

STRATFIELD MORTIMER PARISH COUNCIL DATA PRIVACY IMPACT ASSESSMENT

1. BACKGROUND

- 1.1 The purpose of a Data Privacy Impact Assessment (DPIA) is to ensure that privacy risks are minimised while allowing the aims of the project to be met whenever possible. It is recommended in The Surveillance Camera Code of Practice, issued by the Surveillance Camera Commissioner in June 2013 in accordance with Section 30 (1) (a) of The Protection of Freedom Act 2012. It provides guidance, including 12 guiding principles, on the appropriate use of surveillance camera systems by local authorities and the police.
- 1.2 Guidance is based on the ICO's DPIA Handbook. The four areas highlighted by the ICO as potential areas for loss of privacy in relation to personal data are:
- the privacy of personal information.
 - the privacy of the person.
 - the privacy of personal behavior.
 - the privacy of personal communications
- 1.3 'Personal data' as defined by Section 1 of the Data Protection Act means data which relates to a living individual who can be identified:
- (a) from those data, or
- (b) from those data and other information, which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual.

2. RESPONSIBLE PERSON CONTACT DETAILS

Below are the contact details of the person most qualified to respond to questions regarding this Data Privacy Impact Assessment.

Title: Parish Clerk
Organisation: Stratfield Mortimer Parish Council, 27 Victoria Road, Mortimer, Reading, RG7 3SH

Email: the.clerk@stratfield-moritmer.gov.uk
Telephone: 0118 933 1955

3. DATA STORAGE & CONTROL

1	<u>Why a Privacy Impact Assessment is Required</u>	
1.1	What is the aim of the surveillance system?	<p>The use of the system shall be for the purpose of:</p> <ul style="list-style-type: none"> a) Providing Stratfield Mortimer Parish Council and Thames Valley Police with evidence to take criminal and civil action in the Courts; b) Reducing the fear of crime and providing reassurance to the public; c) Aiding in the detection and prevention of crime (including countering terrorism); d) Assisting with the maintenance of public order; e) Deterring or reducing the incidence of vandalism, graffiti, and other environmental crime; f) Deterring persons from committing crimes and to enhance the opportunities for detecting those who do; g) Improving the safety and security of residents, visitors, and the business community; h) Discouraging anti-social behavior including alcohol and drug-related elements;
1.2	What organisations will have access to CCTV images? Who will take legal responsibility under the Data Protection Act?	<p>Stratfield Mortimer Parish Council will be the main user of the CCTV system. However, Thames Valley Police, other Police Forces and other agencies such as Fire and Rescue Service will be granted access to images from the system if a legitimate request is received.</p> <p>Stratfield Mortimer Parish Council will be the Data Controller at the point of images being recorded, however if any images are released to any of the authorised organisations, then the legal responsibility will be transferred to that organisation in relation to the images that have been released.</p>

1.3	What are the benefits to be gained from the system and who will benefit?	<p>Residents, visitors, and businesses will benefit from improved public safety, and reductions in crime.</p> <p>CCTV is a proven tool in detecting crimes, and the perpetrators of it. Using CCTV can significantly reduce the time and cost on the Police service in investigating allegations.</p> <p>It is known that false allegations are made, and CCTV is also useful in disproving some allegations. CCTV captures actual events and is not influenced by interpretation, or events, as seen by people who are under the influence of alcohol or drugs.</p>
-----	---	--

1.4	Can CCTV realistically deliver these benefits?	Yes, and consistently so.
2	<u>Information Flow</u>	
2.1	How is information collected?	<p>The system captures video pictures, which are transmitted from cameras positioned on the Fairground, Stratfield Mortimer.</p> <p>The transmissions will be received via Parish Council hardware. Access is via a web link and log in/password. The cameras are equipped with pan tilt and zoom facilities.</p>
2.2	Where are the real time images from the camera displayed?	<p>Real-time images will be accessed and displayed via Parish Clerks hardware.</p> <p>Third parties may be granted access to the images via the web link and log in/password, but it is not envisaged that this will be used.</p>
2.3	Who has operational access and ability to move the CCTV camera?	<p>Stratfield Mortimer Parish Council Clerk.</p> <p>Thames Valley Police can access live video streams and use of cameras under the Regulation of Investigatory Powers Act. This is controlled by the Parish Council Clerk.</p>
2.4	How are the images recorded?	Each camera signal will be continuously recorded by way of a Digital Video Recorder
2.5	Where are the recorded images stored?	On hard drives in a locked cabinet.
2.6	How is information used?	<p>Information is used to monitor public safety and prevent and detect crimes.</p> <p>Evidence is provided for investigation and enforcement.</p> <p>Individuals can request copies of CCTV data which contains their personal information.</p> <p>Disclosure of data is covered by internal processes which are fully compliant with relevant legislation and codes of practice.</p>
2.7	How is access gained to the recorded images?	Password controls are in place on the system. Hard copy requests for images will be required.
2.8	How long are the images retained?	30 days on the system. Images from an "incident" may be stored for longer.
2.9	How is information deleted?	The data management system will automatically delete information after 30 days
2.10	When data is downloaded, or copied for release to a third party how is information recorded?	Memory stick or secure, encrypted cloud-based exchange

2.11	What processes are in place to ensure that data protection responsibilities are understood by persons receiving the data?	Each request for data by the public must be requested via a signed data release form.
3	<u>Data Protection Act</u>	
3.1	Can less privacy intrusive solutions achieve the same objectives?	CCTV is a good solution to achieve the objects set out in 1.1
3.2	Are images of identifiable individuals required or could the scheme use other technology not capable of identifying individuals	The system must be capable of identifying individuals, as footage from the system could be used in both criminal and civil court cases. If the system did not have this capability, it would not be fit for purpose.
3.3	Will the particular equipment/system of work being considered deliver the desired benefits now and remain suitable in the future?	The service will remain a 24-hour service for the foreseeable future
3.4	What future demands may arise for wider use of images and how will you address these?	The benefits of additional cameras will be considered as and when required.
3.5	What are the views of those under surveillance?	The general feeling is that people who are not involved in crime are happy to be in an area that is monitored by CCTV cameras. There are some members of society both law abiding and those who are not, who have issues with being in areas covered by CCTV cameras. By abiding with current legislation, the aim is to show that the CCTV system is only used for crime reduction/detection purposes and those activities that assist the public.
4	<u>Human Rights Act</u>	
4.1	What could we do to minimise intrusion for those that may be monitored, particularly if specific concerns have been expressed? Is the system established on a proper legal basis and operated in accordance with the law?	The system has been established on a proper and legal basis to comply with the Data Protection Act, Human Rights Act and Regulations of Investigatory Powers Act. Regular reviews of camera performance shall be undertaken to justify their need.
4.2	Is CCTV justified in the circumstances?	Yes. Violence, theft, and anti-social behaviour are key areas to address which in turn will reduce the fear of crime thereby creating a safer environment.
4.3	Is it proportionate to the problem that it is designed to deal with?	Yes. CCTV is used to detect crime and complies with the current legislation.
5.	<u>Surveillance code of practice</u>	
5.1	Do you regularly review the system against its objectives?	Yes

5.2	Is the system being used for any other purpose other than those specified?	No
5.3	Does signage exist highlighting the use of surveillance cameras?	Signage will be installed
5.4	Does the signage highlight the point of contact?	Signage will highlight the point of contact.
5.5	Are all staff aware of their responsibilities?	Yes.
5.6	Can a member of the public request footage?	Yes. The procedure of Data Subject Access requests is located on the Stratfield Mortimer Parish Council Website. It is also available in hard copy should it be requested. CCTV footage can only be supplied for 30 days from the date and time of an incident, after which time the images are automatically overwritten.
6	<u>Risks</u>	
6.1	Is the data shared with other organisations?	Yes, for investigation and enforcement
6.2	Is the system operated in full compliance with: (i) DPA requirements (ii) ICO codes of practice (iii) SCC codes of practice (iv) Human Rights Act	Yes
6.3	Do you have procedures in place to manage risks associated with the use of CCTV cameras	A CCTV Policy is in place.
7	Privacy Solutions	
	Have you identified solutions to address any risks?	The system is operated in line with relevant identified legislation and codes of practice.