

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



**Project name:** ANPR Camera Data Protection Impact Assessment (DPIA)

**Data controller(s):** PUBLOW WITH PENSFORD 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 DPIA<sup>1</sup>:**

- |   |   |
|---|---|
| <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 Parish Council wishes to install Automatic Number Plate Recognition ("ANPR") cameras to monitor public roadways. These will potentially operate 24 hours a day every day of the year and will capture and record moving images of vehicles within their range. The intention is to process data captured by the cameras to pass information to law enforcement agencies to enable them to identify either a driver, registered keeper or both.

This data protection impact assessment is required under Section 64 of the Data Protection Act 2018 (DPA) because there is a risk that data collected by the cameras might fall into the wrong hands, or be misused, or they might capture unwanted images of individuals. Potentially, there is a risk that individuals and their lawful movements could be identified from their recognisable features or by linking the registration plate to a database of vehicle registration marks ("VRMs"), which would be a breach of privacy.

**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 proposal is for a new ANPR camera surveillance system deployment. The project is currently at the implementation stage. A qualified contractor has been identified. The selected surveillance cameras will comply with industry standards applicable to ANPR capability. The installation is scheduled for a date to be agreed. The locations of the cameras will be individually assessed and agreed and approved by the Parish Council.

The processing of personal data is governed by legislation which applies in the United Kingdom including the DPA, the General Data Protection Regulation ("GDPR") and other legislation relating to personal data and rights such as the Human Rights Act 1998 and Freedom of Information Act 2000.

The Parish Council will treat its ANPR data processing activities as falling within the Protection of Freedoms Act 2012, the DPA and GDPR

The Parish Council does not legally need to appoint a Data Protection Officer (DPO) but it is still subject to the data protection legislation. Under GDPR, the Parish Council is both a "Data Controller" and a

<sup>1</sup> <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/>

"Data Processor". As a Data Controller, the Parish Council is ultimately in charge of and responsible for the processing. As such, it must provide Privacy Notices explaining to individuals how their data will be used and what rights they have. It must also provide data subjects with the legal right to check the information the Parish Council holds about them and to request the data controller to destroy it.

## 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 civic parish of Publow with Pensford is located in the district of Bath & North East Somerset. This parish has residential housing, mostly on or near to poorly lit or unlit country roads. The parish is situated in a remote rural location some miles away from a Police Station.

The Parish Council has identified that anti-social behaviour and crime in the parish, particularly at night, is a growing problem. It has undertaken a detailed assessment that included consultation with parishioners, community police, the district councillor and Neighbourhood Watch. This assessment established a genuine need to be able to provide photographic evidence to the police of vehicles entering and leaving the parish. Vehicles from "out-of-area" pass through the parish by day and by night. Occupants sometimes break-in to properties, commit other crimes, including violence, or carry out anti-social behaviour. There may be no witnesses or inadequate evidence of a suspect being in or near the vicinity at the time.

To address this need, the Parish Council has agreed to implement an ANPR system to read Vehicle Registration Numbers (VRMs) on vehicles using selected public roads in the parish in a way that is fair, lawful and transparent.

The "legitimate objective" of this deployment is public monitoring to capture evidence of traffic movements and record digital images and VRMs of vehicles entering and leaving fixed points on roads within the parish. This information will be passed to law enforcement agencies to act as a deterrent and to provide them with visual evidence to help them investigate crimes such as anti-social behaviour, vehicle theft, vandalism, violence and burglary and to assist them in identifying offenders.

By using such a system and by working in partnership with the police, the Parish Council can play a useful role in providing reassurance to the public.

The Parish Council will only process and share ANPR data to provide evidence to law enforcement agencies in the United Kingdom. Before sharing data with any named agency the Parish Council will establish mutually acceptable administrative arrangements including a data sharing agreement with the agency.

This DPIA extends only to sharing data with the territorial police force that carries out the majority of policing in our region which is Avon and Somerset Police. A separate DPIA will be completed before sharing data with any other law enforcement agency.

An individual DPIA will be completed for each camera location, before deployment, to determine any specific privacy implications in that particular location. This is to ensure that the use of a camera is justifiable, that there is prior consultation with people affected, an impact assessment made on their privacy and that appropriate safeguards are put in place.

**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 "legitimate objective" of the system is described in Section 3.

There is a risk that the cameras might capture digital images of individuals within their range without consent. The cameras might also capture digital images of residents who live within range of the cameras. All vehicles and pedestrians that pass through the areas covered by the ANPR cameras will be recorded. Therefore, the data subjects are members of the public. The personal data that will be collected may include physical appearance of people and vehicles, including VRMs. This personal data could include children and/or vulnerable groups. In summary; the recordings may contain digital images of the public going about their lawful business as well as offenders, persons wanted or missing.

In most cases a VRM is personal data at the point of collection if processed as part of a surveillance system for the purposes of identifying an individual (potentially to take some action). This is because while the VRM may not directly identify a living individual, the purpose of the system means that there is a risk of finding out further information (e.g. from the DVLA or some external database) that will enable identification of either the driver, registered keeper or both.

**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.

The data owner and data controller is the Parish Council. The council will share data with:

1. Data subjects
2. Law enforcement agencies

No other organisation will have access to the data.

"Data subjects" can exercise their rights to "subject access requests".

The officer responsible for the system, including security of digital images and data collection, storage and use is the Parish Clerk.

The Parish Council does not intend to match data obtained and processed from the ANPR cameras to any internal or external database containing personal information or to link it with any other systems.

The Parish Council will share ANPR data with specified law enforcement agencies for the purposes of crime prevention, investigation and law enforcement. The digital ANPR images will provide visual evidence to help them investigate crime and anti-social behaviour and to assist them in identifying offenders.

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

- |   |   |
|---|---|
| <input type="checkbox"/> Fixed CCTV (networked)         | <input type="checkbox"/> Body Worn Video                  |
| <input checked="" type="checkbox"/> ANPR                | <input type="checkbox"/> Unmanned aerial systems (drones) |
| <input checked="" type="checkbox"/> Stand-alone cameras | <input type="checkbox"/> Redeployable CCTV                |
| <input type="checkbox"/> Other (please specify)         |   |

The proposed surveillance system will use stand-alone ANPR cameras to capture digital images and record VRMs of vehicles within specified zones in the parish in real-time.

The following cameras will be used:

TM-ANPR IP - Technomate Weatherproof Motorised ANPR Cameras  
<https://www.technomate.com/products/TM%252dANPR-IP.html>

The system will be operated in compliance with appropriate policies, protocols and the code of practice.

**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.

1. The ANPR cameras will record digital images potentially 24 hours a day, every day of the year. The cameras will not make use of audio recording or biometric characteristic recognition. The cameras will not use watchlists and are not to be integrated into any surveillance technologies such as automatic facial recognition.
2. The Parish Clerk has primary responsibility for the ANPR surveillance system.
3. Access to recordings will be restricted to the Parish Clerk and/or two other delegated individuals, approved by the council for this purpose.
4. Recordings will not be accessed unless one of the following events occur:
  - a. The Parish Council receives a report that criminal or anti-social activity (this includes dangerous driving) is witnessed or reported to have occurred in the parish.
  - b. The Parish Council receives a formal request from Avon & Somerset Police.
  - c. The Parish Council receives a formal Subject Access Request from a member of the public for any recordings held on them (this is subject to a separate process).
  - d. It is necessary to check that the system remains operational or that the quality of the recording is satisfactory or to enable auditing of the system to ensure that data is being automatically deleted or overwritten.
  - e. It is necessary for the Parish Council's approved ANPR contractor to carry out maintenance.
5. All access to the system will be logged manually in an electronic Log Book (excel workbook) maintained by the Parish Clerk. This will record the time, date, purpose of access and by whom.
6. If events 4a or 4b occur then one of the designated individuals will review the stored digital images for the specific timeframe where criminal or anti-social behaviour has been reported and will download the specific section of the recording. The Parish Council's responsibility will not extend beyond

providing the specific section of recording to the police. It will not become involved with any criminal investigation.

7. The recording will be emailed to a specific email address at Avon & Somerset Police. If the Police require any further information then they will contact the Parish Council. If event 4b. occurs then the Police will contact the Parish Council and request recordings for a specific timeframe and date. The recordings will be emailed to the Officer requesting the data, by secure email. Details of the request and when the information was provided will be recorded in the Log Book.

8. If event 4c occurs then the Subject Access Request (SAR) procedure will be followed.

9. If events 4d. and 4e. occur then details will be logged in the electronic Log Book.

10. The system will be set to automatically delete or over-write all recordings as stated in Section 15.

### 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.

Video recording is undertaken via standalone ANPR cameras which will be mounted at a high level on private properties. The cameras will not record 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)

Data will only be disclosed to the restricted third-parties described in this DPIA by secure email or by means of password protected and encrypted media.

### 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)

The "legitimate objective" of the surveillance system is described in Section 3.

## 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
Neighbourhood Watch	Email	<p>At the time of the Parish Consultation on spending the CIL money, Chris James was Neighbourhood Watch Coordinator. He sent out an email to all NW Contacts in the Parish urging them to attend the consultation as it was in line with the NW remit.</p> <p>Neighbourhood Watch communication states "Where safe to do so residents should try to photograph or get a description of any suspicious activity (car number plates/physical description of people) and inform the police on 999 if they suspect an actual crime is being committed"</p>	<p>Email sent as follows:</p> <p>"The installation of CCTV (Automatic Number Plate Recognition) cameras at strategic locations in the parish.</p> <p>Like Neighbourhood Watch the purpose of this proposal is to deter crime, support the police and make our community a safer place. It uses modern technology to be the eyes and ears of the community and would therefore support the aims and work of our Neighbourhood Watch.</p> <p>If you can, go to the Parish Consultation and find out more about this proposal, ask questions, raise any concerns and if you decide it would benefit our community, vote for it".</p>
Parishioners		<p>A democratic parish consultation was held asking for parishioners to vote on the best use of CIL money available for use within the parish. A majority of parishioners voted in favour of purchasing ANPR cameras, ahead of all other competing uses for the CIL money.</p>	<p>As parishioners expressed clear support, the Parish Council decided to implement the ANPR system to collect photographic evidence to help the police identify and apprehend perpetrators of crimes such as break-ins and anti-social behaviour within the parish.</p>



Community police	Email	<p>PC Cumine stated</p> <p>"Its very difficult to quantify how useful it would be until you need it.</p> <p>Crime levels might not justify the expense, but he is happy to leave it to the Parish Council to make this decision.</p> <p>He checked crime figures for year Apr 2020 -Apr 2021. There were 25 crimes in the area and of those he roughly estimates that an ANPR check would have been completed in about 8.</p> <p>He notes that most vehicles used in crime with be stolen, on false plates or still registered to the previous keeper so this reduces the odds of ANPR generated information being useful.</p> <p>However he says "it only has to work once on a serious case and can give amazing results".</p>	The Parish Council has agreed to proceed on this basis.
District councillor	Verbal	The ward councillor is generally supportive of this deployment	None necessary
Directly affected residents within the parish			
Property owners for hosting equipment	Verbal	A number of residents have already indicated that they would be willing to host a camera.	<p>The cameras are to be placed on the outside wall, on private property and agreements with hosts need to be put in place before the cameras start operating.</p> <p>Cameras will be pointed at the public highways and will not capture activity on private property.</p>

			<p>Device will be using the hosts electricity and broadband.</p> <p>Access may be required in case of malfunction &amp; annual PAT testing.</p> <p>Equipment is portable and so can be moved if a person moves house or wishes to terminate agreement.</p> <p>Host will not have access to data.</p>
Avon & Somerset Police	<p>Email</p> <p>Web</p>	<p>Trevor Simpson Road Safety &amp; ANPR Officer</p> <p>If you were to establish cameras around the village there is nothing to stop you presenting information to the police should you have intelligence of offenders or evidence of an offence just as people do now with dashboard or doorbell cameras. It would be for the Parish to ensure that you were compliant with any legislation. I think it might be best for you to liaise with your neighbourhood policing team who can look at this in consideration of their needs and processes including links to the neighbourhood watch scheme. I have therefore copied in Inspector Ruth Gawler who I expect will arrange for someone to get in touch.</p> <p>Ruth passed us onto Stuart Cumine: From Stuart Cumine -Neighbourhood Sergeant</p> <p>Its very difficult to quantify how useful it would be until you need it. Ours is positioned on the main transit route for that reason. I just cannot see the need for the others sorry. This might help explain. In your parish (if that's what the blue lines are below) in the last 12 months there have been 35 recorded crimes. I am unsure what these cameras would cost but if you divide it by 10 I leave it up to you whether you believe it to be worth</p>	

		<p>it per crime? On the assumption is may help trace a vehicle but not necessarily a conviction.</p> <p>I have also checked the year before Apr 2020-Apr2021 there were 25 crimes in the same area and of those I roughly estimate that an ANPR check would have only been completed in about 8.</p> <p>Add to this that most vehicles used in crime with be stolen already, on false plates or still registered to the previous keeper the odds are even lower of ANPR generated information being useful.</p> <p>I hope that information is useful sorry it's not more positive but saying that it only has to work once on a serious case and can give amazing results.</p> <p>Martyn Bragg PCSO</p> <p>Jonathon Beswetherick Local Beat Constable</p> <p><a href="https://www.avonandsomerset.police.uk/request/automatic-number-plate-recognition-anpr/">https://www.avonandsomerset.police.uk/request/automatic-number-plate-recognition-anpr/</a></p>	
Bath & North East Somerset Council	Email	<p>Lynda Deane Head of Service – City &amp; Town Centre Management Bath &amp; North East Somerset Council</p> <p>The Council's Information Governance is unable to offer formal advice. The Parish Council must be satisfied that it has a lawful basis to install the ANPR cameras, but ultimately this is the Parish Council's own decision. The Parish Council must consider the legal basis for installing the cameras and ensure it achieves the correct level of transparency (informing people the cameras are there and the reasons why). BANES Council is not in a position to allow any connections to their electricity supply. The Parish Council must consider the operational considerations and</p>	<p>The Parish Council believes that it has a lawful basis to operate the ANPR cameras. It is satisfied that it has the capability to maintain them in a compliant manner and that the up-front and ongoing costs are justified. The Parish Council has therefore decided to proceed with the project.</p>

		<p>practicalities in retaining, retrieving and monitoring footage, alongside the maintenance, repair and replacement costs of the cameras.</p> <p>BANES Council is unable to offer direct support.</p>	
--	--	--	--

## 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 ANPR cameras are to be used for public monitoring to record visual evidence for the purpose of investigation, prevention and detection of crime. Recordings will provide law enforcement agencies with evidence of criminal activity, which may lead to actions including prosecutions in court and identification of offenders in investigations.

For the purposes of the Freedom of Information Act 2000, a parish council is a "Public Authority" or "Public Body" under the law of the United Kingdom. However, a parish council is not a "public authority" or "public body" under DPA Section 7 (3) <https://www.legislation.gov.uk/ukpga/2018/12/section/7>

This is relevant when deciding on "what is our lawful basis for processing". <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/?q=necessary>

Parish Councils have a general ability to share information, provided this does not breach the data protection legislation or any other law.

As the PC is not a public authority or public body for the purposes of DPA we have reviewed the purposes of our processing activities, and we have selected the most appropriate lawful basis for this activity to be:

"Legitimate interests: the processing is necessary for our legitimate interests or the legitimate interests of a third party, unless there is a good reason to protect the individual's personal data which overrides those legitimate interests".

Processing for the legitimate objective is permitted by GDPR Article 6(1)(e): "Processing is necessary for the performance of a task carried out in the public interest, or in the exercise of official authority vested in the controller".

We have checked that the processing is necessary for the relevant purpose, and we are satisfied that there is no other reasonable and less-intrusive way to achieve that purpose.

We have included information about both the purposes of the processing and the lawful basis for the processing in our privacy notice.

As surveillance camera systems fall under the Protection of Freedoms Act 2012, the Parish Council will ensure that it complies fully with the 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 Parish Council will not process special categories of data.

At least annually, the Parish Council will carry out a proportionate review and consultation and engage with the public and partners (including police) to assess if there is still a legitimate objective and pressing need to maintain the surveillance system, and if it still fulfils the legitimate objective of the system described in Section 3. If consultation and engagement reveals significant concern, the Parish Council will consider how to strike the most appropriate balance between public protection and individual privacy.

**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.

The "legitimate objective" of the system is described in Section 3.

It is a reasonable expectation to be under some degree of surveillance when using a public road.

The Parish Council will consult with residents living within the range of a particular camera and will take steps to protect their privacy.

The Parish Council will put clear and prominent privacy notices in place fixed to lamp posts or road signs within the range of cameras to inform individuals that ANPR cameras are in use, with sufficient detail about who to contact if they have a query. These will refer individuals to a dedicated email address [anpr@publow-with-pensford-pc.gov.uk](mailto:anpr@publow-with-pensford-pc.gov.uk).

The Parish Council will publish information on the Parish Council website ([publow-with-pensford-pc.gov.uk/anpr/](http://publow-with-pensford-pc.gov.uk/anpr/)) about the objective, operation and effect of the ANPR surveillance system deployment together with information on the procedures and safeguards in place, impact assessments undertaken, performance statistics and other management information and any reviews or audits undertaken. These will include details on how data subjects can exercise their rights.

The Parish Council will update and include the use of ANPR cameras in its published Privacy Policy.

The Parish Council will monitor any signage and will rectify any deficiencies.

Not all locations will be "live" at the same time. On occasion, the Parish Council may move the "live" surveillance cameras between locations to address the frequency of reported crimes or of anti-social behaviour occurring within specific parts of the parish. The Parish Council will not disclose the exact location of any "live" camera if to do so would defeat the legitimate objective.

**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 Parish Council has ensured, through the design and commissioning process that the deployment is capable of performing its specific remit and "legitimate objective" and the Parish Council will process all digital images and data obtained from the system only to achieve its remit and "legitimate objective" as described in Section 3 .

The presence of ANPR cameras is not only a deterrent, it provides reassurance to the public and provides an effective means of detecting crime and assisting the police in identifying offenders.

The recordings will provide evidence to investigate unlawful activity. This may lead to formal action including prosecutions in court or identification of offenders.

The Parish Council will keep the number of ANPR cameras in use to a minimum, and only use an appropriate number in any specific zone to address the particular need.

The Parish Council will carry out a separate DPIA on each location before use, to ensure that the location(s) of cameras are fully justifiable, and that cameras are placed in such a way that they do not accidentally capture digital images of activities taking place on private land or private property.

The Parish Council will hold digital images and data securely on the devices in accordance with legal requirements, including the Data Protection Act and National ANPR data standards.

The Parish 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 reported in the parish.

The Parish Council has published a procedure for handling concerns and complaints from individuals and organisations. [<http://www.publow-with-pensford-pc.gov.uk/complaints-procedure/>] Complainants must submit their complaint in writing to the Parish Clerk.

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

The Parish Council will not hold digital images and data any longer than strictly required for the "legitimate objective" of the ANPR surveillance system described in Section 3. The Parish Council has appropriate retention and disposal policies in place so that digital images and information are deleted or over-written when their purpose has been discharged. No more than 31 days of data is retained. This retention period is deemed as reasonable, proportionate and appropriate. If after 12 month's usage this is deemed no longer reasonable, proportionate and appropriate then this policy will be reviewed.

#### 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)

Data will be automatically over-written or deleted as stated in Section 15 unless required for use by the police or to answer a Subject Access Request. In these eventualities, the Parish Council will extract and hold data securely on the Parish Clerk's password protected workstation only for the minimum time necessary to pass the data on to the police or a data subject by secure means.

**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?

The Parish Council will hold digital images and data securely on the ANPR devices in accordance with legal requirements, including DPA and National ANPR data standards.

System access is restricted to authorised individuals controlled through the use of user names and robust passwords. Only individuals authorised by the Parish Clerk will have access to the system to view digital images and data. The Parish Clerk will maintain a list of such individuals. Access to the system is through the internet. All users must change their passwords monthly.

Authorised individuals must view and extract digital images and data only for the legitimate objective of the system described in Section 3. They must keep data secure and must not allow unauthorised use or access.

No individual may disclose any digital images or data unless authorised specifically by the Parish Clerk, and then only when necessary for the "legitimate objective" described in Section 3, or for law enforcement purposes.

The Parish Clerk will delegate responsibility for technical management and administration of the system to a suitably qualified, named individual who shall be known as the "Data Manager". This individual will sign a confidentiality agreement, have full access and will be responsible for user management with rights to carry out system maintenance, administration and to extract data.

The Parish Clerk may delegate the responsibility for using the system to one other suitably qualified, named individual who shall be known as "Data Access". This individual will sign a confidentiality agreement and will have restricted access to the system, with access rights only to extract data. The Parish Clerk will delegate responsibility for physical maintenance of the system (including rotating the cameras) to the Data Access role.

On occasions, an external IT contractor may be granted temporary access rights for the purpose of repairs and maintenance.

Avon & Somerset police will not have direct access to the system.

Access will be logged manually through the use of a Log Book.

Access rights will be subject to regular review to ensure appropriateness.

Before any recordings are disclosed they will be reviewed and approved by the Parish Clerk. If disclosing digital images, the Parish Clerk will consider whether they identify individuals, and whether it is appropriate to obscure features to prevent unwarranted identification.

All data disclosed to the police will be subject to a data sharing agreement and sent by means of a secure email to a dedicated Avon & Somerset Police email address. Emails to individual officers at Avon & Somerset Police will only be sent to their official email addresses (in accordance with their approved email address methodology).



The Data Manager will regularly monitor the system for technical efficacy, and will apply software updates as appropriate.

Data Protection Legislation requires the Parish Council to ensure the competence and reliability of individuals having access to personal data, including digital images and information obtained by the surveillance camera systems. The Parish Clerk will ensure compliance by ensuring that all system users understand their roles and responsibilities, they are technically competent, have relevant skills and training on the operational, technical and privacy considerations and fully understand the compliance policies and procedures.

The Parish Clerk will communicate the system policies and procedures to all Parish Councillors as part of their induction and ongoing training and development.

The Parish Council will ensure that the system continues to produce viable and accurate data for use as evidence in court. To protect the rights of individuals, the surveillance camera system must store data in a way that maintains the reliability and integrity of both digital images and the associated time-stamp. Regular checks will be made that metadata (time, date and location) is being recorded accurately.

The Parish Council will ensure that data compression does not reduce the quality of digital images.

The Parish Council will comply with the Surveillance Camera code of practice where required.

The Parish Council will not transfer ANPR data outside of the UK.

**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.

Individuals can request digital images and information about themselves through a subject access request under the relevant part of the Data Protection Legislation and under the Freedom of Information Act 2000 (FOI). Parish councils are "public authorities" subject to FOI. This gives everyone the right to request any recorded information held by a Parish Council. Detailed guidance on this and matters such as when to withhold or obscure digital images of third parties caught in digital images is included in guidance issued by the Information Commissioner's Office.

The Parish Clerk will deal with all FOI requests received for disclosure of digital images or data and will keep appropriate records.

The Parish Clerk may occasionally receive an FOI request for disclosure of digital images from a third party (such as a person who has had property damaged). The Parish Clerk will approach such requests with care and strictly in accordance with Data Protection Legislation.

Subject Access Requests will be dealt with in accordance with current practice in local government and guidance from the Information Commissioner's Office and the Surveillance Camera Commissioner.

A written procedure (including a procedure to retrieve stored data and process it for subject access requests or for onward disclosures) will be published on the Parish Council's website and will be communicated to all who need to comply with it before the ANPR surveillance camera system is used.

Disclosure of digital images must be consistent with the legitimate objective described in Section 3 and only where appropriate.

The Parish Clerk will make judgements about disclosure. The Clerk has discretion to refuse any request for information unless there is an overriding legal obligation such as a court order or information access rights.

Disclosure of digital images and data must comply with the applicable requirements of the Data Protection Legislation (or if permitted by other legislation such as the Counter Terrorism Act 2008) and will not be appropriate unless Data Protection Legislation exemptions allow it. These exemptions include where non-disclosure would be likely to prejudice the prevention and detection of crime, and for national security purposes.

Where the Parish Clerk declines a request for disclosure from a law enforcement agency there is provision under Section 9 of and Schedule 1 to the Police and Criminal Evidence Act 1984 to seek a production order from a magistrate.

**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.

Pensford police station closed many years ago. Since then, the Parish Council has asked Avon & Somerset Police, on several occasions, to improve their presence in the village. Policing is mainly the responsibility of PCSOs who cover multiple areas and are not based in the parish. However, Avon & Somerset Police have limited resources and cannot, at present, offer a higher presence.

For many crimes there are no witnesses, particularly at night, or even when witnesses do exist, they may only be able to provide a general description and not be able to recall details of relevant number plates.

The Parish Council therefore sees no viable alternative to using ANPR cameras to improve surveillance.

The ANPR cameras must operate 24/7 to be effective as a deterrent and to be able to provide evidence.

The ANPR cameras are not monitored real-time, only when data is required for the "legitimate objective" described in Section 3, or for maintenance.

Footage will only be accessed for use upon receipt of reports of anti-social and criminal behaviour.

Date and version control: 19 May 2020

v.4

**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 Parish Council will introduce written policy and procedures specifying which law enforcement agencies are granted access and how information is disclosed and handled as set out in this DPIA.

As a minimum, the Parish Council will conduct the following regular internal audits:

1. Access - To ensure that only approved individuals have accessed (and can access) the system.
2. Disclosure - To ensure that all data disclosed to outside agencies were sent correctly and securely and to approved parties
3. Stored Information - (a) To ensure that recordings can be retrieved for up to 31 days and that that they can not be retrieved after 31 days unless required by the police. (b) To ensure that the system is producing digital images of a quality adequate to support the purpose of crime detection. (c) To ensure that it remains possible to export, store and analyse digital images and data without loss of forensic integrity.
4. Compliance: (a) To ensure ongoing compliance with all legal requirements, policies and standards. (b) To ensure that system users remain competent to deliver digital images and data of evidential value to the criminal justice system in compliance with the law.
5. Appropriateness: To ensure that the system remains necessary, proportionate and effective in meeting its "legitimate objective" described in Section 3 and/or whether an alternative solution might be available with a lower risk of invading individual privacy.
6. Infrastructure: To ensure that the location of cameras remains justified in meeting the "legitimate objective" described in Section 3, or if there is a case for removal or relocation.

It is proposed that the Parish Council will carry out internal audits of the system every three months during the first year of operation.

The frequency of auditing will be reviewed annually.

The Parish Council will publish regular audit and review reports.

## 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.

<b>Describe source of risk and nature of potential impact on individuals.</b> Include associated compliance and corporate risks as necessary.	<b>Likelihood of harm</b>	<b>Severity of harm</b>	<b>Overall risk</b>
Breach of privacy of an individual	Remote, possible or probable Remote	Minimal, significant or severe Significant	Low, medium or high Medium
Releasing data to an unauthorised third party	Possible	Severe	Medium
Unauthorised third party accessing the data	Remote	Severe	Medium
Data being retained for longer than required because the system fails to automatically delete	Remote	Minimal	Low

<b>Describe source of risk and nature of potential impact on individuals.</b> Include associated compliance and corporate risks as necessary.	<b>Likelihood of harm</b>	<b>Severity of harm</b>	<b>Overall risk</b>
Failure to display an effective public notice due to signage being damaged or removed	Remote, possible or probable Possible	Minimal, significant or severe Significant	Low, medium or high Low
Loss or damage to the ANPR cameras due to vandalism	Possible	Minimal	Medium

## 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.**

<b>Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk</b>			
<b>Options to reduce or eliminate risk</b>	<b>Effect on risk</b>	<b>Residual risk</b>	<b>Measure approved?</b>
<p>It is a reasonable expectation that surveillance cameras will record individuals in public areas. The ANPR cameras will be positioned so as to avoid intrusion into private space and that they only record public roadways. If necessary, privacy masking will be used on cameras that overlook residential properties.</p> <p>The system will not go live until the Parish Council has made and approved a DPIA for the specific location to assess the deployment and area/s that the cameras will be recording.</p>	<p>Eliminated reduced accepted Eliminated</p>	<p>Low medium high Low</p>	<p>Yes/no</p>
<p>There is a risk of data being shared into the wrong hands. Data will only be shared with authorised personnel within Avon &amp; Somerset Police and only when approved by the Parish Clerk</p>	<p>Reduced</p>	<p>Low</p>	

<p>The ANPR cameras to be installed are manufactured by ???? who are regarded as a ??? global leader in surveillance technology ???.</p> <p>The surveillance system is therefore expected to have robust and up to date security and access protection.</p> <p>This will be tested as part of the camera installation and set up</p>	Reduced	Low	
<b>Options to reduce or eliminate risk</b>	<b>Effect on risk</b>	<b>Residual risk</b>	<b>Measure approved?</b>
<p>The ANPR cameras will be tested before they go live to ensure they automatically delete data. This will also form part of the regular audit routine to ensure that data is not retained for more than 31 days.</p>	<p>Eliminated reduced accepted Eliminated</p>	<p>Low medium high Low</p>	Yes/no
<p>The locations of signage will be regularly reviewed by the Parish Council to ensure that they remain appropriate and notices remain in place.</p> <p>If any signs have been removed or damaged they could be replaced within a few days.</p>	Reduced	Low	
<p>The ANPR cameras are situated on private property and at a high level, with the owner's consent. The owner will supply power and internet connectivity but will have no access to the data stored on the cameras. The cameras are not easily accessible from the public road. Therefore there is a low risk of vandalism. However, if they were to be vandalised this would not impact on the rights and freedoms of individuals.</p>	Eliminated	Low	

--	--	--	--



## 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: Publow with Pensford Parish Council		Integrate actions back into project plan, with date and responsibility for completion.
Residual risks approved by: Publow with Pensford Parish Council		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:	Not applicable as Parish Councils are not legally obliged to have Data Protection Officers (DPO's).	DPO should advise on compliance and whether processing can proceed.
Summary of DPO advice N/A		
DPO advice accepted or overruled by: N/A (specify role/title)	N/A	If overruled, you must explain your reasons.
Comments: N/A		
Consultation responses reviewed by:		If your decision departs from individuals' views, you must explain your reasons.

Comments:		
This DPIA will be kept under review by: Publow with Pensford Parish Council		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)
Rural roads and residential streets	ANPR	2	24hrs	None due to the fact that all are static cameras	Cameras are installed in this location to assist the police in investigating crimes.  The privacy level expectation on open roads is very low.  Notices will advertise the use of ANPR cameras, thier purpose and provide 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 Types A (low impact) Z (high impact)										

# NOTES

Date and version control: 19 May 2020  
v.4

The surveillance system is considered a Low Impact rating of A1 for the following reasons:

1. All locations are on public roads.
2. The deployment involves only a small number of cameras.