

Privacy Impact Assessment

Conducting a privacy impact assessment on surveillance camera systems (CCTV)

Principle 2 of the surveillance camera code of practice states that the use of a surveillance camera system must take into account the effect on individuals and their privacy, with regular reviews to ensure its use remains justified. The best way to ensure this is by conducting a privacy impact assessment before the system is installed and when a new camera is being added on to an existing system. This will assist in managing any privacy issues the use of the surveillance system might have.

A Privacy Impact Assessment enables operators to unpick risks to compliance with the Data Protection Act and the Human Rights Act. The PIA should initially consider the pressing need that the system seeks to address and the impact that recording may have on individual's privacy. It is important to decide whether the proposed system can be justified as proportionate to the needs.

In undertaking a Privacy Impact assessment you must take into consideration your obligations under the Data Protection Act 1998 and follow the guidance provided in the ICO's [CCTV code of practice](#) .

This privacy impact assessment template is specifically for those organisations that must have regard to the surveillance camera code of practice under the PoFA. It also helps organisations to address their data protection and human rights obligations.

A PIA does not always have to be conducted as a completely separate exercise and it can be incorporated into project planning or other management and review activities.

In deciding whether to conduct a PIA and its scope, consideration must be given to the nature and scope of the surveillance camera activities and their potential to impact on the privacy rights of individuals.

A PIA should be considered when you are reviewing your surveillance camera systems and when you are considering introducing new technology allied to them.

A Privacy Impact Assessment should be considered when any of the following apply:

- When you are introducing a new surveillance camera system
- If you are considering introducing new or additional technology that may affect privacy (e.g. ANPR, Body worn cameras, remotely operated vehicles (drones), megapixel or multi sensor very high resolution cameras).

- When you are changing the location or field of view of a camera or other such change that may engage privacy concerns.
- When you are reviewing your system to ensure that it is still justified. It is recommended that you review your system annually. (See ICO CCTV Code of Practice and Surveillance Camera Code of Practice Principle 10).
- If you are considering the capture of an additional identifier such as vehicle registration mark to enable ANPR.
- The activity or change will engage heightened privacy concerns such as voice recording and biometric recognition such as facial and gait recognition.
- If your system involves any form of cross referencing to other collections of personal information.
- If your system involves more than one company or agency undertaking activities either on your behalf or in their own right.
- When you change the way in which the recorded images and information is handled, used or disclosed.
- When you increase the area captured by your surveillance camera system.
- When you change or add an end user or recipient for the recorded information or information derived from it.

Description of proposed surveillance camera system

Provide an overview of the proposed surveillance camera system

This should include the following information:

- *An outline of the problem the surveillance camera is trying to resolve*
- *Why a surveillance camera system is considered to be the most effective way to solve the issues*
- *How the surveillance camera system will be used to address the problem (identified above)*
- *How success will be measured (i.e. evaluation: reduction in crime, reduction of fear, increased detection etc)*

In addition, consideration must be given to proportionality, legality, accountability and necessity. Any interference by a public authority of an individual's rights must be justified.

Therefore the following questions must be considered as part of a PIA:

- *Is the surveillance activity established on a proper legal basis and is it undertaken in accordance with the law?*
- *Is the surveillance activity necessary to address a pressing need, such as public safety, crime prevention or national security?*
- *Is it justified in the circumstances?*
- *Is it proportionate to the problem that it is designed to deal with?*

If the answer to any of these questions is no, then the use of camera surveillance is not appropriate.

Otherwise please proceed to complete the template below.

Privacy Impact Assessment Template

The Privacy Impact Assessment Template comprises two parts.

Level one considers the general details of the camera surveillance system and supporting business processes, level two considers the specific implications for the installation and use of cameras

Template - Level One

Location of surveillance camera system being assessed:

Waltham Forest CCTV CONTROL ROOM

Date of assessment: 07.02.2020

Review date: 07.02.2021

Name of person responsible: Neil Howard (Operations Centre Manager)

Data Protection Act 1998 and Surveillance Camera Code of Practice		
1	What is the organisation's purpose for using the CCTV and what are the issues that the system aims to address?	<p>Prevention and detection of crime and disorder and public safety. To also assist in the overall management of Waltham forest and other public areas within its client base</p> <p>To enhance the Community Safety in the borough and assist in the borough's enforcement and regulatory functions</p> <p>Assisting in traffic management and enforcement to support civil proceedings</p> <p>Staff administration. And public assistance</p> <p>Crime and other performance statistics are published on the council website.</p>
2	Can CCTV technology realistically deliver these benefits?	<p>Use of CCTV does provide evidential and other data that can be used to detect and or provide independent evidence for criminal or civil matters.</p> <p>Proactive use by monitoring CCTV enhances the work of the emergency services and others in a more effective operational management of incidents</p>
3	What are the views of those who will be under surveillance?	<p>Waltham forest's corporate system is highly effective and working towards certification by industry inspectorates. It enjoys local public support from members and residents.</p> <p>An independent inspection scheme in addition to the formal audits provides extra reassurance to the public.</p> <p>Future new camera requests will require local consultation to comply with the SCC Code of Practice through an approval process using appropriate council ward members.</p>
4	Have other less privacy-intrusive solutions such as improved lighting been considered?	<p>The requirement for CCTV is assessed through the use of an operational requirement process that will include consideration of other options.</p>
5	What are the benefits to be gained from using CCTV?	<p>Public CCTV usage enhances council and emergency services to provide operational support and recorded evidence product.</p>

		Proactive monitoring has proven to be highly effective in detection of incidents that are notified to the relevant services.
6	What are the privacy issues arising from this surveillance camera system?	<p>Privacy issues are</p> <ol style="list-style-type: none"> 1. Overlooking private space 2. Recording of personal DATA 3. Retention and deletion of data 4. Excessive or inappropriate monitoring 5. Data handling and provision
7	What privacy design features will be adopted to reduce privacy intrusion?	<p>To ensure privacy of data the system has the following safeguards.</p> <ol style="list-style-type: none"> 1. Secure premises and restricted access 2. Automated digital data deletion process 3. Evidence handling procedures 4. Privacy masking on cameras 5. Regular privacy checks 6. Inspectorate certification and audit 7. System and network security processes 8. Can provide physical screens on locations 9. Staff training and supervision and processes
8	What organisations will be using the CCTV images and who will take legal responsibility for the data under the Data Protection Act 1998?	<p>Data users are as notified in the Council's DPA registration that includes</p> <ol style="list-style-type: none"> 1. Data subjects 2. Statutory prosecuting authorities 3. Clients and authorised investigators <p>The system has SLAs reflecting these standards with all of its clients</p>
9	Do the images need to be able to identify individuals, or could the scheme use other images not capable of identifying individuals?	<p>The system records images in high quality and dependant on the type and location of individual cameras and the capabilities are able to provide images of individuals.</p> <p>Some fixed cameras are set to provide this level and others for general overview of the area of coverage.</p> <p>Moveable (PTZ) pan, tilt, zoom cameras have the ability to zoom in at great distance and are used proactively to gather identities of individuals as required.</p> <p>However there general primary pre-set position is usually set to an overview of camera coverage area to maximise observational monitoring and minimise personal Data capture.</p>
10	Will the CCTV equipment being installed and the system of work being adopted be sustainable? Is there sufficient funding for the scheme?	<p>The corporate system has a sustainable revenue budget through income recharging of services.</p> <p>The corporate system is looking to provide a capital replacement budget and programme and to ensure that it is reviewed at least annually.</p>

		Any new cameras to the system must have an associated revenue budget approved before they are installed.
11	Will the particular system/equipment being considered deliver the desired benefit now and in the future?	<p>The corporate system has been designed for resilience and future compatibility in order to ensure that any part of the system may be replaced or upgraded with minimal impact and cost.</p> <p>The corporate system is continually being refreshed technically to ensure maximum effectiveness and take advantage of future technology.</p>
12	What future demands may arise for wider use of Images and how will these be addressed?	<p>Currently some of the cameras on the system are dual purpose these can be used for traffic enforcement and Community Safety</p> <p>ANPR cameras are not currently in use</p>
Human Rights Act 1998		
1	Is the system established on a proper legal basis and is it operated in accordance with the law?	The corporate system was established under sec 115 of the crime and disorder act. It operates within the legislation requirements and is fully accredited by the industry inspectorates to all required standards.
2	Is the system necessary to address a pressing need, such as public safety, crime prevention or national security?	<p>Waltham forest is a London borough and as a large urban area within the capital city has its proportion of crime and disorder.</p> <p>The council has invested in the use of public CCTV system with proactive monitoring to assist its statutory requirements to reduce crime, disorder, enhance its ability to manage emergency incidents and improve public safety.</p> <p>The continued success of the corporate system is performance managed and externally accredited</p>
3	Is it justified in the circumstances?	Correct use of public Cctv has shown to be of considerable operational and evidential benefit to the authority and emergency services and is supported by the local residents and council members.
4	Is it proportional to the problem that it is designed to deal with?	<p>The corporate system and the way it operates is deemed proportional by its professional accreditations and its proven success.</p> <p>There are measures in place to protect personnel privacy ensure that the system always operates with due regard to the public right of privacy where ever possible</p>
5	Do any of these measures discriminate against any particular sections of the community?	The corporate system and its many management processes ensure that discrimination in all its forms are not breached and staff are fully trained in legislation requirements

Privacy Impact Assessment Level Two

The Level 2 Privacy Impact assessment template is designed to give organisations a simple and easy to use document to record various placements and devices on their surveillance camera system and to demonstrate the recognition and reduction of 'risk' to privacy impact across their network or system.

This document seeks to satisfy the privacy impact assessment in principle two of the Surveillance Camera Code of Practice.

Principle 2 - The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.

When looking at the obligation under the code a risk assessment methodology has been developed to help organisations identify any privacy risks to individual or specific group of individuals (e.g. children, vulnerable people), compliance risks, reputational risks to the organisation and non compliance with the Protection of Freedoms Act and/or the Data Protection Act.

A system that consists of static cameras in a residential housing block will generally present a lower risk than a system that has multiple High Definition PTZ cameras. However, the privacy impact assessment should help identify those cameras (irrespective of the type) that may be directed at a more vulnerable area (e.g. a children's play area) and therefore presenting a higher privacy risk. This approach allows the organisation to document a generic approach to the intrusion into privacy, catalogue your cameras by type and location, and finally identify any cameras that present specific privacy risks and document the mitigation you have taken.

An example of a risk assessment guide is shown in Appendix One

When undertaking a privacy impact assessment, it is important to be able to confirm where the organisation's cameras are sited. The system asset register is considered to be good practice for all organisations to maintain an asset register for all of their devices. This allows the system owner to record each site and equipment installed therein categorised in a manner to lead into the Level Two process.

If any new site or installation sits outside of the pre-defined fields, then new categories can be added as required

Overall step one and step two will cover the uses of devices of the system. However, it may not be practicable to publically list or categorise each individual asset.

register can be developed to capture the information required.

Template - Level Two

Step 1 (definition of camera types utilised)

LBWF CONTROL HUB Camera type table				
ID	Camera Types	Makes and Models used	Description	Justification and expected use
1	Fixed Internal static	Indigo HD Vision, VARIOED	Static images, no movement or zoom function	Public space monitoring locally on site and/ or at LBWF. Recorded 24hrs,for prevention and detection of crime and disorder, staff administration, public safety and site security
2	Fixed external static	Indigo Vision, VARIOED	Static images, Standard definition recording capture	Public space monitoring locally on site and/ or at LBWF. Recorded 24hrs, for prevention and detection of crime and disorder, staff administration, public safety and site security
3	External PTZ	Predator, Red Vision, MICI series 400, 550, Indigo vision ,Pelco domes	Pan Tilt and Zoom capability, standard recording.	<p>Pan Tilt and Zoom capability remotely allows the camera to have several pre-set or other home positions or to be used on incident events monitoring.</p> <p>Recorded 24hrs, for prevention and detection of crime and disorder, public safety, enforcement and other listed permitted uses under DPA registration</p>

4	External PTZ Redeployable	Mici, Redvision Indigo Ultra 2k	Pan Tilt and Zoom capability, these cameras are recording in standard capture but additionally are able to be deployed	Pan Tilt and Zoom capability. Ability to deploy to other areas allows owners to maximise efficiency and target defined problem areas without the need to place permanent cameras
6	ANPR	Dynamic DTV	Fixed camera location with BOF (Back of Office)	Fixed static camera that is recording and can be reviewed.

Step 2 (location assessment)

Location: Each system operator/owner should list and categorise the different areas covered by surveillance on their system. This list should use the specifications above which ID (types) are used at each specific location.

Cat	Location Type	Camera Types used	Amount	Recording	Monitoring	Assessment of use of equipment (mitigations or justifications)
A	Town Centre and local high street shopping areas	4,5	131	24hrs	24hrs – regular camera patrols based upon risk and intelligence information	<p>The privacy level expectation in a town centre is very low, our town centres and high streets.</p> <p>These areas are well signed with appropriate signage for CCTV its use and purpose with contact details.</p> <p>However all recording and evidence downloads are locked down and only managed by LBWF staff/ police</p>

B	Parks	4,2	27	24hrs	24 hrs – patrols every shift and as required based on intelligence or other information	The privacy level expectation in a public park is low, these areas are well signed with appropriate signage for CCTV its use and purpose with contact details.
E	Retail, Leisure and industrial parks	1,4	68	24hrs	May have own monitoring and site security capability. 24 hrs – patrols every shift and as required based on intelligence or other information	These are patrolled every shift for site security, administration, public and property and staff safety purposes and can be viewed remotely at the LBWF control room and/or monitored locally by authorised staff/security.
F	Housing estate (street)	4	276	24hrs	24 hrs – patrols every shift and as required based on intelligence or other information	Cameras are installed on high crime or ASB area estates in order to assist in crime detection and incident and estate management. They may also be installed as part of new estates overall security and safety measures in regeneration projects. Usually PTZ cameras but may include some fixed camera types for specific view point capture. These areas are well signed with appropriate signage for CCTV its use and purpose with contact details. However all recording and evidence downloads are locked down and only managed by LBWF staff/ police
G	Sites and Depots	1,4	252	24hrs	May have own monitoring and site security capability. 24 hrs – patrols every shift and as required based on intelligence or other information	Cameras are installed in civic buildings, libraries, depots etc for site security, administration, public and property and staff safety purposes and can be viewed remotely at the LBWF control room and or monitored locally by authorised staff/security.

						<p>These areas are well signed with appropriate signage for CCTV its use and purpose with contact details</p> <p>However all recording and evidence downloads are locked down and only managed by EPSC staff/ police</p>
I	Bike sheds	1	17	24hrs	24 hrs – patrols every shift and as required based on intelligence or other information	<p>The privacy level expectation in a Bike sheds is very low, our town centres and high streets.</p> <p>These areas are well signed with appropriate signage for CCTV its use and purpose with contact details.</p> <p>However all recording and evidence downloads are locked down and only managed by LBWF staff/ police.</p> <p>Users of the bike sheds are also informed of the security levels involved at the locations at the application stage</p>
J	RDC	1	30	24HRS	Patrols every shift and as required based on intelligence or other information	<p>Cameras are installed as needed for taskings to deal with Fly tipping or ASB and for security, administration, public and property and staff safety purposes and can be viewed remotely at the LBWF control room and or monitored locally by authorised staff/security.</p> <p>These areas are well signed with appropriate signage for CCTV its use and purpose with contact details</p>

						However all recording and evidence downloads are locked down and only managed by Ops centre staff/ police
K	ANPR	6	1	24 HRS	This allows entry and exit to the site via this entrance only. Low risk on GDPR as all details are collected on a standalone server and all are deleted when removed from the list. The switch and radio cabinet is store in a secure location with a code fob entry only.	<p>The privacy level expectation for the ANPR is very low, compared our town centres and high streets.</p> <p>These areas are well signed with appropriate signage for CCTV its use and purpose with contact details.</p> <p>However, all recording, and evidence downloads are locked down and only managed by LBWF staff/ police.</p>

Step 3 (Cameras where additional mitigation required)

Asset register: It is good practice for all organisations to maintain an asset register for all of their devices. This allows the system owner to record each site and equipment installed therein categorised in a manner to lead into the Level Two process.

If any new site or installation sits outside of the pre-defined fields, then new categories can be added as required

Overall step one and step two will cover the uses of devices of the system. However, it may not be practicable to publically list or categorise each individual asset.

Please document here any additional mitigation taken on a camera or system to ensure that privacy is in line with the ECHR requirements.

LBWF Camera additional risks/ privacy				
Camera Number	Reviewed	Camera TYPE	Location Category	Further Mitigation/ comments (optional)

Agreed with Neil Howard – LBWF Manager

Signature.....

Date: 07 Feb 2020

Review date: 07 Feb 2021

Appendix One – Privacy Risk Assessment Matrix

LB Waltham forest Ops centre system Risk Matrix:

		Fixed internal static	Fixed external static	Fixed external HD	External PTZ	External Redeployable HD	ANPR
	Town Centre / high street	1A	2A	3A	4A	5A	6A
	Parks	1B	2B	3B	4B	5B	6B
	Retail leisure and industrial areas	1E	2E	3E	4E	5E	6E
	Housing estates (street)	1F	2F	3F	4F	5F	6F
	Sites and depots	1G	2G	3G	4G	5G	6G
	ANPR	1K	2K	3K	4K	5K	6K

Appendix Two: (Steps involved in conducting a privacy impact assessment)

