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Data Protection Impact Assessment (DPIA) – Stage 1

This form is Stage 1 of the Data Protection Impact Assessment (DPIA) process. You are advised to refer to the guidance material available before completing the form.

Data Protection Impact Assessment (DPIA)

Please provide as much detail as possible, avoiding technical language and acronyms, explaining the proposal in a way that someone with no prior knowledge could easily understand.

Section 1 - Governance

Project Proposal Name:	AB3 Body Worn Video Cameras (BWV) with Live Stream functionality
Information Asset Owner:	[REDACTED]
Information Custodian:	[REDACTED]
DPIA Coordinator:	[REDACTED]
Date on which processing will commence:	N/A – processing already happening since 2016
Date submitted to DPO:	03/12/2019
Note: DPO will give an initial response within 10 working days of receiving the completed form.	

DPO Assessment

DPO Use Only

- A. DPIA is not mandatory.
- B. DPIA is not required as long as the remedial action listed is carried out. If the remedial action is not carried out, a DPIA will be required.
- C. DPIA is mandatory.



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Section 2 - Purpose, Scope and Context

In this section you must explain what the processing is, who it will involve, and the intended impact. You must also demonstrate why the processing is necessary and proportionate, providing evidence to support your assessment.

- The processing must be **necessary** for the specific objective of the proposal.
- It must also be **proportionate**, meaning that the advantages resulting from the processing should not be outweighed by the disadvantages to individuals.

2.1 Please briefly explain the specific aim and purpose of the proposal in a way that someone with no prior knowledge could easily understand; avoid technical language and acronyms.

All frontline operational Officers have use of, or access to, a body worn camera. External organisations such as the CPS, Courts etc. are keen to be able to access evidential material electronically via the Digital Evidence Management System [DEMS] or the Body Worn Video supporting system, Evidence.com.

With the advancement of technology, the devices have become smaller, lighter, and more easily carried by officers, which has extended their scope of use. It is widely known that citizens, going about their daily lives, are likely to have their movements and identity captured on a myriad of surveillance systems and it is of paramount importance to mitigate any privacy risks and issues.

We have upgraded our existing hardware technology from AB2 devices to AB3, alongside new docks in all stations. We have also piloted the live stream functionality (Oct-Nov 2021) that the new AB3 devices offer, across an array of operational scenarios & various teams such as response/NPU (B'ham East), CPMG, and Firearms. Following the success of this and analysis of the results (December 2021) we will be implementing this in Jan 2022 as a permanent solution. This will provide officers and supervisors with real-time visibility around developing situations that may be highly critical or scenarios of urgent assistance). We have also considered the privacy risks and technical controls available to mitigate risk when using the live streaming capability and this fits well within our current risk appetite. For example, users cannot view an OIC's BWV live stream without their permission, and access to live stream is fully audited on evidence.com. As well as this, officers will have a purple light blink with a logo on the device screen to distinguish the difference between the live stream and recording, to ensure live stream does not happen without consent.

2.2 What categories of personal data will be processed? Provide an overview of the categories of personal data that will be processed, for example: names, DOBs, addresses, health data, criminal records, or any other unique identifiers such as IP addresses, usernames, e-mail addresses.

Footage will be used to record people and will therefore automatically collect certain personal information such as race and gender, however during the recording it may also capture:

Name

Address



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DOB
Criminal data
Medical information

2.3 Will special category data be used in the proposal? (Select all that apply)

****It is important to note that any the below could be captured by BWV if it is disclosed during a recording, however they are not the primary reason for recording. Race is the only category that will be recorded without disclosure due to the nature of the asset****

- | | |
|--|---|
| <input checked="" type="checkbox"/> Race | <input type="checkbox"/> Trade union membership |
| <input type="checkbox"/> Ethnic origin | <input type="checkbox"/> Genetic Data |
| <input type="checkbox"/> Political opinions | <input type="checkbox"/> Biometric Data |
| <input type="checkbox"/> Sex life | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Health |
| <input type="checkbox"/> Philosophical beliefs | <input type="checkbox"/> None |

2.4 How will the data be collected? Briefly outline how you will obtain the data, examples include: directly from data subjects, from another data set already in the WMP's possession, from a different force.

Footage will be recorded live using body worn cameras and either directly or indirectly from subjects depending on the circumstances. This system (Evidence.com) is standalone and does not currently interact with any other system in WMP

2.5 How will the data be used? Briefly describe how the data will be used, recorded, and stored and who it will be shared with.

Data will be overtly recorded by Officers/staff.
The camera will be docked at a station and uploaded directly into their account on Evidence.com
The Officer/staff will then view the footage and decide if it is evidential, if so it will be marked with the relevant MoPI and saved accordingly.
If data is not needed, the system will automatically delete it after 31 days.
Data is stored in Evidence.com for the required MoPI retention period, this is a cloud solution and



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provides a backup of all data.

Data collected is shared with CPS (and necessary third parties) for trials, internal departments for investigations and departments such as OPCC for audits/mandated investigations.

BWV footage is available to those who make SAR's.

2.6 How many individuals will the processing affect? (Please specify one answer below)

- Fewer than 100 data subjects
- 100 to 1000 data subjects
- 1000 to 5000 data subjects
- More than 5000 data subjects

****This is potentially based on all recordings via BWV, dependent upon the circumstances of an individual incident ****

2.7 What categories of data subject are involved? (Please select all applicable categories below)

- Persons suspected of having committed or being about to commit a criminal offence
- Persons convicted of a criminal offence
- Persons who are or may be victims of a criminal offence
- Witnesses or other persons with information about offences
- Children or vulnerable individuals
- WMP staff (current and former)
- Other

If other then please provide further details below:

2.8 Will it involve the collection of new information about individuals? Will WMP collect data that it has not previously collected or had access to?

- Yes
- No

2.9 Data Sharing

Select one option

Does the processing involve:



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2.10.1	Data being shared with third parties external to WMP or recipients that have not previously had routine access to the information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.10.2	Transferring data outside the UK but within the EU?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.10.3	Transferring data outside the EU?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.10.4	Storing data using a cloud service provider?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2.10.5	Is there an ISA, contract, or other sharing agreement in place with all parties with whom data will be shared?	<input checked="" type="checkbox"/> Yes – agreements in place <input type="checkbox"/> Not yet – agreements required <input type="checkbox"/> No – none required

2.10 Why it is necessary to use personal data to achieve the aim and why can't the aim be achieved by other means?

For example, can the aim be achieved by using less data or different types of data?
Are all categories of data necessary to achieve the aim?

It would not be possible to use BWV without collecting personal information. BWV is capable of capturing primary evidence in such a way that it is able to bring a compelling and an indisputable account of the circumstances at that time. This will not replace the need to capture other types of evidence, but will go a considerable way in reducing any ambiguities and should be considered as an additional policing aid.

2.11 Explain how the use of personal data is proportionate to the aim of the proposal.

Weigh the advantages of achieving your purpose against disadvantages to data subjects.

BWV is used to capture primary evidence to support cases. The camera does not continuously record, unless activated by the user. The device beeps and a light flashes red in almost all circumstances when recording so people are aware that it is recording. Data is stored in line with MoPI. The footage gathered is used as supporting evidence, it can help with prosecutions and provide an accurate account of what happened at a particular time.

Section 3 – Lawful Basis

3.1 Lawful Basis



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To process personal data you must have a lawful basis. Please select the one appropriate lawful basis from the drop down list.

Lawful Basis for **Operational Data** (Personal data processed for law enforcement purposes):
Necessary for a law enforcement purpose

Lawful Basis for **Administrative Data** (Personal data processed for non-law enforcement purposes, e.g. for HR or Commercial purposes):

Necessary for the performance of a task carried out in the public interest or in the exercise of official authority

3.2 Further Special Category Lawful Basis

If processing special category data (section 2.3) you must have identified a further lawful condition

Operational Data:

The processing is strictly necessary (please tick to confirm)

AND

One of the following conditions applies (select from the list):

Justice

Administrative Data:

It is necessary for one of the following conditions (select from the list):

Choose an item.

OR

It is in the substantial public interest (tick to confirm)

AND for the following purpose:

Administration of justice

Section 4 – Review, Retention and Disposal

4.1 Does the proposal have a review, retention and disposal process that complies with WMP Policy? All records must have an initial retention period set by the owner of the information when first created or received; review and disposal criteria are defined within the WMP IM document suite.

Yes

No



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Section 5 – ICO: Additional Factors

The Information Commissioner’s Office have published a number of factors that present a ‘high risk’ when processing personal data. Saying yes to one or more of the following may indicate that the processing is high risk and a Stage 2 DPIA is likely to be required.

Does the processing involve:	Please check either Yes or No	If ‘Yes’ then please provide further details
<p>5.1 Systematic, extensive and large scale profiling and automated decision-making about people? <i>"Any systematic and extensive evaluation of personal aspects relating to natural persons which is based on automated processing, including profiling, and on which decisions are based that produce legal effects, or significantly affect the natural person"</i></p> <p>Profiling is any form of processing where personal data is used to evaluate certain personal aspects relating to an individual, including the analysis or prediction of an individual’s performance.</p> <p>Automated decision-making involves making a decision that affects someone by technological means without human involvement, for example issuing speeding fines solely based on evidence captured from speed cameras.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5.2 Large scale use of special category data or criminal offence data? <i>"Processing on a large scale of special categories of data, or personal data relating to criminal convictions and offences referred to in Article 10"</i></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Although the overall collection of data could be large, the collection is done on an individual basis and is therefore not classified as large scale.</p>
<p>5.3 Public monitoring? <i>"Systematic monitoring of a publicly accessible area on a large scale"</i></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	



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5.4	<p>New technologies or techniques? <i>"Processing involving the use of new technologies, or the novel application of existing technologies (including Artificial Intelligence)"</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5.5	<p>Profiling, automated decision-making or special category data to help make decisions on someone's access to a service, opportunity or benefit? <i>"Decisions about an individual's access to a product, service, opportunity or benefit which is based to any extent on automated decision-making (including profiling) or involves the processing of special category data"</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5.6	<p>Biometrics/genetic data? <i>"Any processing of biometric data" and/or "any processing of genetic data other than that processed by an individual GP or health professional, for the provision of health care direct to the data subject" Biometric data can include Facial Recognition technology, fingerprints and is defined as</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5.7	<p>Data matching? <i>"Combining, comparing or matching personal data obtained from multiple sources"</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5.8	<p>Invisible processing? <i>"Processing of personal data that has not been obtained direct from the data subject in circumstances where providing a Privacy Notice would prove impossible or involve disproportionate effort"</i></p> <p>For example, when gathering data, without the knowledge of the data subject, in the course of a Police investigation.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5.9	<p>Tracking? <i>"Processing which involves tracking an individual's geolocation or behaviour, including but not limited to the online environment"</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	



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5.10	<p>Targeting of children or other vulnerable individuals? <i>"The use of the personal data of children or other vulnerable individuals for marketing purposes, profiling or other automated decision-making, or if you intend to offer online services directly to children</i></p> <p>For example, the use of personal data relating to children for the purposes of marketing their online safety products.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5.11	<p>Risk of physical harm? <i>"Processing is of such a nature that a personal data breach could jeopardise the [physical] health or safety of individuals".</i></p> <p>For example, if data relating to CSAE, HUMINT or protected persons data was compromised then it could jeopardise the safety of individuals.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5.12	<p>Evaluation or scoring? <i>"Aspects concerning the data subject's performance at work, economic situation, health, personal preferences or interests, reliability or behaviour, location or movements" For example, as part of a recruitment process.</i></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5.13	<p>Data processed on a large scale. <i>Considerations include:</i></p> <ul style="list-style-type: none"> • <i>The number of data subjects concerned</i> • <i>Volume of data and/or range of data items</i> • <i>Duration, or permanence, of the data processing</i> • <i>Geographical extent of data processing</i> 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5.14	<p>Preventing data subjects from exercising a right? <i>The rights are:</i></p> <ul style="list-style-type: none"> • <i>The right to be informed</i> • <i>The right to access data</i> • <i>The right to rectification</i> • <i>The right to erasure</i> • <i>The right to restrict processing</i> 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	



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	<ul style="list-style-type: none">• <i>The right to object</i>• <i>The right to portability</i>• <i>Rights relating to automated processing</i>		
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Please forward the completed form the WMP DPO.