



**SURVEILLANCE CAMERA
COMMISSIONER**

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



Project name: Princetown Anti-Social Driving CCTV Project

Data controller(s): Dartmoor Forest Parish 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) |

The project is intended to identify vehicles that drive dangerously and act anti-socially in the village of Princetown, Devon to enable this information to be passed to law enforcement agencies.

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)?

This is a proposal for a new surveillance camera deployment. The project is currently (14th December 2020) at the final design stages; a qualified contractor has been appointed and the exact locations and specifications of the cameras are being agreed.

As this surveillance camera deployment is intended to aid law enforcement it is understood that the data protection regime the council will be operating under is Section 64 DPA 2018 (law enforcement processing). However, this requires validation.

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.

The village of Princetown, at 1430ft above sea level, is the highest settlement on Dartmoor and one of the highest in the United Kingdom. The weather the village experiences reflects this location and it is typically wetter and colder than the rest of Devon, including higher levels of snow and ice. During snowy & icy conditions Princetown, is visited at night, by car drivers who use the conditions to race their cars, perform stunts and drive significantly in excess of safe, legal speeds. This anti-social

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/>

behaviour endangers the people, property and peaceful existence of the parish. This activity has significantly affected Princetown over a number of decades.

In May 2018, to try and understand the scale and impact of the issue, the parish council surveyed local residents and received over 40 responses, demonstrating the level of disruption and concern this behaviour caused. In addition, residents were asked, 'What would you like done to address this issue, recognising that it may not be possible for the Police to attend at the time. Can you think of any other practical ways this could be addressed?' Sixteen respondents specifically stated that CCTV would be an effective deterrent, examples include; 'cameras erected to record anti social behaviour and dangerous driving. Or police to act on recordings made by residents. Banning orders to be place in those individuals' and 'CCTV and signs informing drivers of this'.

On 18th June 2018, the parish council then presented the results to representatives of Devon County Council Highways, West Devon Borough Council (WDBC), Devon and Cornwall Police and the Office of the Police and Crime Commissioner for Devon and Cornwall (OPCC). The objective was for them to understand the impact of this anti-social behaviour and explore what could be done to significantly reduce this behaviour.

Devon Highways advised that they did not believe traffic calming measures would act as a deterrent and could cause other issues. Speed bumps can cause car drivers to speed between each set of bumps, resulting in noise pollution and further dangerous driving, and can cause issues for the effective use of snow ploughs. Similarly, the use of chicanes and road narrowing measures were not encouraged as it was felt that this would be attractive to the type of driver already driving dangerously in the village. Devon and Cornwall Police advise that they will always try and attend to reports of this behaviour, however there are often many other urgent calls that they need to prioritise. They also have significantly less resources available. However, the Police advised that if they have evidence of cars being driven dangerously then they can take the matter further. In addition, WDBC can also issue 'Community Protection Notices'. These are written warnings, issued to drivers of vehicles reported to be causing nuisance, anti-social and sub-criminal behaviour. The information about cars driving dangerously could be reported by members of the community. However, this can place residents at risk, especially in dark and dangerous driving conditions. Historically, it is believed that the scale of this is issue has been under-reported. Residents have advised that they have felt reluctant to report this behaviour as they do not believe that any action would be taken by the authorities with this information.

During discussions with Devon & Cornwall Police, the OPCC and WDBC it was agreed that a CCTV/Surveillance Camera operation could act as an effective deterrent against anti-social and dangerous driving. Details of cars driving dangerously and anti-socially could be recorded and transferred to Devon & Cornwall Police or WDBC to take law enforcement action. Also, an effective communication strategy, including social media, press releases and physical signage, would make people aware that a surveillance camera system was operating in Princetown, deterring drivers from visiting and committing anti-social driving.

Consultation with key stakeholders, including; local residents, Devon & Cornwall Police, Dartmoor National Park Authority, the Duchy of Cornwall and West Devon Borough Council has been undertaken by the Council.

The overall objective of the proposed surveillance camera solution in Princetown, is a significant reduction in the amount of dangerous and anti-social driving in the village. The resultant benefits to the residents of the village would be a material reduction in the noise disturbance and a material reduction in the risk that individuals and property would be hurt and damaged by dangerous driving. The Council have completed a risk assessment that identifies the risks that this solution would help mitigate.

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 surveillance camera system is intended to capture details of vehicles that are driving dangerously and anti-socially in Princetown. However, all vehicles and pedestrians that pass through the areas covered by the cameras will be recorded. Therefore, the data subjects are members of the public. The personal data that will be collected will therefore include physical appearance and details of vehicles, including car registration number, make and model. This personal data could include children and vulnerable groups.
The scheme will be operational 24hrs/day, every day of the year.

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.

Dartmoor Forest Parish Council would be sharing this data with West Devon Borough Council and Devon & Cornwall Police for the purposes of crime prevention and law enforcement.

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Fixed CCTV (networked) | <input type="checkbox"/> Body Worn Video |
| <input checked="" 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) | |

The proposed solution uses Automatic Number Plate Recognition (ANPR) cameras to record car registration number plates and cameras to record activity in specified areas in Princetown.

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.

To be completed. Need assistance on how data will be transferred to D & C Police and WDBC. Also, guidance on how the system operates, including accessing and transferring recordings.

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.

The recording will be onto devices located at Dartmoor National Park Authority Visitor's Centre, Princetown.

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)

Need better understanding of how system will operate.

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)

It is expected the primary use of the information is to record data which is then disclosed to authorised agencies, specifically Devon & Cornwall Police and West Devon Borough Council.

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
Devon & Cornwall Police	Meeting with representatives of Devon & Cornwall Police and email communication with Inspector Mark Sloman, Sector Inspector - West Devon	Support the installation of the system as an effective and proportionate deterrent.	
West Devon Borough Council	Meeting and email communication with John Ward, Environmental Health team member responsible for anti-social behaviour	Support the installation of the system as an effective and proportionate deterrent.	
Residents of the village of Princetown	Survey of residents in May 2018 asking for the views on the impact of dangerous and anti-social driving, including asking for practical ways that it could be addressed.	40 responses received, of which 16 specifically suggested CCTV as a potential solution.	Responses shared at a meeting on 18 th June 2018 with representatives from Devon & Cornwall Police, the Office for the Police and Crime Commissioner, Devon County Council and West Devon Borough Council.

	<p>Letter in December 2018 sent to all residents advising that the Council were looking into a CCTV solution.</p> <p>Public meeting held on 18th September 2019 seeking resident's views. The meeting was advertised through posters in prominent locations in Princetown and on social media.</p> <p>Progress on the project has been reported through the parish council.</p> <p>Details of the proposals have been published in the local newspaper The Princetown Times, in October 2019 and a further update in November 2020.</p>	<p>Two member of the public attended the public meeting on 18th September 2019 and expressed support for the project. However, were interested to know if the side roads would be covered.</p>	<p>Advised at this stage the main roads would only be covered by cameras.</p>
<p>Dartmoor National Park Authority</p>	<p>Email communication with Kevin Bishop, Chief Executive.</p>	<p>As tenants they gave permission for cameras to be sited on the Visitor's Centre and provided a grant towards the cost of the surveillance camera system.</p>	

Duchy of Cornwall	Email communication with Tom Stratton, Deputy Land Steward – Western District	As owners they gave permission for cameras to be sited on the Visitor's Centre and provided a grant towards the cost of the surveillance camera system.	

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.

CCTV recordings are to be used for public safety interests and the prevention and detection of crime. Recordings also provide enforcement agencies with evidence of criminal activity, for formal actions including prosecutions in court and identification of offenders in investigations.

Therefore, the legal basis for using the information is:

for the interest of public safety, the prevention and detection of crime, apprehension and prosecution of offenders and for legal proceedings,

public task: the processing is necessary for us to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

The lawful basis for holding and processing the data comes under the Protection of Freedoms Act 2012 and the Council will ensure that it complies fully with the Information Commissioner's CCTV Code of Practice and Surveillance Camera Commissioner's Code of Practice.

<https://www.gov.uk/government/collections/surveillance-camera-guidance-tools-and-templates>

The Council will not be processing special categories of data.

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.

Privacy notices will be fixed to lamp posts within the village. These will refer individuals to www.dartmoorforestparishcouncil.gov.uk which will have a dedicated page on the Council's use of CCTV and the specific policies and procedures that they have adopted to ensure compliance. These will include details on how data subjects can exercise their rights.

In addition, Devon County Council Highways will be asked to install signs on the main roads into Princetown. This is subject to discussion, costing and approval by the Council.

The surveillance cameras will be fixed on public areas, notably the roads within the village. It is therefore reasonable to expect to be under surveillance in this context.

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 Council have ensured, through the design and commissioning of the surveillance camera system, that its specific remit and objective is to identify vehicles that are driving dangerously and acting anti-socially. We have consulted with West Devon Borough Council and Devon & Cornwall Police who have

advised that they support this approach and the recordings will provide them with evidence of criminal activity, for formal actions including prosecutions in court and identification of offenders in investigations.

The Council will know that it is delivering the benefits it has been deployed for if there is a material reduction in the number of incidents of dangerous and anti-social driving reported in Princetown. It should be noted that there is historically been significant under-reporting of this issue to the Police. The Council wrote to all households in Princetown, in December 2018, to encourage residents to report incidents to the Police. However, residents were advised not to place themselves at risk, especially as incidents occur in the dark during icy and snowy conditions. It should be noted that the winter of 2019-20 was relatively mild and there were very few nights of snow and ice. Therefore, there were very few incidents of anti-social and dangerous driving. However, already in the winter of 2020-21 there have been three nights, early in December, where vehicles have been reported speeding, driving off road and playing loud music. This activity has reported as going on through the night and early morning, disturbing the peaceful existence of the village.

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

Need to check with Devon & Cornwall Police. However, it must be the minimum needed.

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)

Need to check specification of equipment with installer.

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?

Need to check how access to system is granted and how images are removed and transferred. This will then be written into an Operating Manual that the Council must approve.

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.

Need to check how access to system is granted and how images are removed and transferred. This will then be written into an Operating Manual that the Council must approve.

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.

Traffic calming measures have been considered. However, Devon County Council Highways have advised that they would not be effective and may well aggravate the noise and disturbance caused by anti-social driving.

The Council have asked the local Police, on several occasions, for a pro-active police presence in the village, particularly during snowy and icy conditions when this behaviour occurs. The Council have also lobbied the local MP, Mr Geoffrey Cox QC, for his support in getting more Police resources for the area. However, Devon & Cornwall Police have to prioritise their limited resources and often there are greater priority calls they have to attend to. They will try and attend if they can, however this is often not possible.

The Council, in consultation with law enforcement agencies, will need to agree whether the camera operation needs to be continuous.

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)

The Council will need a written policy and procedure for all of the above, including what auditing mechanisms will be established. These will need to be in place before the system is operational.

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
	Remote, possible or probable	Minimal, significant or severe	Low, medium or high

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	Remote, possible or probable	Minimal, significant or severe	Low, medium or high

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

Options to reduce or eliminate risk	Effect on risk	Residual risk	Measure approved?
	Eliminated reduced accepted	Low medium high	Yes/no

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:		

Date and version control: 19 May 2020 v.4

This DPIA will be kept under review by:		The DPO should also review ongoing compliance with DPIA.
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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 type	Monitoring	Assessment of use of equipment (mitigations or justifications)
Dartmoor National Park Visitor's Centre, Princetown. The cameras are fixed on the roundabout outside the centre and along the main roads in the centre of the village.	2 x ANPR Cameras, 2 x Overview cameras		24hrs	None	The privacy level expectation in a town centre is very low; our town centre will be well signed with appropriate signage for CCTV its use and purpose with contact details.

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:

	Camera Types (low number low impact – High number, High Impact)									
	→									
Location	Green	Green	Green	Orange						
Types	Green	Green	Green	Orange						
A (low impact)	Green	Green	Green	Orange						
Z (high impact)	Orange	Orange	Orange	Orange	Red	Red	Red	Red	Red	Red
	Orange	Orange	Orange	Orange	Red	Red	Red	Red	Red	Red
	Orange	Orange	Orange	Orange	Red	Red	Red	Red	Red	Red
	Orange	Orange	Orange	Orange	Red	Red	Red	Red	Red	Red
	Orange	Orange	Orange	Orange	Red	Red	Red	Red	Red	Red

NOTES

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