

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



Project name: Lawns Area CCTV

Data controller(s): Padstow Town 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 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) |

Monitoring of a publicly accessible area for prevention and detection of antisocial behaviour and criminal damage, improved public safety and confidence and to prevent the erosion of valued outdoor recreational spaces.

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)?

The proposal is for the deployment of a new surveillance camera system to be monitored and maintained in accordance with the SCC code of practice and governing guidance. Data will be processed under GDPR Article 6(1)(e): Processing is necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in the controller.

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.

Cameras will be installed to cover Padstow Sk8 skate park and the neighbouring Lawns Play area where there has been a continuing trend of anti-social behaviour. The purpose of the proposed surveillance camera system is to address the following problems in these areas:

- 1) Security of the skate park asset and neighbouring recreational facilities from antisocial behaviour and criminal damage;
- 2) Public safety and confidence in using the skate park and neighbouring recreational facilities;

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/>

3) Erosion of valued outdoor recreational space for vulnerable group.

There are a number of sources of evidence supporting the need for a CCTV system. These include:

- Anecdotal information from the community;
- Physical evidence regularly removed/repaired by the Town Council e.g graffiti, alcohol and drug related detritus, littering and damage;
- Confirmation from the area's Neighbourhood Beat Manager that the skate park is the local police team's main area of focus in Padstow and is included in the team's patrol of areas known for anti social behaviour and drug taking/selling; and
- Qualitative data collated from responses to a survey regarding the play area in June 2022 that demonstrates a lack of public confidence in using the skate park and neighbouring Lawn's play area.

The objectives of the system are:

- a) Preventing damage.
- b) Reducing anti-social behaviour.
- c) Increasing public perceptions of safety in the Lawns area.
- d) Increasing successful convictions of offenders.
- e) Increasing public confidence in using the recreational facilities at the Lawns.
- f) Supporting continued development and investment by PTC in recreational facilities which are well used and valued.

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 Council will process personal data of persons in public spaces, being Padstow Sk8, the Lawns play area and the public spaces in the immediate vicinity.

Collection of data is specific to the purposes set out in section 3 and the system will be in operation 24/7. The data collected is in the form of recorded video footage, retained on the system for 31 days from the point of recording and then automatically deleted. Images of individuals will only be released to investigating authorities in accordance with the objectives listed in the SCC code of practice.

There will be images of children, vulnerable persons, people from minority ethnic groups and religious beliefs, however this will not be known at the time of recording unless the cameras are being used proactively by appropriately trained members of staff. Any proactive monitoring of the public must be justified and a full audit trail will be maintained and monitored by the Town Clerk on a regular basis.

The system will be used in an overt manner and signage informing the public that CCTV is in operation will be displayed throughout the locations. The CCTV system does not discriminate in any way, nor does it have any analytical software that could be used to discriminate people.

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.

The data owner and controller is Padstow Town Council. The Town Clerk will ensure that the system and its data are maintained in accordance with the agreed CCTV policies of Padstow Town Council.

Data will only be shared with the following third parties under specific circumstances and upon consideration of the submission of a formal CCTV Disclosure Request:

- 1) Data Subjects - in compliance with a Subject Access Requests, unless disclosure would prejudice criminal enquiries, criminal investigations or contravene the data protection rights of any third party in the footage whose identity cannot be protected.
- 2) Law enforcement agencies - where the data would assist with a specific criminal enquiry
- 3) Prosecution agencies - where the data would assist in the prosecution of anti-social behaviour and criminal activity.
- 4) Authorised investigators - such as insurance companies investigating claims in relation to anti-social behaviour and criminal activity.

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Fixed CCTV (networked) | <input type="checkbox"/> Body Worn Video |
| <input type="checkbox"/> ANPR | <input type="checkbox"/> Unmanned aerial systems (drones) |
| <input type="checkbox"/> Stand-alone cameras | <input type="checkbox"/> Redeployable CCTV |
| <input type="checkbox"/> 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.

Data from the cameras will be transmitted via an ethernet network to the NVR (Network Video Recorder). The data will be transmitted using a high encryption wireless point-to-point system and the MAC address (Media Access Control address) will be locked.

The data will be accessible from the NVR and also from the Council Offices via an internet connection and an app installed on a specified workstation. Live monitoring will only occur in exceptional circumstances such as a request by the police related to their detection of and response to unlawful activities. Any data disclosed to a third party identified in section 5 above will be downloaded to a USB. Detailed procedures and policies will ensure that recorded data is handled and used in a lawful manner.

Audio recording will not be enabled and the Town Council will not operate a watchlist or use automatic facial recognition. A data retention period of 31 days will be set and when this is met, data will automatically be destroyed. Where necessary e.g following a major incident where a large amount of data has been retained for investigation, civil proceedings and subject access requests, footage may be retained in a lockable evidence location for more than 31 days. The evidence location will be reviewed by the Town Clerk on regular basis and the principles of GDPR/DP 2018 will be adhered to at all times.

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.

Recording will be enabled and will be undertaken at the Padstow Town Council control room. There will be no audio recording.

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)

Upon receipt of a completed CCTV Request form received by one of the third parties identified in section 5 above, and on the authorisation of the Town Clerk, an appropriately trained member of staff will access and view the relevant recordings.

If the incident requested is found, the offer of an on-site visit to view the data will be made. In these circumstances, the data will be disclosed by an approved member of staff in a private space where the screening cannot be observed by unintended persons including other employees of Padstow Town Council.

Where instead copies of the footage are released, the recording will be downloaded to a USB device for this purpose and encrypted. The USB will be clearly labelled and will need to be collected from the Town Council Offices by the requester unless the requester consents to the device being sent by recorded delivery post or encrypted email. The requester will need to sign the relevant collection form, as appropriate.

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)

• To respond to a subject access request but only whereby doing so would not be likely to i) prejudice the prevention and detection of crime; ii) prejudice the apprehension and prosecution of offenders; or iii) contravene the data protection rights of any third party in the footage whose identity cannot be protected.

• To investigate and respond to damage and mistreatment of Town Council property, where an appropriately trained member of staff is authorised by the Town Clerk to view the recordings of a defined timeframe. This will not involve monitoring in real time.

Real time monitoring will only happen in extreme circumstances where a legitimate request for assistance is received from the police and authorisation is granted by the Town Clerk. Monitoring will only be undertaken by an appropriately trained member of staff.

Logs of all access to data will be kept in accordance with agreed CCTV Policies of Padstow Town Council.