Body-Worn Cameras (not currently used)

To comply with the UK General Data Protection Regulation (UK GDPR), where personal data relating to a data subject is collected, Sandy Lane Surgery & St Peter’s Medical Practice would like to provide you with the following details.

Identity and contact details of the data controller

* Sandy Lane Surgery, 77 Sandy Lane, Mansfield, Notts NG18 2LT

Contact details of the data protection officer

* Our Data Protection Officer is Paul Couldrey. You can contact him at info@pcdc.org.uk.

Purposes for processing

Sandy Lane Surgery & St Peter’s occasionally uses body worn cameras to protect staff dealing with members of public in situations where they are particularly vulnerable to abuse or where there is an ongoing need to capture images or speech for evidential purposes.

Any use of body worn cameras is governed by internal policies and is conducted in accordance with the law. Sandy Lane Surgery and St Peter’s will never continuously record using body worn cameras and will only utilise such technology where there is a legitimate need to do so.

Where body worn cameras are in use, Sandy Lane Surgery & St Peter’s employees using them will display a clear notice that this is the case on their person, usually as part of their uniform. Where there is doubt that a member of the public is aware of this, practice staff will also make it clear that they are wearing body worn cameras.

If body worn cameras are in operation, Practice Staff will take all reasonable steps to make sure those captured in such footage are made aware that recording it taking place.

Category of personal data being processed

1. Personal data (information relating to a living, identifiable individual)
2. Special category personal data (racial, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation)

Legal basis for processing personal data

The legal basis for processing your personal data, in accordance with the UK GDPR is:

(c) Legal Obligation: the processing is necessary for you to comply with the law. You must reference the applicable legislation if you wish to rely on this basis for processing.

(d) Vital Interests: the processing is necessary to protect someone's life.

(e) Public Task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law. You must reference the applicable task/function and its' basis in law if you wish to rely on this basis for processing.

In this instance the legislation that informs this processing is as follows,

* Crime and Disorder Act 1998
* Protection of Freedoms Act 2012
* Health and Safety at Work Act 1974

Depending upon the individual circumstances one or more of the above lawful basis for processing may be applied.

Human Rights Act 1998: Article 6 provides the right to a fair trial. All images captured using a body worn camera have the potential to be used in court proceedings and must be safeguarded by an audit trail in the same way as any other evidence. Article 8 of the Act concerns the right for private and family life, home and correspondence. Recordings of individuals in a public place are only public for those present at the time and may still be regarded as potentially private. Any recorded conversation between individuals should always be regarded as private and users of body worn cameras will ensure that they refrain from recording anything which is beyond necessary with respect to a confrontational situation.

Legal basis for processing special categories of personal data

The legal basis for processing your special categories of personal data, in accordance with the UK GDPR is:

(b) Processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law

(c) Processing is necessary to protect the vital interests of the data subject or of another natural person where the data subject is physically or legally incapable of giving consent.

(g) Processing is necessary for reasons of substantial public interest.

The substantial public interest condition met in these circumstances falls under the Data Protection Act 2018 Schedule 1 Part 2 (10) Preventing or detecting unlawful acts. This is due to an increase in aggressive behaviour toward Sandy Lane Surgery & St Peter’s staff.