

## 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:**

**London Borough of Brent**

**Date of assessment: 02/02/2017**

**Review date: 01/02/2018**

**Name of person responsible: Alvin Wakeman**

<b>Data Protection Act 1998 and Surveillance Camera Code of Practice</b>
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1 A.	What is the organisation's purpose for using the CCTV and what are the issues that the system aims to address?	Anti-Social behaviour, crime, violent behaviour, community Safety. People and Traffic management at major events. Enforcement of moving traffic Offences
2 B	Can CCTV technology realistically deliver these benefits?	In part when combined with other measures which may include but are not restricted to police response, lighting control, licencing control, waste and Parking enforcement,PCSO involvement, public contribution(e.g. neighbourhood watch) etc.
3 C D	What are the views of those who will be under surveillance?	<p>New installations, (post 2010) were installed with public consultation as part of the process. Direct consultation was restricted to residents, including business, ward councillors, any organisations that operated in the area such as residents associations and Registered social landlords.</p> <p>Prior (than 2010)installations are inherited and it is not known what public consultation, if any, took place. Hence these cameras are being re-assessed on the basis of current public expectations and perceptions. For example if cameras are installed in an area where there is a vibrant night-time economy and have been in position for many years we will not seek public consultation but will fully assess them to ensure they are still fit for what deemed their original purposes.</p>
4 E F G H I. J	Have other less privacy-intrusive solutions such as improved lighting been considered?	<p>Improved, (or reduced)lighting has been included in the assessment. Comments made in the event or change or proposed change in lighting(such as LED upgrading)</p> <p>More intensive or directed police patrols as a result of intelligence</p> <p>Licensing incentives (enforcements, PSPO's etc.)</p> <p>Cameras which do not stray from area of objectivity</p> <p>Privacy zones on cameras</p> <p>Changes to road layouts(e.g. closing or restricting use of so called 'rat-runs')</p>
5 K	What are the benefits to be gained from using CCTV?	<p>Reduction in most crime types</p> <p>Feeling of safety(public confidence)</p>

<b>L</b> <b>M</b> <b>N</b> <b>O</b>		<p>Deterrence of crime</p> <p>Protection of property(public &amp; private)</p> <p>Increase in prosperity of area,(a safer place is more likely to have visitors)</p>
<b>6</b> <b>P</b> <b>Q</b> <b>R</b>	<p>What are the privacy issues arising from this surveillance camera system?</p>	<p>Privacy issues are</p> <ol style="list-style-type: none"> <li>1.Overlooking private space</li> <li>2.Recording of personal DATA</li> <li>3.Retention and deletion of data</li> <li>4.Excessive or inappropriate monitoring</li> <li>5.Data handling and provision</li> </ol>
<b>7</b> <b>S</b> <b>T</b>	<p>What privacy design features will be adopted to reduce privacy intrusion?</p>	<p>To ensure privacy of data the system has the following safeguards.</p> <ol style="list-style-type: none"> <li>1. Screen attached to camera infrastructure</li> <li>2. Avoiding the use of camera which have the capability to invade privacy beyond camera objectives(or the turning off such design features)</li> </ol>
<b>8</b> <b>U</b>	<p>What organisations will be using the CCTV images and who will take legal responsibility for the data under the Data Protection Act 1998?</p>	<p>Data users are as notified in the Council's DPA registration that includes</p> <ol style="list-style-type: none"> <li>1. Data subjects</li> <li>2. Statutory prosecuting authorities</li> <li>3. Clients and authorised investigators</li> </ol>
<b>9</b> <b>V</b> <b>W</b>	<p>Do the images need to be able to identify individuals, or could the scheme use other images not capable of identifying individuals?</p>	<p>Cameras have been assessed to be 'fit for purpose'. For example is if a camera is being used in a park where lighting is poor, white lighting or infra-red is deployed</p> <p>The criteria to enable the identification is dictated by home Office recommendation, (10% detection,25% recognition, &amp; 100% identification).Camera are assessed to have the ability to meet the objectives of each of the four stages.</p>
<b>10</b> <b>X</b>	<p>Will the CCTV equipment being installed and the system of work being adopted be</p>	<p>Any new installation is assessed for both compatibility with the existing system and is as advanced as can be afforded but still considers the objectives. Cameras will not be specified that,(as</p>

Y	sustainable? Is there sufficient funding for the scheme?	<p>far as can be ascertained)are likely to be obsolete or become unfit for purpose in the near future.</p> <p>No new installations will take place unless there is an existing revenue or identifiable revenue stream to support it</p>
11 Z A1.	Will the particular system/equipment being considered deliver the desired benefit now and in the future?	<p>New installations are assessed to be fit for purpose, (pressing need)for which they are being installed(Or in the case of the older inherited cameras what it was deemed they were originally installed for).</p> <p>A new installation (from individual cameras to entire infrastructure) is assessed and risk managed by adopting 'industry standards' and the use of common platforms.</p>
12 B2 C3	What future demands may arise for wider use of Images and how will these be addressed?	<p>All existing cameras are assessed on the current objectives which derive from the current pressing need. As (and if)future demands change a new assessment will take place to determine the suitability of any equipment specified.</p> <p>A wider use of images, (in terms of the data produced)being introduced is the ability for police to remotely view CCTV .This is being addressed with appropriate legal and technical objectives.</p>
<b>Human Rights Act 1998</b>		
1	Is the system established on a proper legal basis and is it operated in accordance with the law?	<p>How the CCTV system operates is fully documented and documentation is fully available to auditing commissioners.</p> <p>The authority also publishes and distributes, (via libraries and its website) a public 'CCTV Code of Practice 'which sets out how public space surveillance is carried out and how data it captures is used.</p> <p>This assessment includes a review of the 'CCTV Code of Practice' and will make any appropriate alterations as a consequence of changing legislation or improved working practices.</p>
2	Is the system necessary to address a pressing need, such as public safety, crime prevention or national security?	<p>The assessment process as is documented here is carried out to ensure that the pressing need for the system in its entirety, groups of or individual cameras was originally introduced are still valid.</p> <p>Completion of this assessment confirms the necessity of the system to address pressing needs such as public safety, crime prevention and national security.</p>
3	Is it justified in the circumstances?	The severity of the circumstances will vary but this assessment seeks to determine if the use of CCTV is proportionate(see 4 below)

4	Is it proportional to the problem that it is designed to deal with?	This is determined by the result of the assessment. However a problem is subjective. For example one person may find a group of 50 motorcyclists gathering at a club or café upsetting and feel that CCTV should be employed others know of the venue and it does not worry them. Measures other than CCTV may be far more effective and should be considered.
5	Do any of these measures discriminate against any particular sections of the community?	<p>The assessment considers all equality &amp; Diversity implications. Part of the PIA is public consultation and no strata of society is excluded at any stage. Crime statistics are obtained to help determine the appropriateness of CCTV and on no occasion is race, creed or colour or any other factor considered.</p> <p>If a crime is being committed and recorded on CCTV it is the crime itself that is being recorded and not the perpetrator or victim.</p> <p>The assessment may consider an area of high crime, (determined statistically) might benefit from CCTV, with or without other measures. That the area might be one of high crime would be one of the deciding factors and if the majority of residents were of a particular creed or colour it would have no bearing on the assessment. This also applies to areas of deprivation. The assessment considers only the pressing need and does not include deprivation as a reason to introduce CCTV.</p>

## 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)

See Appendix 1 for Camera specifications

Brent CCTV system camera type table					
ID	Camera Types	Makes and Models used	Amount as at 02/02/17	description	Justification and expected use
1	Fixed Internal static	VRD 63 dome	3	Static images, no movement or zoom function	Only used in Bridge Great Central Way, Safety and security  Internal monitoring CCTV doors to ensure legitimate access.
2	Fixed external static	Bosch 610, Rainbow 8-8, Pelco Static	17 3 11  1	Static images, Standard definition recording capture	Only used in subways, Dog lane and Neasden for public safety and security.  St Johns car park, safety and security of public  Some squirrel cams used by waste enforcement to detect waste and enviro crime problems  High Crime ATM, Kilburn High Road
3	Internal PTZ	Nil	0	Pan Tilt and Zoom capability, standard	Nil

				definition recording capture	
4	External PTZ	Mix of mainly MAD PTZ, with Pentax 12-240mm lenses, Bosch Dinion camera and Mici 400 Bosch.	203	Pan Tilt and Zoom capability, standard definition recording capture	Majority used in High Crime and ASB areas, also areas of high volume waste and fly tipping problems. Safety and security of persons. 30+ used for councils safety of road users and keeping bus lanes and enforcing moving traffic violations
5	External PTZ Redeployable	As provided by Forward Vision.	21	Pan Tilt and Zoom capability, these cameras are High Definition recording capture but additionally are able to be deployed	BT Mini Cams , deployed to crime and disorder and ASB from Local Joint Action Groups, according to hot spots and problem ordinated issues
		TOTAL LBE SYSTEM CAMERAS – ALL TYPES	<b>259</b>		
		TOTAL NON – LBE CONNECTED CAMERAS	<b>3</b> <b>5</b>		2 TFL cameras under camera sharing agreement, safety on fast trunk road.  To use in Wembley Stadium Event days access to their private system, safety and security of persons attending.

## 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		125	24hrs		<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 EPSC staff/ police</p>
B	Public Car Parks		4	24hrs		<p>The privacy level expectation in a public car park is very low.</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 Brent staff/ police</p>
C	Parks		11	24hrs		<p>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.</p>
						.
D	Residential Street		63	24hrs	24 hrs – patrols every shift and as required based on intelligence or other information	<p>Cameras are installed on identified crime or ASB areas in 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.</p>
						.
E	Housing estate (street)		10	24hrs	24 hrs – patrols every shift and as required based on intelligence or other information	<p>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.</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 Brent staff/ police</p>
F	Play Areas		7	24hrs		<p>The privacy level expectation in a play area is medium as parents would have concerns over child safety and perhaps welcome cameras, but this is also weighed against images of children captured and how they are secured, used and destroyed.</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 Brent staff/ police</p>
G	Tower block rooftops or other high sites		Nil	24hrs		<p>Cameras are placed on corporate high rise building or housing tower blocks in order to provide great strategic overviews of the borough that assist in ANPR and incident management for areas where general local CCTV is not available. However, due to greater privacy intrusion risk the cameras are set to default as zoomed out so as</p>

H	Misc./Subways bridges					<p>not to capture private space and only then utilised on incidents and or specified authorised tasking.</p> <p>These areas are well signed with appropriate signage for CCTV its use and purpose with contact details</p> <p>Well sign posted, including entrance exit to subways,ATM,and access to CCTV CR at Civic Centre.</p>
		TOTAL NUMBER OF SYSTEM CAMERAS	259			

### Step 3 (Cameras where additional mitigation required)

**Asset register:** It 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.

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

Brent Camera additional risks/ privacy				Review of cameras being undertaken 2017 – completion after review
Camera Number	Reviewed	Camera TYPE	Location Category	Further Mitigation/ comments (optional)
37	18/1/2018	MAD, Bosch Dinnion	Malvern Road, bracket realignment	nil
38	18/08/2017	Micki 550	Physical mental	Nil

			privacy barrier	
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Agreed with Alvin Wakeman for LB Brent – Responsible CCTV system owner

Signature.....  .....

Date 02 February 2017

Completed copy sent to CCTV SPOC (Brent Control Room/CCTV Manager) by e-mail on [Alvin.wakeman@brent.gov.uk](mailto:Alvin.wakeman@brent.gov.uk) or [mps.cctv@brent.gov.uk](mailto:mps.cctv@brent.gov.uk) for inclusion on Brent's CCTV Register

Review date 01/02/2018

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

