

Privacy Impact Assessment – Body-worn video (recording sound and vision) used by Bailiffs during enforcement visits

Screening questions Answering ‘yes’ to any of these questions indicates that a Privacy Impact Assessment should be carried out.

		YES	NO
1	Will the project involve the collection of new information about individuals?	Yes	
2	Will the project compel individuals to provide information about themselves?	Yes	
3	Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information?		No
4	Are you using the information about individuals for a purpose it is not currently used for, or in a way it is not currently used?		No
5	Does the project involve you using new technology that might be perceived as being privacy intrusive?	Yes	
6	Will the project result in you making decisions or taking action against individuals in ways that can have a significant impact on them?	Yes	
7	Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations?	Yes	
8	Will the project require you to contact individuals in ways that they may find intrusive?	Yes	

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1. Identify what the project aims to achieve, what the benefits are to the organisation, to individuals and to other parties.

Aims of the project	Benefits to the Council	Benefits to individuals	Benefits to other parties
<p>Body worn videos (BWVs) which record visual and sound data will be used by bailiffs/enforcement agents employed directly by the Council.</p> <p>The purpose of recording is to safeguard Enforcement Agents/bailiffs and customers during enforcement visits and to provide good evidence for all parties in the event of complaints or investigations lodged with the County Court, the County Council or any other lawful investigation.</p>	<ul style="list-style-type: none"> • Security for Enforcement Agents/bailiffs during Enforcement visits. • Ensure conversations are recorded for future reference if needed as evidence should a complaint be made. • Provides evidence of clear accountability and transparency of bailiff actions and conduct. • A mechanism in the event of a complaint to provide the council with the opportunity to thoroughly investigate allegations and concerns. 	<ul style="list-style-type: none"> • Security for customer during Enforcement visits. • Ensure conversations are recorded for future reference if needed as evidence should a complaint be made. • Provides evidence of bailiff actions and conduct. • A mechanism in the event of a complaint to provide the council with the opportunity to thoroughly investigate allegations and concerns. 	<p>Police Provides evidence to assist investigations into any crimes or allegations / complaints customers may have made about the bailiff's visit</p> <p>Public Service Ombudsman Wales Provides evidence to assist investigations into any allegations or complaints customers may have made about the bailiff's visit</p>

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2. Describe the collection, use and deletion of personal data, and explain what practical steps will be taken to ensure that privacy risks are identified and addressed.

Collection / use / deletion of data	Risks	Control measures
<p>Bailiffs will only use the recording devices when visiting customers for debt enforcement purposes. The devices will not be switched on whilst travelling to and from visits and when walking on the highway.</p> <p>The devices will be visible to customers at all times and bailiffs/enforcement agents will operate BWV's in an open and transparent way.</p> <p>The agent will always refer to the letter at the outset of the visit, getting confirmation that it has been received and then asking for consent once again to record.</p> <p>Bailiffs/enforcement agents will be thoroughly trained to Flintshire Council Data Protection standards and will be provided with written procedures on how and when to use the devices.</p> <p>The purpose of recording is to safeguard bailiffs and customers during enforcement visits and to provide good evidence for all</p>	<ul style="list-style-type: none"> • Contravention of privacy rights • Lack of fair processing notice • Collection of unnecessary data • Misuse of data • Unauthorised access to data • Loss or corruption of data • Footage being kept for longer than necessary 	<p>Justification in law for processing without consent has been established in The Data Protection (Processing of Sensitive Personal Data) Order 2000.</p> <p>Customers will always be informed about the use of BWV devices by means of 'layered' fair processing notices on the Flintshire website and in a personalised letter as part of a compliance procedure in line with the Taking Control of Goods Regulations 2014. Visits to customer properties by bailiffs/enforcement agents using BWV's will not take place prior to the issue of at least one or more compliance letters. This will ensure informed consent for each data subject.</p> <p>Bailiffs will:</p> <ul style="list-style-type: none"> • Bailiffs will be thoroughly trained in the appropriate use of the devices. • Be instructed about when recording should and should not take place to ensure only necessary footage is

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<p>parties in the event of complaints or investigations lodged with the County Court, the County Council or any other lawful investigation.</p> <p>Recordings from BWV'S will only be held for as long as the case is open with the debt enforcement service.</p> <p>Procedures will be in place to monitor when a case has closed. Once a case is closed, the footage will be securely disposed of by the nominated manager of the debt enforcement service.</p> <p>In the case of a recorded complaint or an ongoing investigation, the footage from a BWV will be retained while the complaint is being investigated and will only be destroyed immediately after the expiry of any appeal period following a decision on the final outcome of the complaint or investigation.</p>		<p>recorded and excessive footage is not held.</p> <ul style="list-style-type: none"> • The agent will always refer to the letter at the outset of the visit, getting confirmation that it has been received and then asking for consent once again to record. • Trained in explaining to customers the reasons for recording. • Bailiffs/enforcement agents will be thoroughly trained to Flintshire Council Data Protection standards and will be provided with written procedures on how and when to use the devices. <p>Cameras are fully encrypted and can only be linked to one PC. Once the data is uploaded it will be kept securely on A password protected PC with a hard drive connected kept in a secure office in line with IT service recommendations this PC will be locked down to certain nominated users to ensure its safeguarding. Only nominated debt enforcement managers will be able to access the footage to view or delete recordings.</p> <p>The data will be processed only for the specified purpose of the enforcement of debt. Only nominated managers responsible for the</p>
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		<p>delivery of the enforcement/bailiff service will have security access to view or delete the footage to ensure it is kept secure and not misused/kept for any other reasons.</p> <p>Recordings from BWV'S will only be held for as long as the case is open with the debt enforcement service.</p> <p>Procedures will be in place to monitor when a case has closed. Once a case is closed, the footage will be securely disposed of by the nominated manager of the debt enforcement service.</p> <p>In the case of a recorded complaint or an ongoing investigation, the footage from a BWV will be retained while the complaint is being investigated and will only be destroyed immediately after the expiry of any appeal period following a decision on the final outcome of the complaint or investigation.</p>
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3. Identify the key privacy risks and the associated compliance and corporate risks.

Key privacy risks	Compliance risks	Corporate risks
Loss of data	Contravene Principle 7 (security)	Complaints, drain on resources, damage to reputation, enforcement action by ICO possibly including monetary penalties up to £500,000.
Footage being recorded unnecessarily	Contravene Principle 3 (excessive)	

4. Describe actions which could be taken to reduce the risks and any future steps necessary e.g. new guidance, security testing of systems etc.

The system used will be regularly tested to ensure its efficiency in protecting the footage captured. Procedures will be regularly checked to ensure best practices are followed, to identify problems in the procedures and to amend / update them as necessary.

5. Document the PIA outcomes, showing the risks and the approved solutions.

See attached risk assessment for risks and outcomes.

6. Integrate the PIA outcomes into the project plan

See attached specific procedural instructions.

