

Southend-on-Sea CCTV Service

Privacy Impact Assessment



1st October 2016

Contents

Introduction

CCTV Service

1. Provide a brief summary of the project
2. Purpose / Objectives of the project (if statutory, provide citation).
3. Describe the personal data being collected
4. Describe the purpose for personal data being collected
5. Is Southend-on-Sea Borough Council the Data Controller? i.e. the organisation that determines the purposes for which and the manner in which any personal data are, or are to be, processed
6. Describe how and where the personal data will be held
7. Southend-on-Sea Borough Council must have a lawful reason to collect personal data. At least one of the following conditions must be met whenever you process personal data. Please tick as appropriate:
8. The Act requires that in order for personal data to be processed fairly, a data controller must provide the data subject with certain information,
9. Justify why each of the personal data fields being collected are required
10. Has the individual provided their consent for their personal data to be processed?
11. Has the individual provided their consent for their personal data to be processed?
12. Will any 3rd parties be involved in processing the personal data collected?
13. Under the Act, the Data Controller must implement appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data. Describe the security measures being implemented that will prevent unauthorised access to the personal data.
14. Describe who will have access to personal data
15. Describe the procedures in place to detect breaches of security (remote, physical or logical)
16. Who is the Information Asset Owner?
17. How long will the personal data be held for before being disposed of and why?
18. Are there any exceptional circumstances for retaining certain data for longer than the normal period?

1. Introduction

The Data Protection Act (the Act) is concerned with the processing of information relating to individuals. This includes how we obtain that information, how it is held, what we do with it, and who has access to it. The Act also gives rights to individuals in respect of the personal data that organisations hold about them.

The Act places an obligation upon Southend-on-Sea Borough Council, as a Data Controller, to collect and use personal data in a responsible and accountable manner. Southend-on-Sea Borough Council is committed to ensuring that anybody working for or on behalf of the organisation complies with the Act. Failure to comply with the Act can result in a fine of up to £0.5 million.

This Privacy Impact Assessment [PIA] process is aimed at assessing the risks to the privacy of individuals, whose personal data is collected and used by Southend-on-Sea Borough Council as part of a new project or technology implementation. The PIA will help detect the risks and assist in identifying appropriate solutions. Identifying and effectively applying a solution can help to minimise the risk of breaching the Data Protection Act and avoid a potential enforcement action.

There is no statutory requirement for Southend-on-Sea Borough Council to complete a PIA but there are a number of benefits that this can bring, which include:

- Identifying the privacy risks to individuals
- Identifying data protection liabilities
- Protecting reputation
- Cultivating public trust and confidence
- Avoiding additional later costs to ensure data protection compliance.

A PIA is most effective when they are started at an early stage of a project, during its inception and design, as opposed to after systems are procured, processes have been implemented and contracts are signed.

Once completed, the form will be assessed as to its lawfulness and ensure that appropriate safeguards have been considered. You will then be notified of the outcome. Further discussions may be needed to clarify some points.

A Glossary is included at the end of assessment to support in you in understanding any terms that you are unfamiliar with.

Southend-on-Sea Council CCTV Service

Contact: Barry Davis – 01702 212066

Position: CCTV Manager

Service: Community Safety

Department: CCTV

Date: 01.10.16

1. Provide a brief summary of the project

CCTV is a proven tool in improving public safety which is as important for the council as it is the Police, it's a proven and effective tool in detecting and evidencing crimes and the perpetrators of criminality. Using CCTV can significantly reduce the time and cost on the police service in investigating allegations. CCTV is significantly vital in the case of serious crime investigations. It is also known that false allegations are made and that CCTV is a useful tool in disproving some allegations. CCTV captures actual events and is not influenced by interpretation or events, as often the case by people who are under the influence of alcohol or drugs. CCTV often captures the vital first few minutes of a scene, event or incident before the arrival of emergency services, when attitudes and behaviour changes and suspects and witnesses often start to leave the scene. CCTV is used to protect council staff, emergency services such as paramedics as well as police and fire services, as well as to the greatest extent the general public.

Members of the public are informed of areas where CCTV is in use by installation of appropriate Data Protection Act 1998 compliant signage detailing the scheme and its purpose, along with contact details, thus complying with the relevant sections of Data Protection legislation and complying with the guidance provided by the ICO.

Impact on law abiding members of the public is only temporary and proportionate, most town centres suffer high instances of crime and ASB and those within Essex are no different, in particular those with high populations or busy night time economies.

Where a CCTV system will be operated by or on behalf of a public authority, the authority will need to consider compliance with the Data Protection Act 1998 as well as wider human rights issues, in particular the implications of the European Convention on Human Rights, Article 8 (the right to respect for private and family life).

The UK is a world leader in the effective and responsible use of public space CCTV and similar to policing, CCTV is now deemed 'by consent' (since the introduction of the Protection of Freedoms Act 2012). The general feeling is that people who are not involved in criminality are happy to be in an area that is monitored by CCTV cameras. There are some members of society both law abiding and those who are not, who have issues with being in areas covered by CCTV cameras. By abiding with current and future legislation and minimising intrusion, it can be demonstrated that the CCTV system is only used responsibly for crime reduction/detection purposes and those appropriate activities and purposes which assist the public and improve the quality of their lives. A privacy impact assessment is also recommended as best practice.

2. Purpose / Objectives of the project (if statutory, provide citation).

Section 163 of The Criminal Justice and Public Order Act 1998 created the power for Local Authorities to provide Closed Circuit Television (CCTV) coverage of public spaces for the purposes of crime prevention. The provision of a public space CCTV service is a significant contribution towards Southend-on-Sea Borough Councils responsibilities under the Crime and Disorder Act 1998, for effectively tackling crime and disorder in working partnership with Essex Police.

As part of the requirement to operate a public space CCTV surveillance system, SBC maintains a CCTV Code of Practice incorporating the legislative and administrative requirements applicable to CCTV and other requisite information, which is available to the public. In addition, an internal Procedure Manual is maintained as a guide to compliance and safe working procedures for operational staff.

The CCTV Department produces CCTV incident reports and statistics and is highly regarded by Essex Police as providing an excellent service.

Besides the police, partnership working with other council teams and external agencies is an important and essential element of the CCTV service.

3. Describe the personal data being collected

Primary - CCTV (Closed Circuit Television) video footage, still image captures Supplementary Elements of personal identity information including photographs and images, names, addresses, appearance, age, ethnicity, gender.

4. Describe the purpose for personal data being collected

Personal data is collected and processed by the CCTV service in full compliance with all UK legislation and is used for detection, recognition, identification, monitoring and evidencing as and when appropriate individuals to reduce crime and disorder and to increase public and community safety.

The introduction of the Crime and Disorder Act placed a direct responsibility on local authorities to combat crime, disorder and anti-social behaviour.

Section 17 states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area".

The primary purpose of the system is to support the Community Safety strategy of the Council and its partners to reduce both the level of crime and fear of crime, to provide a safe public environment for the benefit of those who reside, visit and work in the area.

This objective is carried out by the monitoring of the system, so as to:

- Assist in the detection, prevention and reduction in the fear of crime.
- Facilitate the apprehension and prosecution of offenders in relation to crime and public disorder.
- Provide residents, visitors, and businesses with a greater feeling of safety and security.
- To assist in the overall management of town, village, and community centres.
- To enhance community safety, boost the economy and encourage greater use of any town or village centre / shopping precinct, etc.
- To assist the Local Authority in its enforcement and regulatory function.

- To assist with traffic management. To assist in supporting civil proceedings.
- To gather evidence in a fair and accountable method in accordance with all relevant legislation and to improve confidence in law and order

5. Is Southend-on-Sea Borough Council the Data Controller? i.e. the organisation that determines the purposes for which and the manner in which any personal data are, or are to be, processed

Yes No

If no, describe the council's role

6. Describe how and where the personal data will be held

Personal data will be held within the CCTV Control Room and IT Server Room. Data will be held on secure Primary and secondary supplemental CCTV systems, IT hardware systems and software, databases, spread sheets, printed and handwritten paper & notes. Network drives, DVDs, e-mail attachments, external hard drives and memory sticks, filing cabinets, within secure server rooms and systems

7. Southend-on-Sea Borough Council must have a lawful reason to collect personal data. At least one of the following conditions must be met whenever you process personal data. Please tick as appropriate:

The individual who the personal data is about will be asked for consent to process	
The processing is necessary in relation to a contract which the individual has entered into	
The processing is necessary because the individual has asked for something to be done so they can enter into a contract.	
The processing is necessary because of a legal obligation that applies to you (except an obligation imposed by a contract). If yes, please state what they will be. To help comply with the Authorities requirements under the Crime and Disorder Act 1998 and statutory regulatory functions of the council.	<input checked="" type="checkbox"/>
The processing is necessary to protect the individual's "vital interests". This condition only applies in cases of life or death, such as where an individual's medical history is disclosed to a hospital's A&E department treating them after a serious road accident	
The processing is necessary for administering justice, or for exercising statutory, governmental, or other public functions	<input checked="" type="checkbox"/>
The processing is in accordance with the "legitimate interests" condition	<input checked="" type="checkbox"/>

In the case of sensitive personal data, at least one of several other conditions must also be met before the processing can comply with the first data protection principle. These other conditions are as follows. Please tick as appropriate:

The individual will provide explicit consent to the processing. <i>If so, when and how will that consent obtained?</i>	
The processing is necessary so that you can comply with employment law.	
The processing is necessary to protect the vital interests of the individual (in a case where the individual's consent cannot be given or reasonably obtained).	<input checked="" type="checkbox"/>
The processing is necessary to protect another person (in a case where the individual's consent has been unreasonably withheld).	

The individual has deliberately made the information public.	X
The processing is necessary for administering justice, or for exercising statutory or governmental functions.	X
The processing is necessary for medical purposes, and is undertaken by a health professional or by someone who is subject to an equivalent duty of confidentiality.	X
The processing is necessary for monitoring equality of opportunity, and is carried out with appropriate safeguards for the rights of individuals.	

8. The Act requires that in order for personal data to be processed fairly, a data controller must provide the data subject with certain information, namely:- The Act requires that in order for personal data to be processed fairly, a data controller must provide the data subject with the following information:-

- the identity of the data controller
- the identify of any nominated data protection representative, where one has been appointed
- the purpose(s) for which the data are intended to be processed
- Any further information which is necessary, having regard to the specific rcumstances in which the data are or are to be processed, to enable processing in respect of the data subject to be fair

Do you provide individuals with all of the information in the box above?

Yes No

Clear public signage in areas where CCTV images are being captured for processing containing the name and contact details of the council, together with the reason why the CCTV images are being used. Information and guidance available on the council's website pertaining to the CCTV service and how to request copies of CCTV footage under DPA Subject Access Request. Provision of footage for use as evidence by police where appropriate for the purposes of crime reduction and use in court, subject to approval by appropriately trained and qualified Access to Information officers and Data Protection Officers.

If no, which exemption to these provisions is being relied upon?

9. Justify why each of the personal data fields being collected are required.

Under the Act, personal data should be relevant and not excessive in relation to the purposes for which they are processed. Describe why each personal data field is required for the purpose it is being collected. E.g. address is required so that we can write to the individual; age is required so that an appropriate ticket can be identified etc.

List of personal data fields being collected	Justification
CCTV video and still images. Personal information and data, confidential and restricted information and data.	In open public spaces and on council property, for crime and disorder prevention and reduction, to improve and increase community and public safety, to reduce the impact, effects, cost and opportunity for/of criminality, for use as evidence and to assist prosecutions, and to aid in identification, awareness and detection of convicted and suspected offenders. To assist, safeguard and reassure the public. To permit the council to achieve its required and statutory enforcement and regulatory mandate.

10. Has the individual provided their consent for their personal data to be processed?

Yes No

If yes, when and how will that consent obtained?

In the UK, lawful CCTV surveillance by consent is recognised and identified under the Protection of Freedoms Act 2012. The decision to enter, pass through and/or remain within an open public space which is suitably and appropriately signed that CCTV is in operation by overt high profile cameras, where an individual will have a sensible and obvious far lesser expectation of privacy. Where Directed Surveillance is requested, it will only be conducted within full compliance with Regulation of Investigatory Powers Act 2000 by virtue of a fully compliant and lawful Authorisation.

If no, which exemption to these provisions is being relied upon?

11. Describe how you will ensure that the personal data will not be used for any other purpose than that for which it was collected

The CCTV systems used by Southend-on-Sea Borough Council provide full audit trails and documentation to support the full, consistent and appropriate management of the CCTV system.

Any export of data is limited by security and permissions based access control systems and is logged for necessary scrutiny. The CCTV department is in a secure facility and access is strictly regulated and controlled.

The CCTV department is governed by several areas of UK parliamentary legislation. Employees are covered by appropriate HR, code of conduct and disciplinary policies, as well as signing confidentiality agreements. All CCTV staff are vetted to highest permitted and appropriate standards by Essex Police and the SIA. The data is used in full compliance with a strict set of Control Room Procedures and Protocol Guidance supplemented by Council Policies and Procedures, as well as complying with a published local CCTV Code of Practice which restricts the use of the CCTV system and the data held within for a limited number of purposes, as well within full compliance with the CCTV Code of Practice published by the Office of the Information Commissioner and as the government's CCTV Code of Practice released 2015.

Only police are permitted to release images and footage for use by the media in certain circumstances such as to aid identification of suspected offenders, or the assist with the welfare and safety of individuals. Our adopted Code of Practice ensures images will not be posted or shared on the internet or released unlawfully to third parties.

12. Will any 3rd parties be involved in processing the personal data collected?

Yes No

If yes, provide details on these 3rd parties, including their role. What reasonable steps will you take to ensure that the Data Processor complies with data protection requirements

Should a 3rd party be used, a 'Data Processing Agreement' must be developed, agreed and signed. Please discuss this with the Corporate Information Team Manager.

Once CCTV footage is exported and provided to third parties, most noticeably the police and when necessary and appropriate to solicitors, insurance companies etc, they are deemed responsible for ensuring compliance with the Data Protection Act. The council seeks Data Sharing Agreement and Memorandums of Understanding with Essex Police as and when appropriate.

13. Under the Act, the Data Controller must implement appropriate technical and organisational measures against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data. Describe the security measures being implemented that will prevent unauthorised access to the personal data.

Accessed controlled, risk assessed and audited environment, facility located within a 24/7 manned Control Room. Security measures including door access codes, personalised access fobs, ID cards, and 24/7 CCTV.

Electronic format data – password protected, restricted access, use of encryption and isolated systems.

Paper format data – locked and secure offices, filing cabinets, secure store rooms etc.

Privacy blanking feature available on CCTV cameras to obscure view of locations where/when appropriate and upon request.

14. Describe who will have access to personal data

List persons with access to the personal data and summarise any training they have received on Data Protection.

- CCTV department personnel operators, supervisors and managers.
- Essex Police Officers, where and when appropriate council Enforcement Officers and council officers (limited to relevant applicable data).
- CCTV staff undertake training and qualification required to complete (or have completed) an SIA Public Space Surveillance (CCTV) License by way of appropriate training and Level 2 Award in CCTV Operations (Public Space Surveillance) or equivalent.
- CCTV staff have access to Corporate Data Protection policies, procedures and guidance.
- Police have their own policies, procedures and training to national standards.

15. Describe the procedures in place to detect breaches of security (remote, physical or logical)

Proactive and responsible management of the CCTV department to ensure compliance with Control Room protocols, policies and guidance documents as well as local Code of Practice. Security software on all computers. Computerised audit trails and reporting. Audits and scrutiny by police and council departments.

16. Who is the Information Asset Owner?

Southend-on-Sea Borough Council – 01702 215000

Simon Ford, Community Safety Group Manager – 01702 215000

Barry Davis, CCTV Manager – 01702 212066

Sandra Cocklin, CCTV Supervisor – 01702 212066

17. How long will the personal data be held for before being disposed of and why?

Personal data should only be kept for as long as it is needed to fulfil its intended purpose. Think about the purpose for which it is being collected – will it be needed once this purpose is served? If not, it should not be retained any longer.

Set a date if known or a timescale e.g. destroy after 2 years.

- CCTV data is normally only kept for a rolling 30 day retention period after which it is automatically and securely overwritten by the CCTV systems if not required. 30 days is a well-defined and accepted retention period as recommended by the Home Office, allowing time for most crime, events and occurrences to come to light and for use in retrospective investigations of serious matters such as armed robberies, murder investigations and matters of terrorism.
- Preserved footage for use as potential or actual evidence is kept for up to 3 years depending upon current storage capacity levels. This is due to the length of time relating to UK courts proceedings and appeals, where the master copy of evidence may be required.
- An audit trail is maintained and logs completed of non-automated data destruction.
- Minimal incident details (text) containing written data may be kept within the confines of the computerised system to aid in accountability, audit trails and performance statistic reporting for as long as is necessary within the confines of the expected working life of the system, before it is completely destroyed in preparation for replacement systems.
- All other documents and paper based records are securely destroyed by suitable shredding methods once they have expired from the Council's Document Retention Schedule.

18. Are there any exceptional circumstances for retaining certain data for longer than the normal period?

Yes No

If yes, when and how will that consent obtained?

19. Describe how the personal data will be securely destroyed/erased.

E.g. shredded, erased from the system etc.

- Footage over 30 days is deleted automatically when oldest footage is overwritten.
- Preserved footage within the system is manually erased from secure storage under physical security after reaching up to 3 years retention (depending upon storage capacity).
- DVD's destroyed within powerful shredder into 1000's of pieces.
- Hard drives securely destroyed
- Paper based data/records securely shredded in appropriate type of heavy duty document shredder.

20. Describe how you will ensure that the personal data remains accurate

The Act requires the Data Controller to ensure that personal data remains accurate and kept up-to-date.

E.g. contacting customers on an annual basis and asking for them to confirm if any details have changed, offering self-service facilities, putting the onus on Data Subjects to inform you of any changes etc.

- CCTV staff with access to the system are able to amend and correct any information and add incident comments if necessary, such actions being logged in the system audit trail.

21. Is there a facility to record notifications received from the data subject if they believe their data to be inaccurate?

Yes No

If no, please indicate why not.

22. Are there procedures to determine when and how often personal data requires updating?

Yes No

If so, are there procedures to monitor the factual relevance, accuracy and timeliness of free text options or other comments about individuals

23. Describe risk management procedures to recover data (both automated and manual) which may be damaged/lost through:

- human error
- computer virus
- network failure
- theft
- fire / flood

Local RAID array protected IT systems and system backups.

24. Will Southend-on-Sea Borough Council be receiving information about individuals from third parties? Are there procedures to determine when and how often personal data requires updating?

Yes No

If yes, please give examples.

Information, intelligence and bulletins from police and council departments as well as live updates and shared intelligence from partners.

25. Does the project involve the use of existing personal data for new purposes?

Yes No

If yes, describe how the use of existing personal data for the new purpose is being communicated to Data Subjects

Legislation can and does change. We will therefore comply with all future regulations placed upon us. As populations increase, it is realistic to assume that pressures will be put on the department to supply images to wider audiences. These include blue light services, solicitors, insurance companies and law enforcement agencies such as HRMC, and the Environment Agency.

The facility exists to update the ICO DPA registration as well as signage and via the council's website and publications as and when necessary

26. Will personal data be disclosed to any other 3rd party?

Yes No

If yes, list these 3rd parties, what they will do with the data and describe how are individuals / data subjects made aware of disclosures of their personal data?

Solicitors and insurance companies may use CCTV footage to recover costs and seek damages. Such use would only be authorised and permitted under defined legislation relating to civil recovery and court proceedings.

27. Under the Act, Data Subjects have a right to request a copy of the personal data being held about them. Describe how you would accommodate such requests and are there any circumstances where you would withhold personal data from a subject access request

Any and all such requests are directed and processed in line with existing legislation and council policies and procedures.

28. Signatories

Any and all such requests are directed and processed in line with existing legislation and council policies and procedures.

Signed.....	Signed.....
Full name	Full name
Department.....	Department.....
Position.....	Position.....
Date.....	Date.....

Privacy Impact Assessment for CCTV in the town of Southend-on-Sea
Date: October 2016
Review Date: October 2017
Assessment By: [Redacted] CCTV Manager
Retained By: [Redacted] Business Intelligence Officer

PIA retained within the Place Performance Team

Data Protection Act 1998

<p>What organisations will be using the CCTV images? Who will take legal responsibility under the Data Protection Act?</p>	<p>Southend-on-Sea Borough Council and Essex Police are the main users of the CCTV system.</p> <p>Southend-on-Sea Borough Council will be the Data Controller at the point of images being recorded, however, if these images are seized by the police constabulary or any other statutory body then the legal responsibility will be transferred to that body as the data controller/processor for the images that have been seized</p>
<p>What is the organisation's purpose for using CCTV?</p> <p>What are the issues that the system aims to address?</p>	<p>As defined above.</p>
<p>What are the benefits to be gained from using CCTV?</p>	<p>CCTV is a proven tool in detecting crimes, and the perpetrators of crime. Using CCTV can significantly reduce the time and cost on the police service in investigating allegations. It is also known that false allegations are made and CCTV is a useful tool in disproving some allegations. CCTV captures actual events and is not influenced by interpretation, or events, as seen by people who are under the influence of alcohol or drugs.</p>
<p>Can CCTV realistically deliver these benefits?</p>	<p>Yes, effective use of CCTV within the borough is proven and historical and the service is highly regarded and valued. Southend-on-Sea CCTV currently records and logs over 7000 incidents and occurrences per year, it has been responsible for 1000's of arrests of suspected offenders, with 1000's of criminals having received fines and sentences for a range of criminal and environmental offences ranging from shoplifting and antisocial behaviour to murder and armed robbery. By notifying the police of crimes in progress, damage, loss of property and risk to safety can be prevented. The CCTV department has received numerous notifications of positive outcomes and praise from Essex Police. CCTV staff have received commendations for their diligence and work.</p>

<p>Can less privacy-intrusive solutions, such as improved lighting achieve the same objectives?</p>	<p>There is a general agreement that other solutions such as lighting and security guards could help and assist in the right conditions and circumstances, some measures can be much more impractical and unaffordable. This is certainly the case for smaller confined areas where lighting or fencing could be a more productive solution than CCTV. However for town centre areas, CCTV is still the best solution and monitored CCTV greater allows for the emergency services to be informed of an incident.</p> <p>We do inform members of the public that CCTV is in use by installing signs detailing the scheme and its purpose, along with a contact telephone number.</p>
<p>Do you need images of identifiable individuals, or could the scheme use other images not capable of identifying the individual?</p>	<p>It is of paramount importance that the system is capable of identifying individuals. Footage from the system will be used in court. If the persons were not identifiable then the system would not be fit for purpose. Certain circumstances require only images of enough size to detect and observe individuals. Cameras are not zoomed in per se, and operators would need to be able to justify if asked in court why they zoomed into an individual.</p>
<p>Will the particular equipment/system of work being considered deliver the desired benefits now and remain suitable in the future?</p>	<p>Southend-on-Sea Borough Council's general method of work is unlikely to change although it is under increasing financial pressure and is a non-statutory service. The service will remain a 24 hour one for the foreseeable future and will be provided by dedicated and trained CCTV operators. If the service were withdrawn, the council would need to undertake a consultation process with stakeholders, partners and the public as the effects would be of highest possible consequence to public safety and would set crime and disorder reduction and prosecution back 20 years. Such intentions would attract potential UK media coverage and scrutiny.</p> <p>We are always looking at new technologies and how these will help us to deliver a service in the most productive, efficient and cost effective manner. Being up to date and being able to make the most of new technology and legislation is very important to us.</p> <p>Our policies and procedures which form a safe system of work are reviewed when necessary and updated regularly.</p>
<p>What future demands may arise for wider use of images and how will you address these?</p>	<p>Legislation can and does change. We will therefore comply with all future regulations placed upon us. As populations increase, it is realistic to assume that pressures will be put on the department to supply images to wider audiences. These include blue light services, solicitors, insurance companies and law enforcement agencies such as HRMC, and the Environment Agency.</p> <p>The facility exists to update the ICO DPA registration as well as signage and via the council's website and publications as and when necessary.</p>

<p>What are the views of those under surveillance?</p>	<p>The general feeling is that people who are not involved in crime are happy to be in an area that is monitored by CCTV cameras. There are some members of society both law abiding and those who are not, who have issues with being in areas covered by CCTV cameras.</p> <p>A number of surveys have been conducted, some by the council, others within the security industry which have shown positive support for public space CCTV. Following the August 2011 riots, independent research was carried out investigating public attitudes to CCTV. It was commissioned by Synectics</p> <ul style="list-style-type: none"> • One in three (37%)'s level of support for CCTV in public spaces has increased following the riots (level of support for CCTV has not changed for 56%, 6% don't know, 1% decreased). • 94% support using CCTV footage to identify rioters. • 76% feel safer in public areas knowing that CCTV is in operation. • 62% would like to see more CCTV in their local area. • 72% would be worried if their local council reduced CCTV security in order to save money. <p>In 2014, Synectics, in partnership with CCTV User Group commissioned new research into the public's perception of CCTV in the UK. The survey sought to gain an insight into general beliefs and attitudes towards CCTV including how it is used, managed and regulated. The results of the study reveal strong support for public space surveillance with:</p> <ul style="list-style-type: none"> • 86% of people backing its use. • 76% think the primary purpose of CCTV should be to help prevent crime and anti-social behaviour. • 74% said it helps reduce crime. • 70% said it makes public spaces feel safer <p>By abiding with current legislation, we aim to show that the CCTV system is only used for crime reduction/detection purposes and those activities that assist the public either by locating vehicles or giving out traffic reports, etc.</p>
<p>European Convention on Human Rights, Article 8 (the right to respect for private and family life).</p>	
<p>What could we do to minimise intrusion for those that may be monitored, particularly if specific concerns have been expressed?</p> <p>Is the system established on a proper legal basis and operated in accordance with the law?</p>	<p>Most cameras have installed into them electronic privacy zones that can be used when there is a need. The system has been established on a proper and legal basis and we comply with the Data Protection Act and Human Rights Act which contains also certain controlled exemptions for crime and disorder. There is also the new Protection of Freedoms Act in force as of 1st May 2012. Southend-on-Sea Borough Council will comply with this and all new legislation.</p>

<p>Is it necessary to address a pressing need, such as public safety, crime prevention or national security?</p>	<p>Yes, CCTV is used is used from public safety and crime and disorder reduction and prevention.</p> <p>Impact on law abiding members of the public is only temporary, most town centres suffer high instances of crime and ASB and Southend-on-Sea is no different. The CCTV system was installed to combat the rise in crime, public disorder, antisocial behaviour and criminal damage, working in partnership with the police. Since the scheme was a huge success the system has grown to help combat crime in other town centres and areas of public space where there is an appropriate justification.</p>
<p>Is it justified in the circumstances?</p>	<p>Yes, provided it continues to be utilised within the statutes of UK legislation.</p>
<p>Is it proportionate to the problem that it is designed to deal with?</p>	<p>Yes. CCTV is used responsibly, it is proportionate to crime and disorder, the cost of CCTV can be expensive so it is not installed without good and sensible reason to deal with the pressing need, it has the full support of the police and UK government and the impact is maintained at minimal; it is used to detect criminality and compiles with all current legislation.</p>

Glossary

Data Controller	a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed.
Data Processor	in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller
Data Subject	means an individual who is the subject of personal data
Personal Data	<p>means data which relate to a living individual who can be identified –</p> <ul style="list-style-type: none"> a) from those data, or b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual. <p>Examples include – name, address, contact details, age and gender.</p>
Processing	<p>in relation to information or data, means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including –</p> <ul style="list-style-type: none"> a) organisation, adaptation or alteration of the information or data, b) retrieval, consultation or use of the information or data, c) disclosure of the information or data by transmission, dissemination or otherwise making available, or d) alignment, combination, blocking, erasure or destruction of the information or data.
Sensitive Personal Data	<p>means personal data consisting of information as to -</p> <ul style="list-style-type: none"> a) the racial or ethnic origin of the data subject, b) his political opinions, c) his religious beliefs or other beliefs of a similar nature, d) whether he is a member of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992), e) his physical or mental health or condition, f) his sexual life g) the commission or alleged commission by him of any offence, or h) any proceedings for any offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any court in such proceedings.

Third Party	in relation to personal data, means any person other than – a) the data subject, b) the data controller, or any data processor or other person authorised to process data for the data controller or processor.
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