

Arkenstall Village Centre
(Registered Charity No. 300394)
7 Station Road, Haddenham, Ely, Cambs CB6 3XD

Data Protection Impact Assessment

Name of DPO	
Subject/title of DPIA	Arkenstall Village Centre CCTV system
Name of controller contact /DPO (delete as appropriate)	Julie Cornwell

Step 1: Identify the need for a DPIA

Explain broadly what the project aims to achieve and what type of processing it involves. You may find it helpful to refer or link to other documents, such as a project proposal. Summarise why you identified the need for a DPIA.

To install a CCTV system at the Arkenstall Village Centre Car Park:

- To obtain corroborative evidence should criminal activity and or anti-social behaviour in the AVC car park be reported.
- To act as a deterrent to criminal activity and anti-social behaviour.
- To provide some reassurance to and to protect staff, volunteers, hirers and the public.
- To maintain the security of the AVC property and surrounding premises.

The need for a DPIA was identified as the operation of the CCTV system would be a data processing operation that requires a DPIA: namely “systematic monitoring”. This type of monitoring is a criterion because personal data may be collected in circumstances where data subjects may not be aware of who is collecting their data and how it will be used. Additionally, it may be impossible for individuals to avoid being subject to such processing in a publicly accessible space.

The CCTV system will be used to obtain corroborative evidence of observed events. It will not be monitored or used for surveillance.

Step 2: Describe the processing

Describe the nature of the processing: how will you collect, use, store and delete data? What is the source of the data? Will you be sharing data with anyone? You might find it useful to refer to a flow diagram or other way of describing data flows. What types of processing identified as likely high risk are involved?

Images of the car park will be gathered from 3 cameras and recorded onto a 4-channel network video recorder, 24 hours a day, 7 days a week. The images will be kept for no longer than is necessary for the purposes outlined in step 1 above. It is anticipated this will be for no longer than 14 days, to take account of periods of annual leave which may prevent a crime (such as vandalism) being detected by the person responsible for the day-to-day running of the scheme. The images will be automatically deleted after 14 days.

Images may be kept longer for the purposes of investigating a crime or incident of anti-social behaviour at the request of the Police or the appointed Insurance Company Loss adjusters.

The recorder will be kept securely in a locked cupboard at the AVC. Only 3 nominated Trustees and the person responsible for the day-to-day running of the CCTV scheme will have access. 2 of the nominated Trustees are for standby/emergency cover only and will not routinely have access to the system.

The data will not be shared with any third party other than the Police or an appointed Insurance Company Loss adjuster. The AVC will not share footage with any individual wishing to access CCTV footage when a crime or incident has occurred and there is a reasonable likelihood that the event or incident was captured by the CCTV system (e.g. the individual's car was stolen or vandalised). The incident must instead be reported to the Police and/or insurance company who in turn can request a copy of the footage.

Individuals may exercise their individual rights under the General Data Protection Regulation (GDPR) and make a Subject Access Request (SAR).

The CCTV footage will not be routinely monitored. However, live footage will be accessible by the 3 nominated Trustees and the person responsible for the day-to-day running of the scheme via an app called IVMS-4500 (Apple). A username and password is required before footage can be accessed. The app. will only be used if it is thought that an incident is happening at that time and it would be useful to assist in the reporting and/or detection of a crime or incident of anti-social behaviour.

Describe the scope of the processing: what is the nature of the data, and does it include special category or criminal offence data? How much data will you be collecting and using? How often? How long will you keep it? How many individuals are affected? What geographical area does it cover?

The data being gathered are real time images of people and vehicles entering and leaving the Arkenstall Village Centre car park, 24 hours a day, 7 days a week.

The CCTV system does not have any sound recording capability.

It is not possible to specify how many individuals will be affected, but it is likely that anyone entering or leaving the car park will be recorded on the system. This could be for a legitimate purpose, such as visiting the library, or attending a meeting or event at the Arkenstall Village Centre itself as well as for criminal or anti-social reasons.

The images will be kept for no longer than is necessary for the purposes outlined in step 1 above. It is anticipated this will be for no longer than 14 days, to take account of periods of annual leave which may prevent a crime (such as vandalism) being detected by the person responsible for the day-to-day running of the scheme.

The data will only be used for the purposes set out in Step 1 above.

Describe the context of the processing: what is the nature of your relationship with the individuals? How much control will they have? Would they expect you to use their data in this way? Do they include children or other vulnerable groups? Are there prior concerns over this type of processing or security flaws? Is it novel in any way? What is the current state of technology in this area? Are there any current issues of public concern that you should factor in? Are you signed up to any approved code of conduct or certification scheme (once any have been approved)?

The data subjects will mainly be AVC users (hirers and group/event participants), AVC staff, Trustees and visitors to Haddenham Library. However, the car park is open to the public between the hours of 8am-6pm so potentially anyone wishing to park there to access local services (such as a local church or the pharmacy) could become a data subject.

The data subjects will include children and potentially other vulnerable groups, although the majority will be adults. The data subjects will have no control over their data being used this way if they wish to use the AVC car park and/or access the AVC or library.

CCTV is installed in other locations open to the public in Haddenham, including the recreation ground and is due to be installed at the social club car park. The equipment proposed is not new or ground-breaking, thus is not classified as 'novel'.

There are concerns about crime and anti-social behaviour including the use of car parks in Haddenham for suspected drug dealing and drug use. Repeated incidents of ASB/Crime of this nature were occurring in the AVC car park, culminating in a serious incident where a member of AVC staff was threatened. Historically, there has also been an attempted burglary of the Caretaker's flat, the theft of fuel, theft of a flue pipe (both thefts happening during the day) and criminal damage to vehicles. There has also been an attempt to gain access to the AVC through deception during daylight hours. Cambridgeshire Constabulary have recommended the installation of a good quality CCTV system both as a deterrent and for

evidential purposes on more than one occasion. A short-term measure has been to block the entrance of the car park when the AVC is not in use, but feedback has been that this is inconvenient for general users and is adding to the problems of vehicles parking inappropriately around busy areas of the village, such as the nearby major crossroads.

The AVC is developing a CCTV Policy which will be available on the AVC website and will register the scheme with the Information Commissioner's Office. GDPR training will be sourced and compulsory for the nominated Trustees and the person responsible for the day-to-day running of the scheme.

Describe the purposes of the processing: what do you want to achieve? What is the intended effect on individuals? What are the benefits of the processing – for you, and more broadly?

The AVC Committee would like to stop the car park being used for anti-social behaviour and criminal activity – particularly the suspected use of the car park for drug dealing and using drugs. As with any CCTV scheme, it is anticipated that the potential to be identified will act as a deterrent for offenders. Should the offenders continue to use the car park, we intend to use CCTV footage for evidential purpose to support a Police investigation and potential prosecution.

As the footage will only be reviewed if there is an incident, we do not expect there to be any effect on individuals legitimately using the AVC car park.

The AVC is a valuable community asset and as such, the AVC Committee and Trustees have an obligation to ensure the AVC is well maintained and a safe place for its users, volunteers and staff. The AVC Committee and Trustees also have a wider social obligation to the community to act when aware of criminal and anti-social behaviour that will impact on the residents of Haddenham. 'Turning a blind eye' was not an option and following advice from Cambridgeshire Constabulary a series of measures to improve security were agreed, with CCTV being one of them.

Step 3: Consultation Process

Consider how to consult with relevant stakeholders: describe when and how you will seek individuals' views – or justify why it's not appropriate to do so. Who else do you need to involve within your organisation? Do you need to ask your processors to assist? Do you plan to consult information security experts, or any other experts?

The AVC appointed a Trustee with previous community safety experience to gather information about potential security solutions. The first organisation consulted with was Cambridgeshire Constabulary (the Community Safety Officer for the Division). Residents living in the immediate vicinity were also notified of the AVC's intention to review security measures at the site and a note was put on the AVC Facebook page and in the Village Voice, community magazine. This did not generate any feedback.

Once the recommended security measures were approved by the AVC Committee, the Trustee attended a Parish Council meeting to discuss the proposals. The Parish Council were very supportive of the scheme and offered a grant to cover the costs of installation.

The Parish Council was keen to see the AVC car park open again and felt CCTV would be an appropriate solution to enable this to happen.

Once the funding was secured the following were informed of the plans and asked to raise any concerns with the nominated Trustee:

- Regular AVC hirers
- AVC employees
- Residents living in the immediate vicinity of the AVC
- The wider public through Facebook and flyers in the Pharmacy (the nearest retail outlet)
- Church goers who use the car park so they can attend services
- The library volunteers

The response to the consultation was as follows:

- 5 responses from individuals, including from people living within the immediate vicinity of the AVC. All were in support.
- Both employees of the AVC are in support.
- 8 organisations or local business have responded: Brownies (in support); Pharmacy (in support); Lavender Ladies (in support); The Ark Baby and Toddler Group (in support); Weight Watchers (in support); Holy Trinity Church (in support); Day Centre (1 objector 3 in support); Haddenham Library (the Library Co-ordinator and the Chair of Library Friends have expressed concern around the potential infringement of their right to privacy.
- 8 likes on social media and 2 positive comments.
- 2 additional verbal messages of support from employees of local shops using the car park.

East Cambridgeshire District Council has also been contacted for advice regarding whether planning permission was required. The response was this was not necessary, and within permitted development.

Step 4: Assess Necessity and Proportionality

Describe compliance and proportionality measures, in particular: what is your lawful basis for processing? Does the processing actually achieve your purpose? Is there another way to achieve the same outcome? How will you prevent function creep? How will you ensure data quality and data minimisation? What information will you give individuals? How will you help to support their rights? What measures do you take to ensure processors comply? How do you safeguard any international transfers?

The lawful basis for processing the data is that it is a 'legitimate interest'. This is because the AVC Committee and Trustees are aware of a current problem with crime and anti-social behaviour in the AVC car park, which has an impact on their staff and visitors. There is also an impact on the wider community if we facilitate drug dealers to visit the village and target our young people in particular.

There have been several studies exploring the effectiveness of CCTV since CCTV became a common tool in the fight against crime and anti-social behaviour. The studies are summarised in 'CCTV surveillance for crime prevention: a 40 years systematic review with meta-analysis'¹. The research finds that CCTV in car parks can be particularly effective at reducing vehicle crime and drug related crime. This suggests that the installation of CCTV in our proposed setting will help us to achieve our legitimate aim.

On balance we believe our plans for secure data processing will protect the freedom and rights of an individual whilst meeting the legitimate interest. However, we acknowledge that some AVC users will have concerns about this. The consultation process and the process of completing this DPIA have helped us to ensure we have the appropriate systems in place and we have amended our original proposals as a result.

Originally the AVC Committee had agreed to keep footage for 21 days. This was reconsidered after challenge through the consultation process and the decision was taken to reduce to 14 days as it was felt that with robust procedures in place the AVC would be able to deal with incidents appropriately within a reduced time frame.

The system the AVC wishes to install was selected because it proposed the best equipment from the tenders obtained. The quotes received ranged from the proposed installation of between 2-7 cameras. The AVC Committee felt that the preferred tender (3 cameras) was proportionate to our needs and that any more cameras may be excessive.

The AVC Committee agreed prior to tender that it would not be necessary to monitor the cameras 24/7, feeling that it was proportionate to have 'live' access via an app if it was believed there was an incident taking place at that time. Only the nominated Trustees and the person responsible for the day to day operation of the CCTV will have access to that software, which will be password protected.

There will be signs in the car park to let people know there is CCTV in operation. The AVC's Privacy Policy will be updated to reflect the installation of the CCTV system and the new

¹ By Piza, Welsh, Farrington and Thomas, published in 2019

[https://www.researchgate.net/publication/331981674 CCTV surveillance for crime prevention A 40-year systematic review with meta-analysis](https://www.researchgate.net/publication/331981674_CCTV_surveillance_for_crime_prevention_A_40-year_systematic_review_with_meta-analysis) (accessed on 22 02 2021)

data it is processing. There will also be a CCTV Policy available on the AVC website, which will include details of how to make a subject access data request (SAR). An 'Application For Access to Personal Information' Form has been devised and a checklist and guidance notes are in place for dealing with SARs.

GDPR training will be compulsory for the person responsible for the day-to-day running of the scheme and for the nominated Trustees. The CCTV Policy and Privacy Policy will be reviewed bi-annually or earlier if required, to ensure there has been no 'function creep' and that the operation of the CCTV system remains within the relevant legal frameworks.

Step 5: Identify and Assess the Risks

Describe source of risk and nature of potential impact on individuals. Include associated compliance and corporate risks as necessary.	Likelihood of harm (Remote, Possible or probable)	Severity of harm (Minimal, significant or severe)	Overall risk (Low, medium or high)
1. CCTV footage is not deleted after specified time period	Remote	Minimal	Low
2. CCTV footage is shared without authorisation by person responsible for day-to-day running of the system or nominated Trustee	Remote	Significant	Medium
3. System and associated software is hacked and images shared	Possible	Significant	Medium
4. Storage cupboard is left unlocked and an unknown person reviews and/or copies CCTV images which are subsequently shared	Remote	Significant	Medium
5. Footage shared as part of a SAR contains images of other individuals that cannot be redacted.	Probable	Significant	Med/ High

Step 6: Identify Measures to reduce risk

Identify additional measures you could take to reduce or eliminate risks identified as medium or high risk in step 5				
Risk	Options to reduce or eliminate risk	Effect on risk (Eliminated reduced accepted)	Residual risk (Eliminated reduced accepted)	Measure approved (Yes/no)
1	<ul style="list-style-type: none"> - Set automatic deletion - Weekly check of system operation - Regular system maintenance by contractor 	Virtually eliminated	Virtually eliminated	Y
2	<ul style="list-style-type: none"> - Provide GDPR training - Ensure staff and Trustees are aware of consequences of a willful data breach (e.g. potential gross misconduct for staff) 	Reduced	Reduced	Y
3	<ul style="list-style-type: none"> - Ensure malware security protection is installed 	Reduced	Reduced	Y
4	<ul style="list-style-type: none"> - Incorporate check of CCTV cupboard in general lock-up checks. - Ensure main AVC doors are locked as soon as hirers have left - Establish process for reporting any security breaches 	Reduced	Reduced	Y
5	<ul style="list-style-type: none"> - Reduce the length of time the images are stored for to reduce footage. - Install software to blur image of third parties - Consider whether an exemption applies. 	Virtually eliminated	Virtually eliminated	Y

Step 7: Sign off and record outcomes

Item	Name/position/date	Notes
Measures approved by:	AVC Exec Committee 08/02/21	Integrate DPIA into CCTV Policy
Residual risks approved by:	AVC Management Committee 16/03/21	If accepting any residual high risk, consult the ICO before going ahead