

# **Data Protection Impact Assessment**

## **Internal CCTV camera Old School**

|                                 |   |
|---------------------------------|---|
| <b>Project:</b>                 | Internal CCTV camera Old School             |
| <b>Date of Creation:</b>        | 15/1/24                                     |
| <b>Date of Review:</b>          | January 2025 or before if updating required |
| <b>Version:</b>                 | 1   |
| <b>Author:</b>                  | Carol Hackett (Parish Clerk)                |
| <b>Information Asset Owner:</b> | Market Lavington Parish Council             |

| Data Protection Sign Off                   |   |
|--|---|
| <b>Mandatory DPIA?</b>                     | Yes   |
| <b>ICO Notification Required?</b>          | No  |
| <b>Data Subject Notification Required?</b> | Yes   |
| <b>Add to Risk Register?</b>               | Yes   |
| <b>Approved By:</b>                        | Parish Council  |
| <b>Approved Date:</b>                      | Approved at Parish Council meeting 16/1/24 minute number 23/24-191c |

### Amendments Summary

| Version | Date Issued | Page/Para | Subject                         |
|---------|-------------|-----------|---------------------------------|
| 1       | 16/1/2024   | NA        | First version of DPIA completed |
|         |             |           |                                 |
|         |             |           |                                 |

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## 1. Introduction

- 1.1. Data Protection Impact Assessments (DPIAs) are a tool which can help organisations identify the most effective way to comply with their data protection obligations and meet individuals' expectations of their rights as a data subject under the GDPR. An effective DPIA will allow organisations to identify and resolve problems at an early stage, reducing the associated costs and damage to reputation which might otherwise occur.
- 1.2. This DPIA is based on the guidance documents provided by the Information Commissioners Office (ICO) to support the data protection by design approach and the information captured will ensure reasonable steps are taken during the implementation of any new system or process.

## 2. Screening Questions

- 2.1. The GDPR requires that a DPIA is mandatory if the processing is likely to result in a high risk to the rights and freedoms of natural persons. The following screening questions will identify if the processing is likely to result in a high risk:

| No. | Mandatory DPIA Screening Question   | Yes or No |
|-----|---|-----------|
| M1  | Will the project make use of a new technology (system)?   | Yes       |
| M2  | Will the project involve systematic and extensive processing activities, including profiling and where decisions that have legal effects – or similarly significant effects – on individuals? | No        |
| M3  | Will the project involve the large scale processing of special categories of personal data?   | No        |
| M4  | Will the project involve the large scale, systematic monitoring of public areas (CCTV)?   | No        |

*If any of the above questions have been answered as “Yes”, then it is a mandatory requirement to complete a DPIA.*

- 2.2. This table defines a selection of additional screening questions which will help to understand if a DPIA is recommend best practice.

| No. | Recommend DPIA Screening Question   | Yes or No |
|-----|---|-----------|
| R1  | Will the project involve the collection of new information about individuals?   | Yes       |
| R2  | Will the project compel individuals to provide information about themselves?  | No        |
| R3  | Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information? | Yes       |

|    |   |                |
|----|---|----------------|
| R4 | 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             |
| R5 | Will the project require you to contact individuals in ways that they may find intrusive?                                     | No             |
| R6 | Will the project involve monitoring of staff via CCTV?  | Yes indirectly |

*If there are two or more “Yes” answers, than it is appropriate to complete a DPIA.*

### 3. Identify the need for a DPIA

3.1. The need for a DPIA has been identified as a result of the following screening questions:

| No. | Details  |
|-----|--|
| M1  | The project will make use of a new technology (system)   |
| R1  | The project will involve the collection of new information about individuals   |
| R3  | Information about individuals will be disclosed to organisations or people who have not previously had routine access to the information |
| R6  | The project will involve indirect monitoring of staff via CCTV   |

### 4. Description of the Data Processing

4.1. Details of the personal data to be processed:

| Question  | Answer  |
|---|---|
| What personal and/or special categories of personal data will be processed? | Personal categories: Video images (CCTV). Possible voice recording if 2-way audio function used<br>Special categories: None   |
| Why is the data being processed?  | To monitor the entry point of the Old School, due to recent incidents of the building being accessed by unauthorised persons and/or at unauthorised times   |
| What is the regulatory requirement?   | That personal data:<br>a) Must be processed lawfully, fairly and transparently<br>b) Is only used for a <b>specific processing purpose</b> that the data subject has been made aware of and no other, without further consent<br>c) Should be <b>adequate, relevant and</b> |

|                                   |   |
|-----------------------------------|---|
|                                   | <p><b>limited</b></p> <p>d) Must be <b>accurate</b></p> <p>e) Should <b>not be stored for longer than is necessary</b>, and that storage is safe and secure</p> <p>f) Should be processed in a manner that ensures <b>appropriate security and protection</b></p> |
| What is the business requirement? | To capture images, and/or voice recordings of individuals who may be accessing the Old School without permission and/or at unauthorised times, so that the information can be passed to the relevant authorities i.e. Police                                      |

4.2 The processing operation for the project is documented below:

| <b>Data Processing Operation</b>   |
|--|
| <p>The project was instigated following incidents of unauthorised persons entering the Old School, damaged being caused, and anti-social behaviours displayed. After careful consideration, it was recognised that use of an internal CCTV camera in the entrance lobby, to complement the existing CCTV which operates around the exterior of the building, would be a useful tool to help identify and hopefully deter such occurrences from happening again. Use of the camera will provide evidence of anyone entering the building when they have no authority or valid reason for doing so, in order to provide a safe and secure environment for volunteers, staff, hirers, visitors and contractors, and to prevent loss or damage to the Hall. It would also give the Police the opportunity to pursue an investigation to any crimes reported to them should they occur in the future, providing them with a reliable line of enquiry.</p> <p>The specific Internal CCTV camera was recommended by our neighbouring Village Hall who had found it to be effective (Tapo Pan/Tilt Smart Wi-Fi Security Camera). The camera will be located in the entrance lobby, positioned to look outwards through the main front door. It will be able to pick up people coming inside the building when they shouldn't be, without actually seeing what is happening in the main areas. The camera does have sound recording capability if 2-way Audio function is used.</p> <p>A memory card inserted in the camera will enable up to approximately 16 days of footage to be stored, which will then automatically be over-written. Access to the recordings will be via an 'App' loaded onto the Parish Clerk's mobile phone.</p> <p>CCTV System warning signs will be positioned on the front door and in the entrance lobby, listing the purposes the data will be collected for. The signs will use simple graphics and grammar which are easy to understand. Information regarding the CCTV System will also be detailed on the 'Old School' website, and within the</p> |

'Terms & Conditions of hiring' document.

**System security measures / Procedure for accessing CCTV camera data:**

- The appointed representative authorised by the Parish Council to access the CCTV real time images or recordings is the Parish Clerk, who will access the data by use of an 'App' on her mobile phone. Access to the mobile phone is only possible via face-recognition, or protected password
- Details of any passwords to access the App itself will be provided to the Chairman of the Parish Council and Chairman of the Management & Finance Committee for safe keeping, and for use in the absence of the Clerk to access CCTV data if required
- Other than for routine testing purposes, real time CCTV images will not be monitored unless it is thought that an incident is happening at that time
- Recorded CCTV images will only be accessed in the event of a reported or suspected incident which needs further investigation
- A weekly check will be carried out by the Parish Clerk to ensure the CCTV is working correctly
- An electronic 'Access Log' will be kept by the Clerk, and completed when the weekly CCTV checks are carried out, and when any other real time / recorded data is reviewed
- Any information accessed will only be shared with public bodies as required i.e. Police, and will be deleted when it is no longer needed for that purpose
- If possible, receipt to be obtained from Police representative if any CCTV data is passed to them

## 5. Assessment of Necessity and Proportionality

- 5.1. Answer the following questions to confirm that the necessity and proportionality of the processing has been assessed in relation to the purpose of the data processing:

| Question   | Yes or No |
|--|-----------|
| Is the processing of the identified personal data necessary for the project?                   | Yes       |
| Is the processing of the identified personal data in proportion to the purpose of the project? | Yes       |

## 6. Assessment of Risks to Data Subjects

- 6.1. The details of any risks related to individuals and compliance as a result of this project are detailed below:

| Issue   | Risk to Individuals   | Compliance Risk  |
|---|---|--|
| Unable to identify the age of individuals who may appear on the accessed CCTV recordings following an incident i.e. if over 13 years of age |   | The GDPR says children under 13 cannot give consent, so consent needs to be obtained from a parent or guardian |
| Unable to identify if individuals who may appear on the accessed CCTV recordings following an incident are regarded as 'vulnerable'         | Risk that 'vulnerable' adults may not fully comprehend the implications of CCTV use |  |

### Measures to Address Risks to Data Subjects

6.2. The actions taken to reduce the risk of any data protection issues identified in section 6.1 are detailed below:

| Risk to Individuals  | Solution  | Result         |
|--|---|----------------|
| Unable to identify with certainty the age of individuals who may appear on the accessed CCTV recordings following an incident i.e. if over 13 years of age | Any recorded information will be given to the Police for possible further action. The responsibility for verifying that the person giving consent on behalf of the child is allowed to do so, will therefore pass to them | Risk mitigated |
| Unable to identify if individuals who may appear on the accessed CCTV recordings following an incident are regarded as 'vulnerable'                        | Any recorded information will be given to the Police for possible further action. The responsibility of determining the understanding of recorded individuals will therefore pass to them                                 | Risk mitigated |

## 7. Prior Consultation

7.1. It is a requirement of the GDPR to consult with the ICO **prior to processing** where a DPIA indicates that the processing would result in a high risk in the absence of measures taken by the practice to mitigate the identified risk or risks.

7.2. Answer the following questions to identify if there is a requirement to consult the ICO:



| Question   | Yes or No |
|--|-----------|
| Do any risks remain unmitigated?   | No        |
| Does an unacceptable level of risk remain?   | No        |
| Is it likely that data subjects may encounter significant, or even irreversible consequences, which they may not overcome? | No        |

*If any of the above questions have been answered as “Yes”, then it is a mandatory requirement to consult with the ICO before commencing the project.*

## 8. Association with the GDPR principles

The following section demonstrates how the project will be implemented to ensure compliance with the GDPR:

### 8.1. Principle 1

| Compliance Question  | Summary  |
|--|--|
| Does the project have an identified purpose?   | Yes – The internal CCTV camera project was instigated in response to recent incidents occurring in the Old School, and will help act as both a deterrent against future incidents, and to record any incidents should they happen again      |
| What is the lawful basis for processing the personal information?  | The Parish Council is performing a task in the public interest, under a legal obligation – processing data in the exercise of a statutory power ( <b>Crime Prevention</b> – Power to spend money on crime detection and prevention measures) |
| How will individuals be informed about the use of their personal and/or special categories of personal data? | CCTV warning signs will be positioned on the front door and in the entrance lobby. Information regarding the CCTV System will also be detailed on the ‘Old School’ website, and within the ‘Terms & Conditions of hiring’ document.          |
| Do you need to create or amend a privacy notice?   | The Parish Council’s existing Privacy Notice will need to be amended to include reference to the internal CCTV camera  |

|   |     |
|---|-----|
| If consent will be used as the lawful basis, how will consent to process personal data be captured and what will you do if it is withheld or withdrawn? | N/A |
|---|-----|

## Principle 2

| Compliance Question   | Summary   |
|---|---|
| Does the project plan cover all of the purposes for processing personal and/or special categories of personal data? | Yes – The project plan (as detailed in the ‘data process operation’ section 4.2) is for the sole purpose of monitoring activity at the entrance of the Old School building, due to increased number of incidents of unauthorised access to the building |
| Has the project plan identified potential new purposes as the scope of the project expands?                         | N/A – The scope of the project is unlikely to expand. This will however be reviewed each year   |

## 8.2. Principle 3

| Compliance Question   | Summary   |
|---|---|
| Is the quality of the information good enough for the purposes it is used?  | Yes – High definition CCTV camera which includes night vision. Sound recording capability possible if 2-way audio function used   |
| Which personal and/or special categories of personal data could the project not use, without compromising the needs of the project? | The personal data required for the project is ‘video image’ evidence, and that is the data that the CCTV images will collect. In the event that the 2-way audio function is used during an incident, voice recordings may also be collected, which could be used as supporting evidence |

## 8.3. Principle 4

| Compliance Question  | Summary  |
|--|--|
| If the project involves the procurement of new software, does it allow for data to be amended when necessary?                                      | N/A – There is no requirement with this project for data to be amended                       |
| What measures will be in place to ensure that personal and/or special categories of personal data obtained from individuals or other organisations | The images captured by the CCTV cameras will have date and time information detailed on them |

|              |  |
|--------------|--|
| is accurate? |  |
|--------------|--|

8.5 Principle 5

| Compliance Question   | Summary   |
|---|---|
| What retention periods are suitable for the personal and/or special categories of personal data that will be processed? | The memory card used with the internal CCTV camera will achieve approx. 16 days' worth of recording, which will then be automatically overwritten. In the event that recorded data is accessed following an incident, copies of the relevant information will be forwarded to the Police for them to action as necessary. Their guidelines will then be followed with regards to retention periods and deletion of data |
| If the project involves the procurement of new software, does it allow for data to be deleted?                          | Please refer to comment above   |

8.6. Principle 6

| Compliance Question   | Summary   |
|---|---|
| Do any new systems provide protection against the risks to individuals identified in this DPIA?   | Yes   |
| What are the training and documentation requirements to ensure that staff know how to operate the new system securely   | Instruction manuals are provided with the camera, which will be made available to staff who operate the new system. Please refer to the Procedures for accessing recorded data, as detailed in 'data processing operation' section 4.2 regarding documentation requirements |
| If there is a requirement to transfer personal and/or special categories of personal data, what measures will be put in place to ensure the protection of the data? | Please refer to the Procedures for accessing data, as detailed in 'data processing operation' section 4.2   |