SURVEILLANCE CAMERA COMMISSIONER

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Information Commissioner's Office

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

Project name: AutoSpeedWatch System within Swanmore Parish Council

Data controller(s): Parish Council officers

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 DPIA[1]:

☐ Systematic & extensive profiling	☐ Large scale use of sensitive data
☒ Public monitoring	☒ Innovative technology
☐ Denial of service	☐ Biometrics
☐ Data matching	☐ Invisible processing
☐ Tracking	☐ Targeting children / vulnerable adults
☐ Risk of harm	☐ Special category / criminal offence data
☐ Automated decision-making	☒ Other (please specify)

Speed Cameras

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)?

A new deployment, guided by Parish Council's existing DPA 2018 and GDPR policies (Data Protection Policy and General Privacy Notice).

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.

Context: In locations within the Parish where there is a known ongoing speeding issue, generating a safety threat and loss of amenity, and where the Parish Council has agreed the need for additional road safety measures.

Purpose: To capture images of only vehicles (not individuals) that are speeding significantly above the notified speed limit such that enforcement authorities can take the action they feel appropriate to improve the road safety at that location.

[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/

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?

Nature: There is no personal information being processed. Vehicle Registration Numbers (VRNs) are not classified as personal information in isolation, but should be considered sensitive information as they can be connected to personal information to identify a vehicle owner (not person at the scene). No individuals are captured, and if accidentally captured any associated records are removed from the system as part of AutoSpeedWatch Limited's usage policy. The Parish Council is not able to connect VRNs to vehicle owners so will not be processing sensitive data.

Scope: No personal data. Vehicle image, VRN, date, location and time.

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.

Initially, the data will not be transferred to the police and so will be on the secure server managed by AutoSpeedWatch Limited only, seen by the Parish Council and AutoSpeedWatch Limited. At a later date we hope to transfer VRNs and associated data to the police who decide whether the vehicle is causing an actionable threat to safety. This data is passed in one direction only. Action decisions are not made within Autospeedwatch Limited but by the police. AutoSpeedWatch's usage terms and conditions and the Parish Council's AutoSpeedWatch policy prevent the use of the information collected for any purpose other than for road safety management.

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

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

Fixed position, fixed field-of-view, speed activated camera.

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.

From camera to secure server managed by AutoSpeedWatch Limited. From secure server to Police force (not currently, but hopefully at a later date). No surveillance technologies used, and no faces recorded for recognition.
Records are deleted automatically according to AutoSpeedWatch Limited's data retention policy.

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.

Still images of vehicles are recorded to AutoSpeedWatch server. No audio.

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)

By direct access to images on the AutoSpeedWatch server via known Parish Council officer registered access and police user registered access at a later date.

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)

Non-image data associated with image (speed, VRN, location, date/time, etc.) sent to police by email report.

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
Parishioners	Representation by elected councillors for the parish	None	None
Property owners of any property within field-of-view camera	Not applicable. No property owners within field of view.	None	None

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.

The Parish Council has a duty to work with the police and Hampshire County Council in the management of road safety risks and needs to replace the Community Speedwatch scheme. The SCC commissioner has confirmed that such systems, correctly applied, for support of the police are acceptable.

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.

Use of Informed Consent Signage, each containing contact information. This impact assessment and the Council's AutoSpeedWatch and data policies on the Council's website.

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?

The system is fixed position and triggers capture only for the purposes of recording speeding vehicles. This function cannot be changed by any user, nor can the unit be redeployed for any other function. Should roadside units get stolen they are reported as such and can be disabled by Autospeedwatch Limited, in such a way that they cannot be re-enabled independently.

Proportion of speeding is logged and system can be disabled when the Parish Council assess that it is no longer needed.

Data recorded is limited to VRNs, no images of subjects, only rear of vehicle is captured.
Benefits: will be assessed by resident feedback and in the short term by doing a speed survey and comparing this with the last one done in 2021. Once police are involved, benefit will be assessed by how many persistent speeders they contact/how much of the data they action.

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

No more than 365 days according to AutoSpeedWatch Limited's data retention policy. Records can be deleted before this. Data is automatically deleted. Once deleted there is no recovery.

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)

Automated script removes images and associated data at 365 days. Meta data (count of records deleted) is kept indefinitely.

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?

Each roadside unit camera built by design to be secure from unlawful / malicious attack.
Communications between subsystem on devices encoded.
Images not stored locally, but transmitted in encrypted form for storage on Autospeedwatch Limited centralised server.
Data only accessible to registered and approved users, who cannot re-write, edit or manipulate data by virtue of inherent permissions. The lead user (coordinator role) is assigned by the Parish Council and is responsible for managing operational use. That coordinator can add other members (validators and readers) with limited access rights to assist in operation. Each member must agree to the Autospeedwatch Limited terms and conditions of usage to gain access.

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.

By reference to the Parish's AutoSpeedWatch and data policies. As no images where a subject appears are kept there should be no image release mechanism required. The AutoSpeedWatch policy describes a process for how enquiries are handled.

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.

The Council deploys Speed Limit Reminder and Speed Indicator Devices at 10 locations around the village, 2 locations are on New Road, near the initial location for the AutoSpeedWatch device. A 2021 speed survey and resident feedback shows speeding is still an issue at this location.

For the last 3 years the Council has been lobbying Hampshire County Council for additional traffic calming measures on New Road. So far none have been installed (around 10 years ago additional signage and road markings were installed).

The Parish ran a Community Speed Watch scheme until recently but since the pandemic have been unable to recruit enough volunteers.

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)

Please see AutoSpeedWatch policy on Parish Council website

Identify the risks

Identify and evaluate the inherent risks to the rights and freedoms of individuals relating to this surveillance camera system. Consider, for example, 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? Could it interfere with other human rights and freedoms such as those of conscience and religion, expression or association. Is there a risk of function creep? Assess both the likelihood and the severity of any impact on individuals.

Describe source of risk and nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.	**Likelihood of harm**	**Severity of harm**	**Overall risk**
Homes/Dwellings – viewing of personal habitation space	Remote, possible or probable Remote	Minimal, significant or severe Minimal	Low, medium or high Very Low
Capture of faces within image frame of rear view of vehicle.	Remote	Minimal	Very Low
Storage of image data longer than necessary	Remote	Minimal	Very Low
Copying or distribution of images by users	Possible	Minimal	Very Low

Describe source of risk and nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.	**Likelihood of harm**	**Severity of harm**	**Overall risk**
Public not informed of camera usage	Remote, possible or probable Possible	Minimal, significant or severe Minimal	Low, medium or high Low

Address the risks

Explain how the effects of privacy enhancing techniques and other features mitigate the risks you have identified. For example, have you considered earlier deletion of data or data minimisation processes, 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? What security features, safeguards and training will be in place to reduce any risks to data subjects. Make an assessment of residual levels of risk.

Note that APPENDIX ONE allows you to record mitigations and safeguards particular to specific camera locations and functionality.

Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk			
Options to reduce or eliminate risk	**Effect on risk**	**Residual risk**	**Measure approved?**
	Eliminated reduced accepted	Low medium high	Yes/no
Homes/Dwellings – viewing of personal habitation space (overall risk is very low). To eliminate risk: Complete DPI assessment for each new location, reposition camera or request disabling of cameras where privacy invasion risk is changed and considered inappropriate.	Eliminated	No risk	

Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved?
Capture of faces within image frame of rear view of vehicle. To eliminate risk: Narrow field-of-view images are captured of the rear of the vehicle only.	Eliminated reduced accepted Reduced	Low medium high Low	Yes/no
Storage of image data longer than necessary. To eliminate risk: Follow AutoSpeedWatch Limited's data retention policy. Data is automatically deleted after 365 days. Once deleted there is no recovery	Reduced	Low	
Copying or distribution of images by user. To elminate risk: Data only accessible to registered and approved users, who cannot re-write, edit or manipulate data by virtue of inherent permissions. The lead user (coordinator role) is assigned by the Parish Council and is responsible for managing operational use. That coordinator can add other members (validators and readers) with limited access rights to assist in operation. Each member must agree to the Autospeedwatch Limited terms and conditions of usage to gain access, must recieve training on data protection, must read Council's AutoSpeedWatch and data policies.	Reduced	Medium	
Public not informed of camera usage. To eliminate risk: Use of Informed Consent Signage, each containing contact information.	Reduced	Medium	

Authorisation

If you have not been able to mitigate the risk then you will need to submit the DPIA to the ICO for prior consultation. Further information is on the ICO website.

Item	Name/date	Notes
Measures approved by:		Integrate actions back into project plan, with date and responsibility for completion.
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.
DPO advice provided by:		DPO should advise on compliance and whether processing can proceed.
Summary of DPO advice		
DPO advice accepted or overruled by: (specify role/title)		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: Last Reviewed <date> next review on or before <date>		
This DPIA will be kept under review by: <named officer>		The DPO should also review ongoing compliance with DPIA.

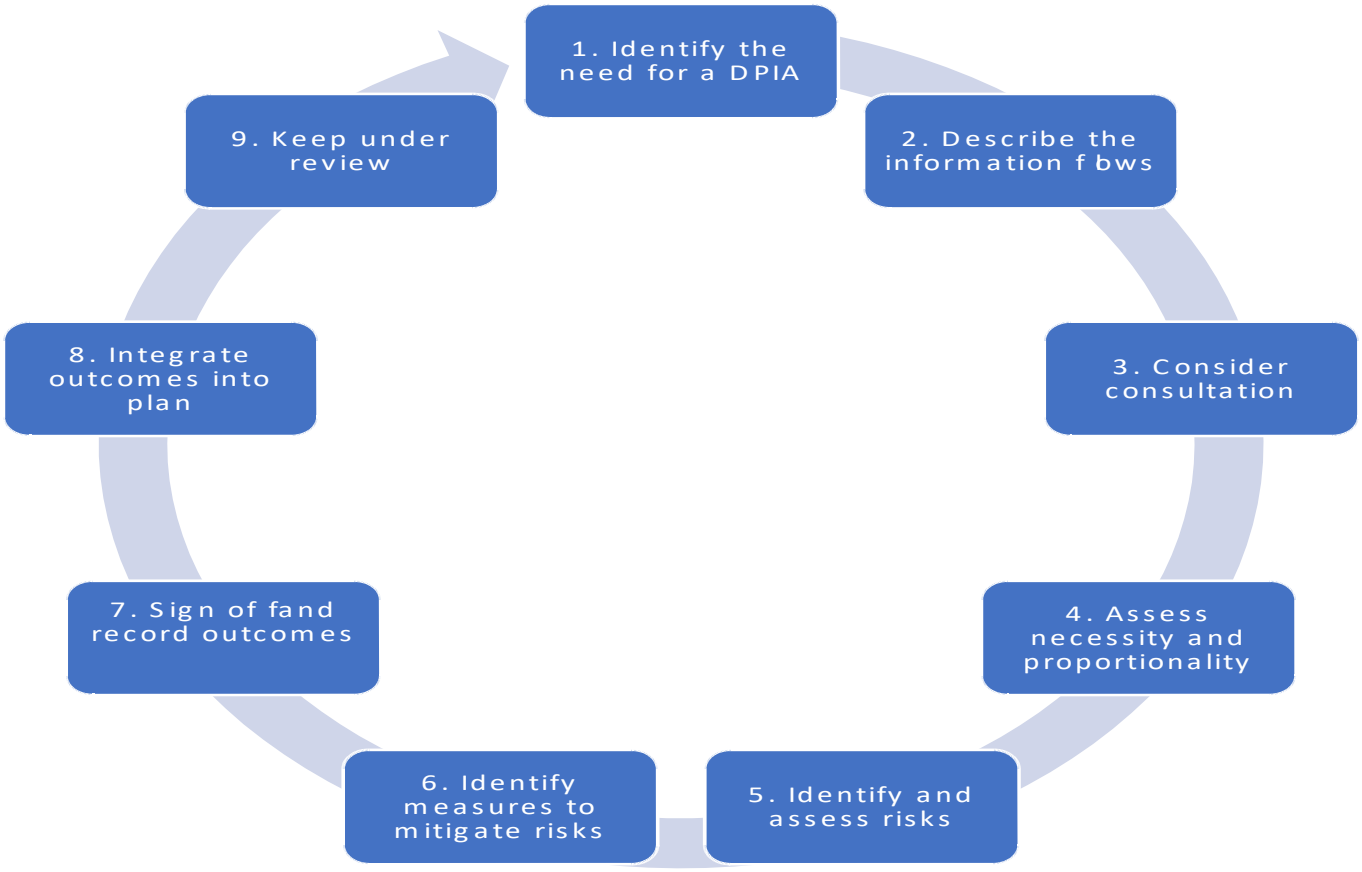
APPENDIX ONE

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)
New Road, Swanmore https://w3w.co/shape.spoiled.spaceship	ASWRU01	1	Daylight hours only,	Only speeding offences, reviewed by registered Parish Council officer at a later time.	No specific mitigations.

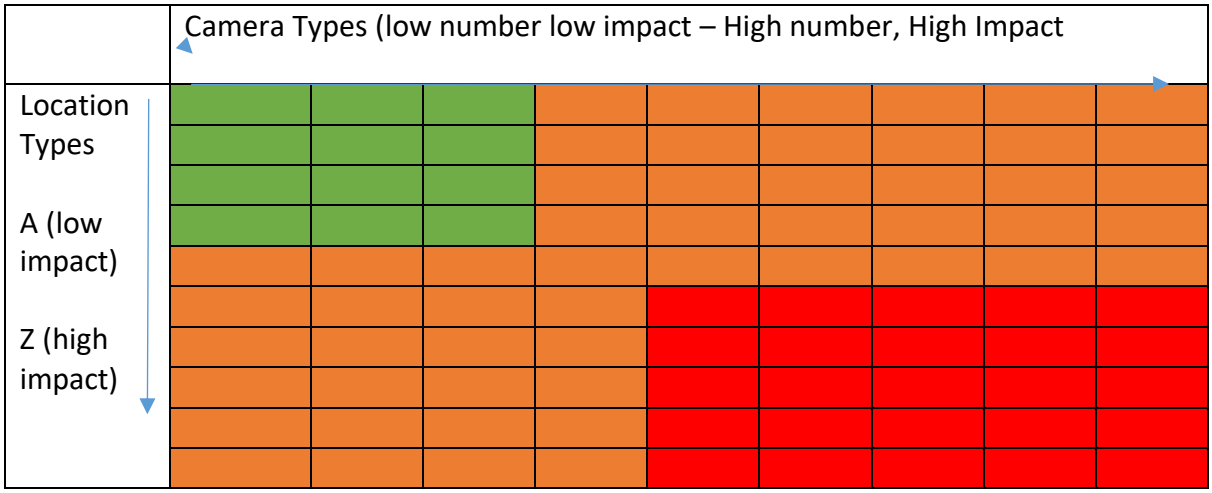
APPENDIX TWO: STEPS IN CARRYING OUT A DPIA



APPENDIX THREE: DATA PROTECTION RISK ASSESSMENT MATRIX

Use this risk matrix to determine your score. This will highlight the risk factors associated with each site or functionality.

Matrix Example:



NOTES

Date completed: <date>