
- How the surveillance camera system will be used to address the problem (identified above).
- How success will be measured (i.e. evaluation: reduction in crime, reduction of fear, increased detection etc).

In addition, consideration must be given to the lawful basis for surveillance, the necessity of mitigating the problem, the proportionality of any solution, and the governance and accountability arrangements for any surveillance camera system and the data it processes.

The following questions must be considered as part of a DPIA:

- Do you have a lawful basis for any surveillance activity?
- Is the surveillance activity necessary to address a pressing need, for example: public safety; the prevention, investigation, detection or prosecution of criminal offences; or, national security?
- Is surveillance proportionate to the problem that it is designed to mitigate?

If the answer to any of these questions is no, then the use of surveillance cameras is not appropriate.

Otherwise please proceed to complete the template below, where your initial answers to these questions can also be recorded.

DATA PROTECTION IMPACT ASSESSMENT TEMPLATE

Statutory requirements in Section 64 DPA 2018 and article 35 of the GDPR are that your DPIA **must**:

- describe the nature, scope, context and purposes of the processing;
- assess necessity, proportionality and compliance measures;
- identify and assess risks to individuals; and
- identify any additional measures to mitigate those risks.

Statutory requirements in Sections 69-71 DPA 2018 and articles 37-39 of the GDPR are that if you are a public authority, or if you carry out certain types of processing activities, you **must** designate a Data Protection Officer (DPO) and always seek their advice when carrying out a DPIA. The ICO provides guidance on the requirement to appoint a DPO. If you decide that you don't need to appoint a DPO you should record your decision and your supporting rationale. In the performance of their role, a DPO must report to the highest management level within the controller.

These statutory requirements indicate that a DPIA should be reviewed and signed off at the highest level of governance within an organisation.

To help you follow these requirements this template comprises two parts.

Level One considers the general details of the surveillance camera system and supporting business processes, including any use of integrated surveillance technologies such as automatic facial recognition. It is supported by **Appendix Three** which helps to capture detail when describing the information flows. The SCC's Passport to Compliance provides detailed guidance on identifying your lawful basis for surveillance, approach to consultation, transparency and so on.

Level Two considers the specific implications for the installation and use of each camera and the functionality of the system.

Template – Level One

Location of surveillance camera system being assessed:

Elsenham Playing Field

Date of assessment	*01/07/2019*
Review date	*01/07/2020*
Name of person responsible	*Chairman of Elsenham Parish Council*
Name of Data Protection Officer	*Clerk to the Parish Council – Mrs. Louise Johnson*

GDPR and Data Protection Act 2018 and Surveillance Camera Code of Practice

1. What are the problems that you need to address in defining your purpose for using the surveillance camera system? Evidence should be provided which includes relevant available information, such as crime statistics for the previous 12 months, the type, location, times and numbers of crime offences, housing issues relevant at the time, community issues relevant at the time and any environment issues relevant at the time.

Elsenham Playing Field has been the subject of acts of vandalism, burglary, criminal damage and anti-social behaviour activities over a number of years, which occur in periodic cycles. The deployment of a CCTV system will assist in the tracking and apprehension of persons who are suspected of committing the vandalism, criminal activities and anti-social behaviour. To date, other preventative measures to prevent these activities have proved to be ineffective.

2. Can surveillance camera technology realistically mitigate the risks attached to those problems? State why the use of surveillance cameras can mitigate the risks in practice, including evidence to justify why that would be likely to be the case.

The use of CCTV technology will provide a more effective method of helping to detect criminal activities, damage and anti-social activities that are occurring. In addition, the CCTV cameras will help to identify and possibly prosecute those persons carrying out criminal and anti-social activities.

3. What other less privacy-intrusive solutions such as improved lighting have been considered? There is a 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 24/7? Where these types of restrictions have been considered, provide your reasons for not relying on them and opting to use surveillance cameras as specified.

Given the nature and large area of land forming Elsenham Playing Field, deployment and improvements to the general lighting facilities are limited. Various physical security measures have been used in the past, i.e. employing the services of a dedicated private security company to secure the field's entry/exit gates has been used but has proved to be highly expensive and not an ongoing sustainable cost to the Council. The securing of the entry/exit gates is further complicated by the presence of the Elsenham Community Association and the Bowls Club, both of whom have premises on the Playing Field and have the right to regular access. The relative isolation of the Playing Field also restricts the opportunities for implementing other effective preventative measures to ameliorate the identified problems.
Operation of the cameras will be on a 24/7 basis and will operate on a retrieval-only basis; this will provide a safe and secure environment for the benefit of the general public visiting/using the Playing

Field and its facilities.

4. What is the lawful basis for using the surveillance camera system? State which lawful basis for processing set out in Article 6 of the GDPR or under Part 3 of DPA 2018 applies when you process the personal data that will be captured through your surveillance camera system.

GDPR Article 6(1)(e):Processing - Public task: *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.*

5. Can you describe the information flows? State how data will be captured, whether it will include audio data, the form of transmission, if there is live monitoring or whether data will be recorded, whether any integrated surveillance technologies such as automatic facial recognition is used, if there is auto deletion after the retention period, written procedures for retention in line with stated purpose, written procedures for sharing data with an approved third party, record keeping requirements, cyber security arrangements and what induction and ongoing training is provided to operating staff. Specific template questions to assist in this description are included in **Appendix Three**.

Data will be captured in video format and the CCTV system will operate on a 24/7 retrieval-only basis. The central recording equipment is connected to the various cameras either hard-wired or via secure encrypted wireless links. The system does not use Automated Face Recognition (AFR) and all cameras are HD Static (no PTZ). The retention period/s, procedures, data sharing and security are in line with the Parish Council's policy and procedures. Authorised persons have received the relevant training in legislation, procedures and use of the system. The system will be tested annually by properly accredited persons.

6. What are the views of those who will be under surveillance? Please outline the main comments from the public resulting from your consultation – as part of a DPIA, the data controller should seek the views of those subjects who are likely to come under surveillance or their representatives on the proposition, without prejudice to the protection of commercial or public interests or the security of processing operations. This can often be achieved by existing local consultation mechanisms such as local area committees or safer neighbourhood team meetings; but, if necessary depending on the privacy intrusion of the surveillance in question, other methods could be considered such as face to face interviews, online surveys, questionnaires being sent to residents/businesses and addressing focus groups, crime & disorder partnerships and community forums. The Data Protection Officer may be able to offer advice on how to carry out consultation.

Full consultation with the primary stakeholders of the Playing Field, i.e. the Elsenham Community Association (ECA), Elsenham Bowls Club, Elsenham Tennis Club and Elsenham Youth Football Club, all of whom use and own/operate premises and/or facilities on the Playing Field. In addition, information about the proposal to install a CCTV system was circulated throughout the village, both at Parish Council meetings and via the village magazine (Elsenham News) which is delivered to every household in the Parish.

7. What are the benefits to be gained from using surveillance cameras? Give specific reasons why this is necessary compared to other alternatives. Consider if there is a specific need to prevent/detect crime in the area. Consider if there would be a need to reduce the fear of crime in the area, and be prepared to evaluate.

A CCTV system (retrieval-only) system will be better able to deter potential offenders by publicly displaying the existence of CCTV cameras. In the event of criminal or anti-social activities occurring, the CCTV system will be better able to identity and provide evidence of the perpertrators and assist in their prosecution.
With the rapid expansion of Elsenham, use of the Playing Field as a recreational facility within the

village will significantly increase and the use of CCTV will greatly assist the Parish Council in providing a safe and secure environment for all residents and visitors.

8. What are the privacy risks arising from this surveillance camera system? State the main privacy risks relating to this particular system. For example, who is being recorded; will it only be subjects of interests? How long will recordings be retained? Will they be shared? What are the expectations of those under surveillance and impact on their behaviour, level of intrusion into their lives, effects on privacy if safeguards are not effective? What is your assessment of both the likelihood and the severity of any impact on individuals?

The majority of the cameras deployed (8 cameras) are operated for general observation purposes (detect and recognise), the remaining two (2) cameras are operated for identification purposes and will allow number plate capture of vehicles entering/exiting the Playing Field and to safeguard the CCTV's central recording equipment located in the ECA Memorial Hall. All persons entering and using the Playing Field will be recorded and the recorded data will be retained by the CCTV system for up to 31 days. Signage is placed throughout the system. Proper procedures and practices for the operation and management of the system are detailed in the Parish Council's CCTV Code of Practice. All persons authorised to operate the system and access data will be fully trained, and licensed as appropriate. Data will only be shared with authorised agencies and bodies, e.g. Police, statuatory bodies with powers to prosecute, solicitors, insurances and other persons and agencies according to purpose and legal status.

9. Have any data protection by design and default features been adopted to reduce privacy intrusion? Could any features be introduced as enhancements? State the privacy enhancing techniques and other features that have been identified, considered and accepted or rejected. For example, has consideration been given to the use of technical measures to limit the acquisition of images, such as privacy masking on cameras that overlook residential properties? If these have not been adopted, provide a reason.

To ensure privacy of data, the system has the following safeguards.
The cameras are fixed-position (static) and pointed to public areas. All cameras have the ability to programme Privacy Zones, if required to prevent any intentional or accidental intrusion into residential property. The system will only be operated/accessed by persons authorised by the Parish Council and appropriated trained and/or licensed.

10. What organisations will be using the surveillance camera images, and where is the controller responsibility under the GDPR and Data Protection Act 2018? List the organisation(s) that will use the data derived from the camera system and identify their responsibilities, giving the name of the data controller(s) and any data processors. Specify any data sharing agreements you have with these organisations.

- *Police.*
- *Statuatory authorities with powers to prosecute.*
- *Solicitors.*
- *Claimants in civil proceedings.*
- *Accused persons or defendants in criminal proceedings.*
- *Insurances.*
- *Other agencies according to purpose and legal status.*

11. Do the images need to be able to recognise or identify individuals, or could the purpose be met using images in which individuals cannot be identified? Explain why images that can recognise or identify people are necessary in practice. For example, cameras deployed for the purpose of ensuring traffic flows freely in a town centre may not need to be capable of capturing images of identifiable individuals, whereas cameras justified on the basis of dealing with problems reflected in assessments showing the current crime hotspots may need to capture images in which individuals can be identified.

Images must be adequate for the purpose of the system. For the prevention and protection of crime, the images should be capable of identifying individuals who may be suspects or witnesses to a criminal offence. This would include clothing and vehicle makes and registration numbers. For public safety the majority of images would be unidentifiable in relation to personal data.

12. How will you inform people that they are under surveillance and respond to any Subject Access Requests, the exercise of any other rights of data subjects, complaints or requests for information? State what privacy notices will be made available and your approach to making more detailed information available about your surveillance camera system and the images it processes. In addition, 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.

ICO approved signage is displayed in various key areas of the Playing Field. Subject Access Requests, Privacy Notices and Complaints are detailed on the Parish Council's website and available, if required from the Parish Clerk.

13. How will you know if the particular camera system/hardware/software/firmware being considered does deliver the desired benefits now and in the future? It is good practice to review the continued use of your system on a regular basis, at least annually, to ensure it remains necessary, proportionate and effective in meeting its stated purpose. State how the system will continue to meet current and future needs, including your review policy and how you will ensure that your system and procedures are up to date in mitigating the risks linked to the problem.

The CCTV system will be inspected annually and assessed. This will include an annual review of the continuing need for the system, the quality of the images and the areas of coverage of each camera. A review of the Council's CCTV policy and Code of Practice will also be reviewed annually.

14. What future demands may arise for wider use of images and how will these be addressed? Consider whether it is possible that the images from the surveillance camera system will be processed for any other purpose or with additional technical factors (e.g. face identification, traffic monitoring or enforcement, automatic number plate recognition, body worn cameras) in future and how such possibilities will be addressed. Will the camera system have a future dual function or dual purpose?

The demands of the CCTV system will remain in line with the objectives detailed in the Council's CCTV policy and Code of Practice documents. Any variation of this will require the approval of full Council.

15. Have you considered the extent to which your surveillance camera system may interfere with the rights and freedoms conferred under the European Convention on Human Rights? When we consider data protection, our focus tends to be upon the potential to interfere with the Article 8 right to respect for private and family life. Surveillance undertaken in accordance with the law could, however, interfere with other rights and freedoms such as those of conscience and religion (Article 9), expression (Article 10) or association (Article 11). Summarise your assessment of the extent to which you might interfere with ECHR rights and freedoms, and what measures you need to take to ensure that any interference is necessary and proportionate.

The CCTV system covers areas of Elsenham Playing Field which is public open space land. The public are aware that the system is recording by the comprehensive use of approved CCTV signage. The level of expected privacy is low. The use of the system will remain in line with the objectives detailed in the Council's CCTV Code of Practice. The use of CCTV is deemed proportionate and not in conflict with Articles(8), (9), (10) or (11) of the Human Rights Act.

16. Do any of these measures discriminate against any particular sections of the community? Article 14 of the ECHR prohibits discrimination with respect to rights under the Convention. Detail whether the proposed surveillance will have a potential discriminatory or disproportionate impact on a section of the community. For example, establishing a surveillance camera system in an area with a high density of one particular religious or ethnic group.

The CCTV system does not focus on any particular ethnic groups.

Template Level Two

This Level 2 template is designed to give organisations a simple and easy to use format for recording camera locations, other hardware, software and firmware on their surveillance camera system, and demonstrating an assessment of risk to privacy across their system and the steps taken to mitigate that risk.

Principle 2 - The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.

When looking at the obligation under the code a risk assessment methodology has been developed to help organisations identify any privacy risks to individual or specific group of individuals (e.g. children, vulnerable people), compliance risks, reputational risks to the organisation and non-compliance with the Protection of Freedoms Act 2012 and/or the Data Protection Act 2018.

A system that consists of static cameras in a residential housing block will generally present a lower risk than a system that has multiple High Definition Pan Tilt and Zoom (PTZ) cameras. However, the DPIA should help identify any cameras (irrespective of the type) that may be directed at a more vulnerable area (e.g. a children's play area) and thus presenting a higher privacy risk. This approach allows the organisation to document a generic and methodical approach to any intrusion into privacy, catalogue your cameras by type and location, and finally identify any cameras that present specific privacy risks and document the mitigation you have taken. It also allows you to consider the risks associated with any integrated surveillance technology such as automatic facial recognition systems, along with security measures against cyber disruption of your system,

As an organisation that operates a surveillance camera system you will also be the controller of the personal data captured by its cameras. Under DPA 2018 (Sections 69-71), a data controller is under a legal obligation to designate and resource a data protection officer and to seek their advice when carrying out a DPIA.

An example of a risk assessment matrix is shown in **Appendix Two**.

When undertaking a DPIA, it is essential to be able to confirm where the organisation's cameras are sited. It is good practice for all organisations to maintain an asset register for all of their hardware (including cameras), software and firmware. This allows the system operator to record each site and system component in a manner to lead into the level two process.

If any new site or installation sits outside of the pre-defined fields, or additional integrated surveillance technologies are added, then new categories can be added as required

Overall step one and step two will cover the uses of hardware, software and firmware of the system. However, it may be contrary to the purpose of your surveillance camera system to publically list or categorise each individual asset.

Template – Level Two

Step 1 (definition of hardware, software and firmware including camera types utilised)

Cameras Specification: System operator owner should include below all camera types and system capabilities (e.g. static, PTZ, panoramic, ANPR) and their likely application and expected use. This will differ by organisation, but should be able to reflect a change in camera ability or system functionality due to upgrade.

Please see example below:

ID	Camera types	Makes and models used	Amount	Description	Justification and expected use
1.	Standard Static		*Nil*		*N/A*
2.	Standard PTZ		*Nil*		*N/A*
3.	High-zoom PTZ		*Nil*		*N/A*
4.	*High Definition (HD) Static*	*Genie WIP2BVL 2MP Bullet PoE 25fps, 2.8-12mm, 30-50m IR, TDN, DWR*	*10*	*Static images, no movement or zoom function*	*Public space recording. Prevention and detection of crime and anti-social behaviour, public safety and site security. Detect, recognise and identify.*
5.	HD PTZ		*Nil*		*N/A*
6.	ANPR software		*Nil*		*N/A*
7.	Automatic Facial Recognition software		*Nil*		*N/A*
8.	Other		*Nil*		*N/A*
9.					
10.					
11.					

Step 2 (location assessment)

Location: Each system operator/owner should list and categorise the different areas covered by surveillance on their system. This list should use the specifications above which ID (types) are used at each specific location.

CAT	Location type	Camera types used	Amount	Recording	Monitoring	Assessment of use of equipment (mitigations or justifications)
A.	*Elsenham Playing Field*	*Type 4. High Definition (HD) Static*	*10*	*24 hours*	*Retrieval-only. No monitoring activities.*	*The privacy level expectation in a public playing fiend is very low; the system and cameras are well signed with appropriate signage for CCTV, its use and*

CAT	Location type	Camera types used	Amount	Recording	Monitoring	Assessment of use of equipment (mitigations or justifications)
						purpose and with contact details.
B.						
C.						
D.						
E.						
F.						
G.						
H.						
I.						
J.						
K.						
L.						

Step 3 (Cameras or functionality where additional mitigation required)

Asset register: It is considered to be good practice for all organisations to maintain an asset register for all of the components which make up their system. This allows the system owner to record each site and equipment installed therein categorised in a manner to lead into the level two process.

Please document here any additional mitigation taken on a camera or system to ensure that privacy is in line with the ECHR requirements.

Asset number	Reviewed	Camera type	Location category	Further mitigation/ comments (optional)

Step 4 (Mitigation for specific cameras and any integrated surveillance functionality that have high privacy risks)

Where there is a very high risk to privacy you may wish to conduct an extensive DPIA of specific installations or functionality and have it fully documented. Where you are unable to mitigate the risk adequately you **must** refer your DPIA to the ICO for review.

DPIA for specific installations or functionality

Camera number	*None*
Camera location	

Privacy risk(s)	**Solution**	**Outcome** (Is the risk removed, reduced or accepted)	**Justification** (Is the impact after implementing each solution justified, compliant and proportionate to the aim of the camera?)

Measures approved by:
Integrate actions back into project plan, with date and responsibility for completion

Name	*N/A*
Date	

Residual risks approved by:
If you identify a high risk that you cannot mitigate adequately, you must consult the ICO before starting to capture and process images

Name	*N/A*
Date	

DPO advice provided:
DPO should advise on compliance and whether processing can proceed

Name	*N/A*	
Date	*N/A*	
Summary of DPO advice	*N/A*	

DPO advice accepted or overruled by:
If overruled, you must explain your reasons

Name	*N/A*	
Date	*N/A*	
Comments	*N/A*	

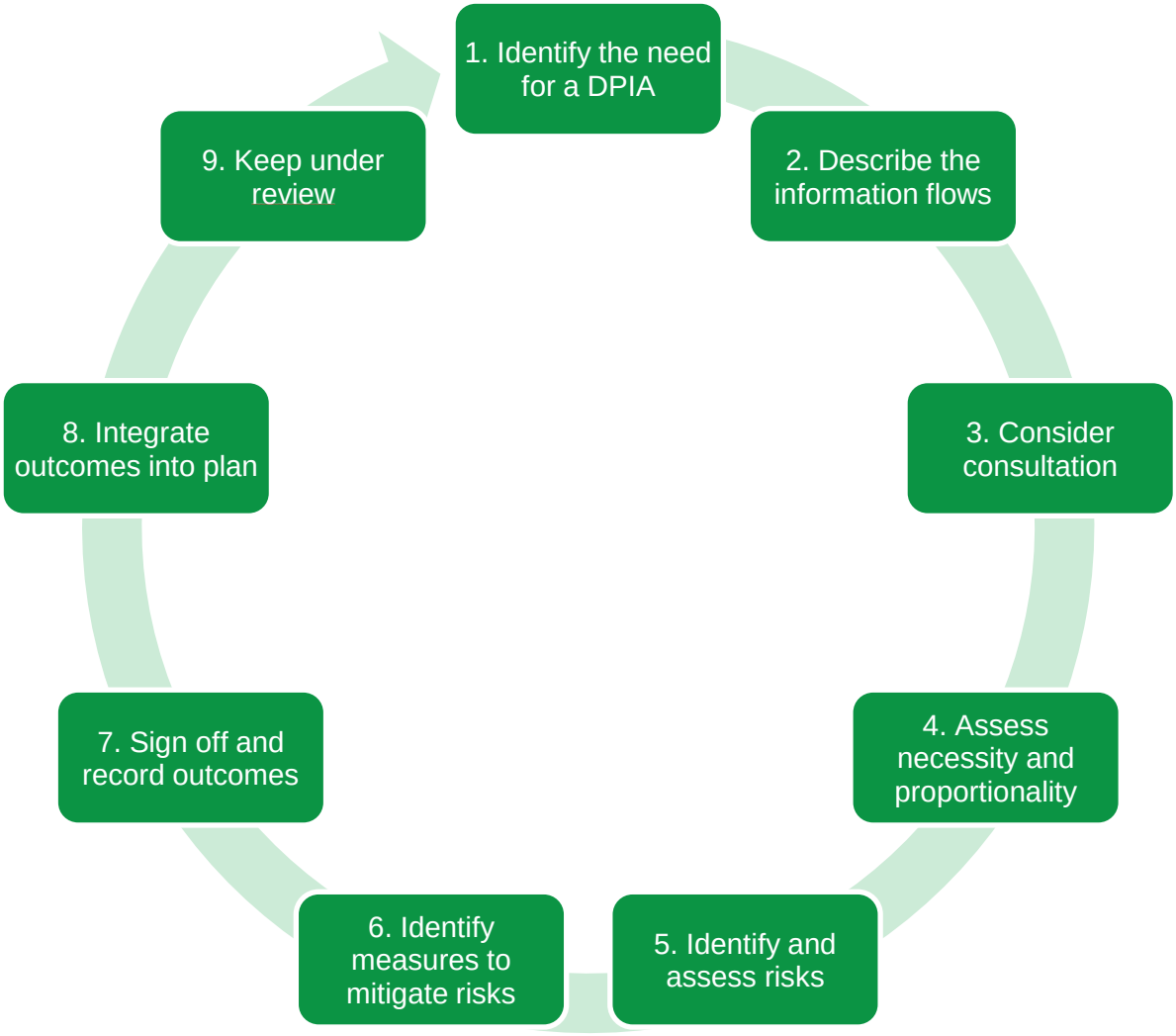
Consultation responses reviewed by:
If your decision departs from individuals' views, you must explain your reasons

Name	*N/A*	
Date	*N/A*	
Comments	*N/A*	

This DPIA will kept under review by:
The DPO should also review ongoing compliance with DPIA

Name	*Clerk to the Parish Council – Mrs. Louise Johnson*	
Date	*7 December 2020*	

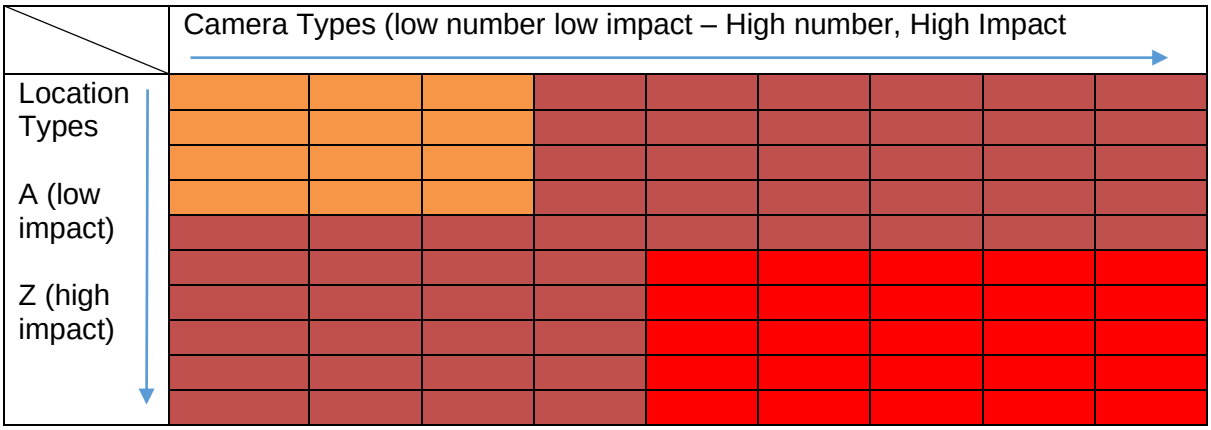
APPENDIX ONE: STEPS IN CARRYING OUT A DPIA



APPENDIX TWO: DATA PROTECTION RISK ASSESSMENT MATRIX

Scoring could be used to highlight the risk factor associated with each site or functionality if done utilising the risk matrix example shown below.

Matrix Example:



Be aware that use of any surveillance camera system with biometric capabilities, such as Automated Facial Recognition technology, is always likely to result in a high risk to the rights and freedoms of individuals and therefore a DPIA must always be carried out in respect of those systems before you process any personal data.

APPENDIX THREE: LEVEL 1

DESCRIBE THE INFORMATION FLOWS

Optional questions to help describe the collection, use and deletion of personal data.

It may also be useful to refer to a flow diagram or another way of explaining data flows.

5.1 How is information collected?

☒ CCTV camera
☐ Body Worn Video
☐ ANPR
☐ Unmanned aerial systems (drones)
☐ Stand-alone cameras
☐ Real time monitoring
☐ Other (please specify)

5.2 Does the system's technology enable recording?

☒ Yes ☐ No

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

On-site at Elsenham Playing Field.

Is the recording and associated equipment secure and restricted to authorised person(s)? (Please specify, e.g. in secure control room accessed restricted to authorised personnel)

Recording equipment is securely situated in a locked cabinet within a locked, alarmed building (ECA Memorial Hall) located on Elsenham Playing Field. Access to the CCTV recording equipment is by authorised, accredited and trained staff and/or members of Elsenham Parish Council.

5.3 What type of transmission is used for the installation subject of this PIA (tick multiple options if necessary)

☐ Fibre optic
☒ Wireless (please specify below)
☒ Hard wired (apart from fibre optic, please specify)
☐ Broadband
☐ Other (please specify)

Secure, encyrpted wireless links between individual cameras and central recording equipment.

5.4 What security features are there to protect transmission data e.g. encryption (please specify)

Images are transmitted over a secure network, which is encrypted and password protected.

5.5 Where will the information be collected from?

☒ Public places (please specify)
☒ Car parks
☐ Buildings/premises (external)
☒ Buildings/premises (internal public areas) (please specify)

A single camera located in the lobby area of the ECA Memorial Hall, close to the secure storage area for the CCTV recording equipment has been installed to provide further protection and security of the CCTV equipment.

☐ Other (please specify)

5.6 From whom/what is the information collected?

☒ General public in monitored areas (general observation)
☒ Vehicles
☒ Target individuals or activities (suspicious persons/incidents)
☒ Visitors
☐ Other (please specify)

5.7 What measures are in place to mitigate the risk of cyber attacks which interrupt service or lead to the unauthorised disclosure of images and information?

CCTV system is an isolated, stand-alone system, which is not linked to the Internet.

5.8 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 Automatic Facial Recognition software
- ☐ Compared with reference data for vehicles of interest through Automatic Number Plate Recognition software
- ☐ Used to search for vulnerable persons
- ☐ Used to search for wanted persons
- ☒ Recorded data disclosed to authorised agencies to support post incident investigation by, including law enforcement agencies
- ☒ Recorded data disclosed to authorised agencies to provide intelligence
- ☐ Other (please specify)

5.9 How long is footage stored? (please state retention period)

31 days.

5.10 Retention Procedure

- ☒ Footage 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)

Images may be retained for longer period, for example, in a civil case where both parties may wish to obtain CCTV evidence.

5.11 With which external agencies/bodies is the information/footage shared?

- ☒ Statutory prosecution agencies
- ☒ Judicial system
- ☒ Data subjects
- ☒ Local Government agencies
- ☒ Legal representatives
- ☐ Other (please specify)

5.12 How is the information disclosed to the authorised agencies

☒ Only by onsite visiting

☒ Copies of the footage released to those mentioned above (please specify below how released e.g. sent by post, courier, etc.)

☐ Offsite from remote server

☐ Other (please specify)

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

☒ Which agencies are granted access

☒ How information is disclosed

☒ How information is handled

☒ Recipients of information become Data Controllers of the copy disclosed

Are these procedures made public? ☒ Yes ☐ No

Are there auditing mechanisms? ☒ Yes ☐ No

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

Elsenham Parish Council Code of Practice.

5.14 Do operating staff receive appropriate training to include the following?

☒ Legislation issues

☒ Monitoring, handling, disclosing, storage, deletion of information

☒ Disciplinary procedures

☒ Incident procedures

☒ Limits on system uses

☒ Other (please specify)

Elsenham Parish Council Code of Practice.

5.15 Do CCTV operators receive ongoing training?

☐ Yes ☒ No

5.16 Are there appropriate signs which inform the public when they are in an area covered by surveillance camera systems?

☒ Yes ☐ No
