

Project Name:	Colchester Borough Council North Essex Parking Partnership Data Protection Impact Assessment Dash Cams		
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Distribution

This document has been distributed to:

Name	Job Title	Date of Issue	Version

Use of Dashcams – Data Protection Impact Assessment

This Data Protection Impact Assessment relates to the use of dashcams by North Essex Parking Partnership (NEPP) in their company vehicles when being used within Colchester and other districts.

Making video recordings of any kind can intrude on the privacy of law-abiding people by recording their movements as they go about their day to day lawful activities. Improper use may contravene the European Convention on Human Rights, Article 8 which protects the right to respect for private and family life.

Unlike conventional CCTV, dashcams are controlled by the start of the vehicles engine this ensures that recordings are made only when the vehicle is in use. The field of view of each camera is from the front windscreen showing the direct view of the driver. It has been agreed to be part of policy that the sound will be not be recording as standard to protect the privacy of users and members of the public. Colchester Borough Council and NEPP have considered relevant matters objectively as part of an assessment of the potential impact of the use of Dash Cams on the privacy or members of the public and officers.

Impact Assessment

The table below sets down the factors which have been taken into consideration when assessing the effectiveness of the system and whether this justifies its actual or perceived impact on individual privacy.

Privacy Impact Assessment Use of Dashcams: February 2019.

<p>Which organisations will be using the recorded images? Who will take legal responsibility under the Data Protection Act?</p>	<p>NEPP are the users and owners of the recordings. The Council is the Data Controller when images are recorded. If however recordings are handed over to the Police/ Insurance Company or any other body then the legal responsibility will be transferred to that body as the data controller. In addition to the recordings, paper incident forms are completed by Officers if involved in an incident then recorded electronically in an access controlled folder. The hard copy is then shredded. These records are also the responsibility of NEPP and CBC as Data Controller.</p>
<p>What is the purpose for using dashcams? What are the issues that they aim to address?</p>	<p>Dashcams will:</p> <ul style="list-style-type: none"> • Serve as a deterrent to acts of aggressive driving practices

	<ul style="list-style-type: none"> • Help to protect officers and other road users • Enhance Health and Safety standards • Capture images • Provide evidence to support internal/external investigations (complaints), prosecution cases. • Assist in the investigation of allegations of inappropriate driving conduct by officers.
<p>Do dashcams realistically deliver these benefits?</p>	<p>They can assist to encourage all road users to drive safely. Police frequently use them in prosecutions and have developed the National Dashcam Safety Portal (NDSP) to encourage motorists to download footage. Insurance companies frequently use the footage as evidence in their investigations.</p>
<p>Can less privacy intrusive solutions, achieve the same objectives?</p>	<p>No a clear view of the road is vital to have a clear recording of the event that may occur. They provide a tangible improvement over current practises which rely on witness statements. They can be used as evidence such as damage or injury to resolve incidents and pursue claims, prosecutions or disciplinary matters.</p>
<p>Must images show identifiable individuals, or could the scheme use images not capable of identifying individuals?</p>	<p>It is essential that the footage provides images with a level of definition which enables vehicle registrations to be identified on occasion an individual may be identifiable however this is not thought to be very often. Recordings may be used in court. If the identity of a vehicle is disputed it must be possible to identify it from the images. If this was not possible the cameras would not be fit for purpose.</p>
<p>Are you satisfied that the information held will still be accessible when required to answer Data Protection Act Subject Access Requests?</p>	<p>All details of saved data are contained in the Information Asset Log, including vehicle registration and date of incident. Other records are available to identify the officer driving if necessary. Data will only be retained until investigations have taken place or prosecutions completed. All other data will be deleted routinely on a monthly basis. Colchester Borough Council and NEPP will have information available on their</p>

Continued...	websites regarding all aspects of the dashcams usage and data storage. Regular updates will be published where necessary regarding the usage of dash cams.
Does the particular equipment/system of work being used deliver the desired benefits now and will it remain suitable in the future?	Yes. All footage is stored on a password protected system. NEPP is known for innovation and as technology improves NEPP will continue to source the most suitable equipment to deliver the desired outcomes.
What future demands may arise for wider use of images and how will these be addressed?	Not within NEPP however the scheme could be extended to other outside workers of CBC in future
What are the views of those under surveillance?	No negative opinions were recorded during trials of using dashcams by Civil Enforcement Officers. As dashcams are an everyday item in vehicles it was deemed unnecessary to source public opinion.
What could be done to minimise intrusion for those who may be monitored, particularly if specific concerns have been expressed? Is the system established on a proper legal basis and operated in accordance with the law?	Users will be trained in the operation of dashcams. Recordings will be routinely deleted on a monthly basis unless subject to an investigation or subject access request. This period has been found to be necessary for incidents to be reported and requests for footage to be received. CEOs complete an incident form on each occasion a dashcam is used in relation to an incident. Actions such as informing the Police or other services and outcomes (if known) are also noted. Incident records are retained securely for as long as needed for investigation purposes; they are made available in the Office for inspection by police officers in person if required; the log remains in the Office, and copies or extracts would only be provided to the police if necessary for prosecution purposes. Any release of recordings is compliant with the Data Protection Act documented and subject to the condition that images must only be used for specified purposes; never journalistic use.
Are Dash Cams necessary to address a pressing need, such as public safety, crime prevention or national security?	Yes. They can increase public safety by encouraging all drivers to drive safely.

Is the use of Dash Cams justified in the circumstances?	Yes. See response above.
Is the use of Dash Cams proportionate to the problem that it is designed to deal with	Yes. They provide an invaluable aid to the investigation and prosecution of crime