

## Minsterworth Parish Council

# Data Protection Impact Assessment

Data Protection Sign Off	
Mandatory DPIA?	Yes
ICO Notification Required?	No
Data Subject Notification Required?	Yes
Approved By:	Minsterworth Parish Council
Approved Date:	10 <sup>th</sup> May 2023

### Amendments Summary

Version	Date Issued	Page/Para	Subject
1	10/05/2023	n/a	First version of DPIA completed

## **Project name: Minsterworth Parish Council Community Speedwatch Camera**

**Identified Data controller:** Ruth Thomas

This Data Protection Impact Assessment (DPIA) has been completed with reference to the guidance provided by the Surveillance Camera Commissioner (now Biometrics & Surveillance Camera Commissioner) and the Information Commissioner's Office (ICO), and as part of the Parish Councils commitment to comply with the Commissioner's 12 point Code of Practice.

### **1. Why is the Parish Council carrying out a DPIA?**

A DPIA is a process designed to systematically analyse, identify and minimise the data protection risks of a project or plan. It is a key part of the accountability obligations under the UK General Data Protection Regulations, and when done properly helps assess and demonstrate compliance with relevant data protection obligations

In the context of the proposal to have an Autospeedwatch Camera, a DPIA is required because this type of processing may result in a high risk to the rights and freedoms of individuals as defined in data protection law. Risk in this context is about the potential for any significant physical, material or non-material harm to individuals, and needs to take account of both the likelihood and severity of any potential harm. Carrying out a DPIA will enable the Parish Council to determine whether this proposed deployment is lawful, and will also serve as a record of how the PC has considered and addressed any risks or wider concerns arising out of the project. This addresses Principle 2 of the Surveillance Camera Code of Practice as well as requirements of data protection law.

### **Screening Questions**

The following screening questions have been used to help identify whether the data processing is likely to result in a high risk:

<b>No</b>	<b>Mandatory DPIA Screening Question</b>	<b>Yes/No</b>
1	Will the project make use of a new technology (system)?	Yes
2	Will the project involve systematic and extensive processing activities, including profiling and where decisions that have legal effects – or similarly significant effects – on individuals? No	No
3	Will the project involve the large scale processing of special categories of personal data?	No
4	Will the project involve the large scale, systematic monitoring of public areas (CCTV)?	No

It is a mandatory requirement to complete this DPIA because one of the above questions has been answered as "Yes"

### **2. Timescales and status of our PC surveillance camera deployment**

This DPIA is being carried out as this is a new surveillance camera deployment. It is anticipated that the camera will be installed during spring of 2023.

### 3. What are we trying to achieve with our surveillance camera deployment?

Road Safety is regularly raised as a concern at the Minsterworth PC meetings, by both Councillors and residents. The national speed limits along the A48, which runs through the length of the village, range from 50mph to 70mph and are much higher than residents feel is safe for a village community. In a Road Traffic Speed and Safety Survey of Minsterworth residents, carried out in 2022, 100% of respondents were in favour of reducing the traffic speed limits.

In addition, Gloucestershire County Council carried out a speed survey for the PC which demonstrated there was a proportion of traffic passing through the village which was travelling in excess of these already high speeds.

The system is being introduced to try and achieve an improvement to community safety through the reduction of excessive speeding, in collaboration with the Police.

### 4. What personal and/or special categories of personal data will be processed and where?

**Personal categories:** Still images of vehicles – not individuals (Surveillance Camera)

**Special categories:** None

The type of surveillance camera we will be using has been specifically designed to try and avoid any recording of individuals, including recording details of pedestrians who may walk past the camera; it is designed to only record vehicle registration numbers. The Autospeedwatch Camera is not an Automatic Number Plate Recognition (ANPR) system i.e. where registration numbers are read and instantly checked against a database of vehicles of interest to the Police, nor does it have any facial recognition functionality. The PC is specifically trying to avoid introducing any system which processes the data of children or vulnerable groups.

The recording of Vehicle Registration Numbers (VRNs) in itself is not deemed personal information, until combined with other personal information (such as DVLA's registered keeper database) by the appropriate authorities.

The Autospeedwatch Camera will be located at an identified site which will be agreed with Gloucestershire Police Road Safety Unit to ensure the camera does not pose any risk to traffic safety or to personal privacy. The data will be held securely by the Autospeedwatch camera in line with the Biometrics & Surveillance Camera Commissioner's Codes of Practice Guidelines.

### 5. Who will have access to the data and be making decisions about its use?

Minsterworth Parish Council will have an identified Data Controller who will have access to the Autospeedwatch Camera secure website. The Data Controller will be working under the guidance of the Gloucestershire Police Force Road Safety Unit, and in conjunction with Autospeedwatch Limited (the supplier of the camera). The Password for the website will also be held securely by the PC Clerk in case data is needed in the absence of the data controller.

The data being processed will be accessible by the Data Controller and the Police, who will use the information as a means of identifying individual vehicles who are travelling in excess of the national speed limits, as well as identify any particular patterns of road usage which are a cause for concern, for example if an analysis of the data suggests an increase in the number of vehicles travelling in excess of the speed limit at rush hour or at times during the weekend.

## 6. How and what information will be collected?

When operational, the Autospeedwatch camera system records an image of the rear of any vehicles travelling in excess of the national speed limit, which is in force at the site of the camera, including the vehicle registration number.

Users of the system are limited to the minimum information required to perform the Community Speedwatch function. All information provided by the system remains the property of Autospeedwatch Limited but will be made available to the PC Data Controller and the police according to their authorised access privileges, and is provided by secured account access from servers based in Wakefield, Leeds, and Nottingham within the UK. None of the offence information stored within the Autospeedwatch system directly identifies individuals. Images of vehicles are kept for 12 months before being deleted from the system. Data associated with individual vehicles is kept for up to three years. Scripted automated processes remove information from the secure server when the information is no longer needed.

The Community Speedwatch camera system is a recording enabled system. The recording will take place in a fixed location i.e. it is not a mobile recording device, and will take place on-site in that identified position. There is no facility for audio recording. The data can only be access by the Data Controller off-site via a secure, remote server operated by Autospeedwatch Limited as described above.

## 7. How will the information used?

The PC surveillance camera deployment is not designed to be monitored in real time, nor does it provide any process by which data captured can be used as a check with reference data of persons of interest through the processing of biometric data, such as facial recognition. The system will be used exclusively for capturing the vehicles registration numbers of cars passing the Autospeedwatch camera in excess of the national speed limit which is force at the site of the camera.

## 8. Assessment of Necessity and Proportionality

The following questions are used to demonstrate that the necessity and proportionality of the processing has been assessed in relation to the purpose of the data processing.

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

## 9. Assessment of Risks to Data Subjects

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

Risk to Individuals / compliance	Overall Risk Level
Risk that still images may be taken of homes / dwellings – viewing of personal habitation space	Very Low
Risk that faces may be visible within the image frame of rear view of vehicle	Very Low
Risk of storage of image data longer than necessary	Very Low
Copying or distribution of images by users	Very Low
Public not informed of camera usage	Low

### 9.1 Measures to Address Risks to Data Subjects

The actions taken to reduce the risk of any data protection issues identified in section 9 are detailed below:

Risk	Solution	Result
Risk that still images may be taken of homes / dwellings – viewing of personal habitation space	Camera will be in a fixed position, as agreed with the appropriate Local Authority Officer, have a fixed field-of-view, and be pointing at the roadway. The field-of-view will be checked, and re-positioned as necessary when the camera is installed but there are no houses in the line of sight.	Risk Mitigated
Risk that faces may be visible within the image frame of rear view of vehicle	As above – It is also possible to delete images if necessary, during the 'verification' process	Risk Mitigated
Risk of storage of image data longer than necessary	Records are deleted automatically from Autospeedwatch Ltd at 365 days. Records can be deleted before this. Once deleted there is no recovery	Risk Mitigated
Copying or distribution of images by users	It is not possible to download images from the Autospeedwatch Server	Risk Mitigated
Public not informed of camera usage	Signs indicating the presence of an Autospeedwatch Camera will be positioned on either side of the Roadside Unit. A copy of this DPIA will be published on the Parish Council website, and an information notice published in the Villager Magazine when the device is installed	Risk Mitigated

## 10. Prior Consultation

It is a requirement of the GDPR to consult with the ICO prior to processing where a DPIA indicates that the processing would result in a high risk in the absence of measures taken by the practice to mitigate the identified risk or risks. In order to determine the need for consultation the following questions need to be addressed:

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

The answers to these questions indicate that there is **NOT** a mandatory requirement to consult with the ICO before commencing the project.

## 11. Association with the GDPR principles

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

Compliance Question	Summary
<b>Principle 1</b>	
Does the project have an identified purpose?	Yes - The project was instigated as an additional road safety measure by the Parish Council, due to known ongoing persistent speeding issues, generating a safety threat. The Autospeedwatch camera will help support additional road safety measures that the Parish Council is helping implement, such as the erection of Village Gates.
What is the lawful basis for processing the personal information?	The Parish Council is performing a task in the public interest, under a legal obligation – processing data in the exercise of a statutory power (Crime Prevention – Power to spend money on crime detection and prevention measures)
How will individuals be informed about the use of their personal and/or special categories of personal data?	Signs indicating the presence of an Autospeedwatch Camera will be positioned on either side of the Roadside Unit. A copy of this DPIA will be published on the Parish Council website, and an information notice published in the Villager Magazine when the device is installed

<b>Compliance Question</b>	<b>Summary</b>
If consent will be used as the lawful basis, how will consent to process personal data be captured and what will you do if it is withheld or withdrawn?	n/a
<b>Principle 2</b>	
Does the project plan cover all of the purposes for processing personal and/or special categories of personal data?	Yes – The project is for the sole purpose of obtaining Vehicle Registration Numbers (VRNs) of speeding vehicles, due to the persistent problems with speeding.
Has the project plan identified potential new purposes as the scope of the project expands?	N/A – The scope of the project is unlikely to expand. This will however be reviewed each year.
<b>Principle 3</b>	
Is the quality of the information good enough for the purposes it is used?	Yes – The Autospeedwatch Roadside Camera Unit has a proven record of providing quality and accurate information.
Which personal and/or special categories of personal data could the project not use, without compromising the needs of the project?	The only data required for the project is ‘Still rear vehicle image’ evidence, and that is the only data that the Autospeedwatch images will collect
<b>Principle 4</b>	
If the project involves the procurement of new software, does it allow for data to be amended when necessary?	N/A – There is no requirement with this project for data to be amended
What measures will be in place to ensure that personal and/or special categories of personal data obtained from individuals or other organisations is accurate?	The images captured by the Autospeedwatch Roadside Camera Unit will have date and time information detailed on them.

Compliance Question	Summary
<b>Principle 5</b>	
What retention periods are suitable for the personal and/or special categories of personal data that will be processed?	Records are deleted automatically from Autospeedwatch Ltd at 365 days. Records can be deleted before this. Once deleted there is no recovery. Copies of relevant information will be forwarded to the Police for them to action as necessary. Their guidelines will then be followed with regards to retention periods and deletion of data.
If the project involves the procurement of new software, does it allow for data to be deleted?	As above.
<b>Principle 6</b>	
Do any new systems provide protection against the risks to individuals identified in this DPIA?	Yes
What are the training and documentation requirements to ensure that staff know how to operate the new system securely	The Parish Council Data Controller will be provided with instructions on how to access data from the Autospeedwatch Server. These will also be shared with the Parish Clerk and held securely. The Parish Council will also produce an Operating Policy which will contain procedures for accessing server records and the security requirements.
If there is a requirement to transfer personal and/or special categories of personal data, what measures will be put in place to ensure the protection of the data?	No data of special categories will be processed. Sections 4 to 7 of this DPIA provide information about measures to protect the data.

\* END \*