



BARLASTON PARISH COUNCIL

Data Protection Impact Assessment on closed circuit television (CCTV)

Project Name: CCTV system

Data Controller: Barlaston Parish Council

Date: 3rd February 2023

CCTV DPIA

Barlaston Parish Council operates a CCTV system. As such we must consider the privacy implications of such a system. There are several other issues we will also need to consider. The completion of the Data Protection Impact Assessment highlights some of the key implications.

A Data Protection Impact Assessment is also recommended by the ICO which sets out the guiding principles that should be applied when CCTV systems are in place to ensure that privacy risks are minimised whilst ensuring the aims of the CCTV system are met.

This Data Protection Impact Assessment looks at the wider context of privacy taking into account Data Protection Law and the Human Rights Act. It considers the need for the CCTV system and the impact it may have on individual privacy.

This Data Protection Impact Assessment helps determine whether the proposed system can be justified as proportionate to the needs of the Parish Council and members of the public. In undertaking this Data Protection Impact Assessment, we have considered our obligations under Data Protection Law.

Barlaston Parish Council recognises that changes do occur, and, on this basis, good practice recommends that we complete a Data Protection Impact Assessment. We recognise that it is good practice to undertake a Data Protection Impact Assessment before a system is put in place and follow the surveillance commissioner's passport to compliance. We also have a CCTV Policy, and this Data Protection Impact Assessment will typically consist of the following key steps:

1. Identify the need for a DPIA.
2. Describe the information flow.
3. Identify data protection and related risks.
4. Identify data protection solutions to reduce and eliminate the risks.
5. Sign off the outcomes of the DPIA.

Step 1: Identify the need for a DPIA

Identify why the deployment of surveillance cameras requires a DPIA

CCTV consistently delivers benefits in terms of improved health and safety and security within our premises. It complements other security measures which are in place within the organisation.

CCTV aims to achieve the following:

- Improve the health and safety and security of employees, councillor's, members of the public and visitors
- Protect our buildings and internal infrastructure
- Monitoring
- Reduce vandalism and anti-social behaviour
- Provide assistance in the detection and prevention of crime

The system is monitored and maintained in accordance with the [Home Office Surveillance Camera code of practice](#) and the [Information Commissioner's Office \(ICO\) CCTV guidance](#) governing guidance. 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.

Step 2: Describe the processing

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

CCTV cameras have been installed in all Barlaston Parish Council premises to assist in the prevention and detection of crime, improve public safety and reduce anti-social behaviour.

Whose data will you be processing and over what area?

We will process personal data of persons in public places such as our premises and car parks. The data collected and processed is in the form of recorded video footage. 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 proactively used by staff.

Any proactive monitoring of the public must be justified by the operator. A full audit trail is maintained and inspected by the Clerk of Barlaston Parish Council on a regular basis. Images of individuals will only be released to investigating authorities in accordance with the objectives listed in the Home Office Surveillance Camera code of practice. The system will be used in an overt manner and signage informing the public that CCTV is in operation will be displayed throughout our premises.

The CCTV system does not discriminate in any way, nor does it have any analytical software which could be used to discriminate people.

Who will be making decisions about the uses of the system and which other parties are likely to be involved?

The data owner and data controller are Barlaston Parish Council. We will only share data with:-

1. Data subjects following a subject access request
2. Statutory prosecuting authorities
3. Clients and authorised investigators

No other organisation will have access to the data other than general individuals exercising their rights in relation to subject access requests.

Disclosure of data is covered in our CCTV Policy.

Describe the scope of the processing:

What is the nature of the data? – The CCTV data captured are still and video recordings.

Special Category data? – By default, the CCTV may record special category data including race/ethnic origin and the health of an individual.

How much data is collected and used and how often? – The CCTV system is operational 24 hours a day, 7 days a week.

How long will you keep the data for? – Images will be retained for 31 days unless requested as part of an incident and then stored on archive for the period of the investigation process or for 12 months whichever is the lesser. The Data Management System automatically deletes the information after 31 days.

Scope of data obtained? – The CCTV images are obtained within the confines of Barlaston Parish Council premises.

Set out the information flow, from initial capture to eventual destruction.

Data will be captured in video format. There is no audio recording. Staff may be provided with intelligence by the police relating to crime hotspots, wanted and missing persons. The retention period is 31 days after which there is an automatic deletion of the footage. Procedures, data sharing and security are in line with our CCTV policy and procedures.

Footage may be retained as evidence for more than 31 days. e.g., major incident where a large amount of data has been retained for investigation, civil proceedings and Subject Access Requests. The principles of GDPR/DPA 2018 will always be adhered to.

Describe the purposes of the processing:

The CCTV system is proportionate and justified. Disclosure of CCTV will only be by on-site visiting and copies of footage may be released as detailed in our CCTV policy.

CCTV is used to:

1. Monitor in real time to detect and respond to unlawful activities
2. Monitor in real time to track suspicious persons/activity
3. Support incident investigations, including law enforcement agencies
4. Provide intelligence

Step 3: Consultation process

Consider how to consult with relevant stakeholders:

The decision to install and expand the CCTV system is agreed by Barlaston Parish Council to ensure CCTV compliance.

CCTV signage are on display wherever CCTV recordings are taking place.

Step 4: Assess necessity and proportionality

What is the lawful basis for using CCTV?

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.

Evidence shows the opportunity for crime and disorder may be reduced and the safety and reassurance of the public improved when there is adequate CCTV coverage, and it is used with other interventions.

Barlaston Parish Council has installed CCTV (Closed Circuit Television) cameras in various locations for the purposes of reducing crime, disorder, anti-social behaviour, and the fear of crime by helping to provide a safer environment for those people who live and work in the area.

In all locations, signs are displayed notifying you that CCTV is in operation and providing details of who to contact for further information about the scheme. The purpose and use of the CCTV system are to provide the Police and enforcement agencies with assistance to detect, deter and prevent crime and disorder; to help identify, apprehend, and prosecute offenders; to provide the Police with evidence to enable criminal and/or civil proceedings to be brought in the courts; and to maintain public order. Some examples of how we use data are provided below;

- Providing evidence in criminal proceedings
- Providing evidence in civil proceedings
- The prevention and reduction of crime and disorder
- The investigation and detection of crime

Step 5: Identify and assess risks

Describe source of risk and nature of potential impact on individuals.	Likelihood of harm	Severity of harm	Overall risk
<p>Non-Compliance of GDPR/DPA 2018.</p> <p>The GDPR/DPA sets out seven key principles which CCTV System owners must comply with whilst operating a Public Space Surveillance System:</p> <ul style="list-style-type: none"> • Lawfulness, fairness, and transparency • Purpose limitation • Data minimisation • Accuracy • Storage limitation • Integrity and confidentiality (security) • Accountability <p>Non-compliance may result in prosecution, financial penalties, and severe damage to the reputation of the Parish Council.</p>	<p>Remote, possible or probable</p> <p>Possible</p>	<p>Minimal, significant or severe</p> <p>Significant</p>	<p>Low, medium or high</p> <p>Medium</p>
<p>Compliance with articles 6, 8 and 14 of the Human Rights Act.</p> <p>The Act applies to public or private bodies when they are carrying out public functions</p> <p>Article 6: the right to a fair trial Article 8: right to a private and family life Article 14: protection from discrimination</p> <p>A breach of any article may impede on the subjects' rights and result in the prosecution of the Parish Council resulting in financial penalties and severe damage to Barlaston Parish Council's reputation.</p>	<p>Possible</p>	<p>Significant</p>	<p>Medium</p>

<p>Security of Data</p> <p>A Security Data breach may result in prosecution under GDPR/DPA 2018 and result in financial penalties and severe damage to the reputation of Barlaston Parish Council</p>	Possible	Significant	Medium
<p>Unauthorised Disclosure</p> <p>Unauthorised Disclosure may result in prosecution under GDPR/DPA 2018 and subject to financial penalties and severe damage to the reputation of the Parish Council</p>	Possible	Significant	Medium
<p>Misuse of Data</p> <p>Misuse of data may result in prosecution under GDPR/DPA 2018 and subject to financial penalties and severe damage to the reputation of the Parish Council</p>	Possible	Significant	Medium

Step 6: Identify measures to reduce risk

Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5				
Risk	Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved
Compliance with GDPR/DPA 2018	Management of the use and security of the system including monitoring, reviewing, and downloading of footage.	Eliminated reduced accepted Reduced	Low medium high Low	Yes/no Yes
Compliance with articles 6, 8 and 14 of the Human Rights Act	Management of the use and security of the system including monitoring, reviewing, and downloading of footage.	Reduced	Low	Yes
Security of Data	Management of the use and security of the system including monitoring, reviewing, and downloading of footage.	Reduced	Low	Yes
Unauthorised disclosure	Release of data is strictly controlled by Barlaston Parish Council. All parties who use data from the system are aware of their obligations under GDPR/DPA. Full audit trail for any release of data. CCTV staff trained in unauthorised disclosure and misuse of data.	Reduced	Low	Yes
Misuse of Data	Release and use of data is strictly controlled by Barlaston Parish Council. All parties who use data from the system are aware of their obligations under GDPR/DPA. Full audit trail for any release of data. CCTV staff	Reduced	Low	Yes

Financial Loss	trained in unauthorised disclosure and misuse of data. Compliance with GDPR/DPA, POFA, Code of Practice and operating procedures reduces the risk of unauthorised disclosure or the misuse of data.	Reduced	Low	Yes
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Step 7: Sign off and record outcomes

Item	Name/date	Notes
Measures approved by:		Integrate actions back into project plan, with date and responsibility for completion
Residual risks approved by:	N/A	
DPO advice provided:	Yes/February 2023	
<p>Summary of DPO advice:</p> <p>Recommend that signage is put in place which meets industry standards (name of Parish Council; contact telephone number)</p> <p>Include in Parish Councils Information Asset Register</p> <p>Surveillance is adequate, proportionate, and lawful</p>		
DPO advice accepted or overruled by:		If overruled, you must explain your reasons
Comments:		
Consultation responses reviewed by:		If your decision departs from individuals' views, you must explain your reasons
Comments:		
This DPIA will kept under review by:	Clerk of Barlaston Parish Council	The Clerk should also review ongoing compliance with DPIA