

Audley Rural Parish Council CCTV Project – October 2017
Privacy Impact Assessment

Privacy impact assessment screening questions

Will the project involve the collection of new information about individuals? **Yes – only visual images**

Will the project compel individuals to provide information about themselves? **If is considered to be part of a police investigation**

Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information? **No – but the Police will have access for the prevention of crime**

Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used? **No**

Does the project involve you using new technology that might be perceived as being privacy intrusive? For example, the use of biometrics or facial recognition. **No**

Will the project result in you making decisions or taking action against individuals in ways that can have a significant impact on them? **Yes – through the Police for investigations of crime potentially leading to prosecution**

Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For example, health records, criminal records or other information that people would consider to be private. **No – however the information will be passed to the police in relation to criminal investigations**

Will the project require you to contact individuals in ways that they may find intrusive? **No – although the police may follow up**

Annex two

Privacy impact assessment template

Step one: Identify the need for a PIA

Project aims to achieve:

The parish is currently suffering from large amounts of ASB and criminal damage, including arson within targeted areas such as Leddys Field, off Hall Street, Audley and the play areas. Leddys Field is a public open space which provides 24/7/365 access to a local wildlife area- owned by Audley Rural Parish Council. The 8 play areas are also open 24/7/365. In particular the allotments attached to the play areas have suffered large amounts of criminal damage over the past few years. There have been reports of drug activity and other ASB (smashing glass bottles) in several play areas including Alsager Road, Audley and Bignall End Road, Bignall End

What the benefits will be to the organisation, to individuals and to other parties:

In order to provide a safe and secure environment for the benefit of those who might visit, work or live in the area – to reduce the numbers of ASB and other criminal activity taking place and reduce the fear of crime. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law.

Although crimes are reported to the police, there are also a large number which go unreported which therefore does not allow the police to follow up and take action. CCTV images will allow action to be taken, without the need to rely on residents.

The need for a PIA was identified due to following:

It will involve the collection of new information about individuals through visual images but not data. The information will be disclosed to the police in accordance with the law and criminal investigations.

Potentially the information can lead to a prosecution or other action by the Police which have a significant impact on individuals.

There may be privacy concerns as a result information about individuals led to the obtaining of criminal records and other information that people would consider to be private – but only by the Police in relation to criminal investigations.

Step two: Describe the information flows

You should describe the collection, use and deletion of personal data here and it may also be useful to refer to a flow diagram or another way of explaining data flows. You should also say how many individuals are likely to be affected by the project.

All CCTV recordings are retained for a minimum period of 30 days. If no legitimate request for retention of the recording has been made, it is then erased or overwritten automatically. All requests for retention of recordings are considered against the provision of the Data Protection Act and the CCTV Code of Practice.

Recorded data will only be used for the purposes defined in the Code of Practice.

Access to recorded data shall only take place in the circumstances defined in the Code of Practice and the provisions of relevant legislation.

Recorded data will not be sold or used for commercial purposes or the provision of entertainment. However, in exceptional circumstances images may be released but subject to strict controls and with the approval of senior management

All data released shall remain the property of Audley Rural Parish Council.

Consultation requirements

Explain what practical steps you will take to ensure that you identify and address privacy risks. Who should be consulted internally and externally? How will you carry out the consultation? You should link this to the relevant stages of your project management process.

You can use consultation at any stage of the PIA process.

Information has been published on the Parish Council website and will be included in the local newsletter to invite residents to share their opinions. The CCTV policy and this PIA will be considered at a public meeting of the Parish Council in March 2018. Immediate residents near to the cameras where there are properties have been consulted directly by a door knock in August 2017 in Hall Street, and have no concerns, being very supportive of the measures. The cameras at Alsager Road and Bignall End Road play areas do not overlook residential properties.

Step three: Identify the privacy and related risks

Identify the key privacy risks and the associated compliance and corporate risks. Larger-scale PIAs might record this information on a more formal risk register.

Annex three can be used to help you identify the DPA related compliance risks.

Privacy issue	Risk to individuals	Compliance risk	Associated organisation / corporate risk
View of front of residences and also members of public accessing area	Invasion of privacy Information being passed to third party other than police/parish council	Contravenes DPA and ICO code of practice, Human Rights, or other relevant legislation	Loss of public Trust Reputational issues Official complaint. Freedom of information request Civil action and financial costs Ombudsman As above
Original purpose for monitoring is no longer valid	Unnecessary invasion of privacy	As above	As above
Viewing footage or Photo Print out by unauthorised third party	Data not processed in accordance with the rights of data subjects under this Act	As above	As above
Inaccurate images – leads to incorrect investigation	Damage to personal reputation	As above	As above

Step four: Identify privacy solutions

Describe the actions you could take to reduce the risks, and any future steps which would be necessary (eg the production of new guidance or future security testing for systems).

Risk	Solution(s)	Result: is the risk eliminated, reduced, or accepted?	Evaluation: is the final impact on individuals after implementing each solution a justified, compliant and proportionate response to the aims of the project?
View of front of residences and also members of public accessing area	Ensure cameras are only position on the public open space or walkway – away from houses Appropriate signage to be installed	Accepted	Yes in order to reduce impact of criminal activities on nearby residents
Original purpose for monitoring is no longer valid	Review the project and need with the Police every 4 weeks at the police surgery	Reduced	Yes in order to reduce impact of criminal activities on nearby residents
Viewing footage or Photo Print out by unauthorised third party	Ensure only police or parish council view the data – only following	Reduced	Yes in order to reduce impact of criminal activities on nearby

<p>Inaccurate images – leads to incorrect investigation</p> <p>Data retained longer than required legally (over 30 days)</p>	<p>justified incident by police access. Data to be secure by password and restricted access by authorised users only</p> <p>Police to be satisfied the images are accurate and the system installed is up to standards to allow prosecutions to proceed – other evidence to be gathered to support</p> <p>Data to be overwritten automatically every 30 days – regular checks by CCTV installer to ensure system working correctly</p>	<p>Reduced</p> <p>Eliminated</p>	<p>residents</p> <p>Yes in order to reduce impact of criminal activities on nearby residents</p>
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Step five: Sign off and record the PIA outcomes

Who has approved the privacy risks involved in the project? What solutions need to be implemented?

Risk	Approved solution	Approved by
View of front of residences and also members of public accessing area	Adjust position of cameras	Audley Rural Parish Council
Original purpose for monitoring is no longer valid	Review every 4 weeks	Audley Rural Parish Council and Police
Viewing footage or Photo Print out by unauthorised third party	Authorised access only following incident permitted in accordance with the CCTV Code of Practice and the provision of the Data Protection Act 1998.	Audley Rural Parish Council and Police
Viewing footage or Photo Print out upon request of public	In every case, a written application in an approved format	Audley Rural Parish Council
Inaccurate images – leads to incorrect investigation	Police to ensure validity of evidence	Police
Data retained longer than required legally (over 30 days)	Ensure technology is adequate and working	Audley Rural Parish Council

Step six: Integrate the PIA outcomes back into the project plan

Who is responsible for integrating the PIA outcomes back into the project plan and updating any project management paperwork? Who is responsible for implementing the solutions that have been approved? Who is the contact for any privacy concerns that may arise in the future?

Action to be taken	Date for completion of actions	Responsibility for action
Adjust position of cameras to ensure they are not filming homes	11 th October 2017 (8 th March 2018 Alsager Road)	Darren DB Security
Review need for CCTV every 4 weeks at Police surgery and report to Parish Council	Ongoing	Cllr Proctor/PC Moore
Training and process for authorised access to material only following incident	27 th October 2017	DB Security and Police
Forms for request of images by public	27 th October 2017	Parish Clerk
Police to ensure validity of evidence	Ongoing	PC Moore
Ensure technology is adequate and can delete information every 30 days, images are clear and accurate and the system is fully working	11 th October 2017	Darren DB Security

Contact point for future privacy concerns

Audley Rural Parish Council – Clerk 07901 692414

Annex three

Linking the PIA to the data protection principles

Answering these questions during the PIA process will help you to identify where there is a risk that the project will fail to comply with the DPA or other relevant legislation, for example the Human Rights Act.

Principle 1

Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless:

a) at least one of the conditions in Schedule 2 is met, and

b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.

Have you identified the purpose of the project? Yes

How will you tell individuals about the use of their personal data?
Signage, data protection policy, ICO register

Do you need to amend your privacy notices? No

Have you established which conditions for processing apply?

Yes - the processing is necessary for the administration of justice

If you are relying on consent to process personal data, how will this be collected and what will you do if it is withheld or withdrawn?
Police statements and investigations

If your organisation is subject to the Human Rights Act, you also need to consider:

Will your actions interfere with the right to privacy under Article 8?
The project may interfere with the right to privacy at home/work however the CCTV will not be intentionally pointed towards homes, although images may pick up homes from a distance.

Have you identified the social need and aims of the project?

There is a legitimate reason for the potential interference with a qualified right in order to restore public safety and the prevention of crime.

Principle 2

Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.

Does your project plan cover all of the purposes for processing personal data? Yes

Have you identified potential new purposes as the scope of the project expands? Yes

Principle 3

Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.

Is the quality of the information good enough for the purposes it is used? Police to confirm

Which personal data could you not use, without compromising the needs of the project? Images not related to criminal activities

Principle 4

Personal data shall be accurate and, where necessary, kept up to date.

If you are procuring new software does it allow you to amend data when necessary? Not applicable

How are you ensuring that personal data obtained from individuals or other organisations is accurate? Police to validate it

Principle 5

Personal data processed for any purpose or purposes shall not be kept for longer than necessary for that purpose or those purposes.

What retention periods are suitable for the personal data you will be processing? 30 days

Are you procuring software that will allow you to delete information in line with your retention periods? Yes

Principle 6

Personal data shall be processed in accordance with the rights of data subjects under this Act.

Will the systems you are putting in place allow you to respond to subject access requests more easily? Yes

If the project involves marketing, have you got a procedure for individuals to opt out of their information being used for that purpose? Not applicable

Principle 7

Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

Do any new systems provide protection against the security risks you have identified? Yes

What training and instructions are necessary to ensure that staff know how to operate a new system securely? DB security to provide training to police

Principle 8

Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Will the project require you to transfer data outside of the EEA? No

If you will be making transfers, how will you ensure that the data is adequately protected? Not applicable