

This legitimate interests assessment (LIA) template is designed to help you to decide whether or not the legitimate interests basis is likely to apply to your processing. It should be used alongside our [legitimate interests guidance](#).

Part 1: Purpose test

You need to assess whether there is a legitimate interest behind the processing.

- Why do you want to process the data?
- What benefit do you expect to get from the processing?
- Do any third parties benefit from the processing?
- Are there any wider public benefits to the processing?
- How important are the benefits that you have identified?
- What would the impact be if you couldn't go ahead with the processing?
- Are you complying with any specific data protection rules that apply to your processing (eg profiling requirements, or e-privacy legislation)?
- Are you complying with other relevant laws?
- Are you complying with industry guidelines or codes of practice?
- Are there any other ethical issues with the processing?

Framlingham Town Council is responding to a survey of residents where 80% of residents, and 31 out of 32 businesses in town supported the installation of a CCTV system for the town centre. Following debate at committee and Full Council the Town Council resolved, on production of a proposal to implement a town centre CCTV system.

The intent of the system is 'To deter criminal activity in Market Hill and its vicinity and provide evidence for the police in the event of offences being committed.'

The only third party to benefit would be the Police.

The wider public benefit is the deterrent posed by a CCTV system to those who are considering criminal or anti-social behaviour.

The benefits have been identified by residents and businesses as above.

The impact if the Town Council did not go ahead would be not responding to the residents needs.

The Town Council has adopted a CCTV policy which aims to ensure compliance with all relevant laws.

The Town Council has investigated all codes of guidance and is confident it is compliant. A review process is in existence to annually ensure full compliance.

The Town Council does not believe there are any further ethical issues.

Part 2: Necessity test

You need to assess whether the processing is necessary for the purpose you have identified.

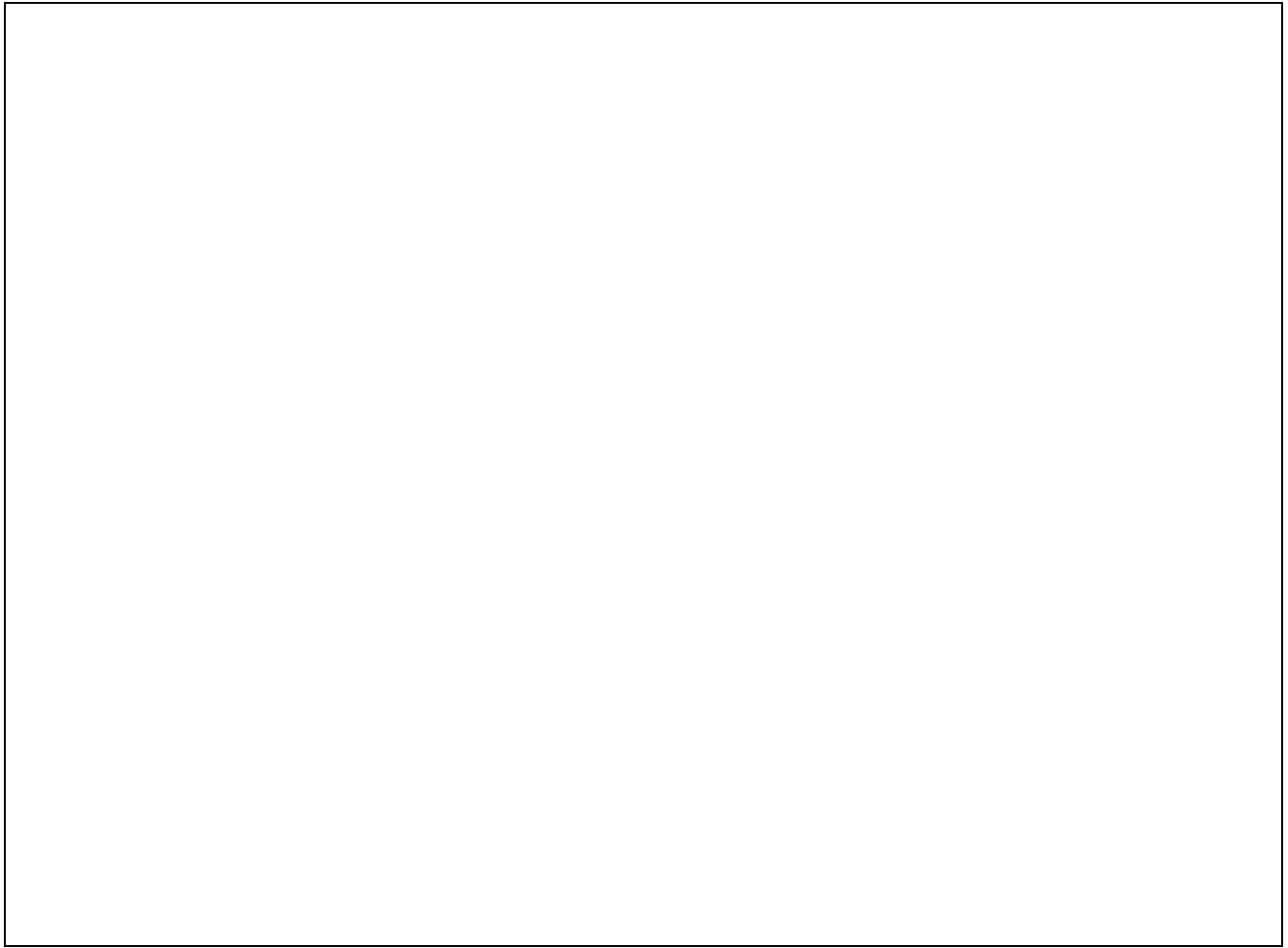
- Will this processing actually help you achieve your purpose?
- Is the processing proportionate to that purpose?
- Can you achieve the same purpose without the processing?
- Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?

The processing will only occur in response to an incident. Without the CCTV not investigation could take place in terms of captured images of the incident.

The processing is proportionate to the purpose.

The images will need to be viewed in order to process it.

The use of CCTV is currently the only known way of capturing images of a place.



Part 3: Balancing test

You need to consider the impact on individuals' interests and rights and freedoms and assess whether this overrides your legitimate interests.

First, use the [DPIA screening checklist](#). If you hit any of the triggers on that checklist you need to conduct a DPIA instead to assess risks in more detail.

Nature of the personal data
<ul style="list-style-type: none">• Is it special category data or criminal offence data?• Is it data which people are likely to consider particularly 'private'?• Are you processing children's data or data relating to other vulnerable people?• Is the data about people in their personal or professional capacity?
<p>The Data is a moving image of a public space and is not used for criminal or special data categories.</p> <p>The data is a moving image of a public space. The cameras are not focused at any private place but are wide angle views of a space.</p> <p>It is inevitable that both children and vulnerable people will be captured by the cameras but the data will only be processed if these groups of people are believed to have committed a crime or an act of anti social behaviour.</p> <p>The data is about all aspects of the town's life.</p>
Reasonable expectations
<ul style="list-style-type: none">• Do you have an existing relationship with the individual?• What's the nature of the relationship and how have you used data in the past?• Did you collect the data directly from the individual? What did you tell them at the time?• If you obtained the data from a third party, what did they tell the individuals about reuse by third parties for other purposes and does this cover you?• How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations?• Is your intended purpose and method widely understood?• Are you intending to do anything new or innovative?• Do you have any evidence about expectations – eg from market research, focus groups or other forms of consultation?• Are there any other factors in the particular circumstances that mean they would or would not expect the processing?

<p>It is inevitable, in a small town that the data controller will know people whose images are captured.</p> <p>The CCTV system is being installed as a result of public and business demand, surveys and face to face interviews were conducted to gauge the response of people in the town for a CCTV system.</p>	
<p>Likely impact</p> <ul style="list-style-type: none"> • What are the possible impacts of the processing on people? • Will individuals lose any control over the use of their personal data? • What is the likelihood and severity of any potential impact? • Are some people likely to object to the processing or find it intrusive? • Would you be happy to explain the processing to individuals? • Can you adopt any safeguards to minimise the impact? 	
<p>The only foreseen impact of people whose data is captured, and then shared with the police, is that they may risk prosecution for an offence that was captured on the CCTV system. All those whose images are captured will retain their rights under UK law.</p> <p>It is expected that people will object to the CCTV system, and the Town Council will make every effort to explain and provide the justification of the system to them on an individual basis.</p> <p>The Town Council has policy to safeguard the and minimise the impact of the system.</p>	
<p>Can you offer individuals an opt-out?</p>	<p>/ No</p>

Making the decision

This is where you use your answers to Parts 1, 2 and 3 to decide whether or not you can apply the legitimate interests basis.

<p>Can you rely on legitimate interests for this processing?</p>	<p>Yes</p>
<p>Do you have any comments to justify your answer? (optional)</p>	

LIA completed by	James Overbuury Deputy Clerk and DCO
Date	15 th November 2022

What's next?

Keep a record of this LIA, and keep it under review.

Do a DPIA if necessary.

Include details of your purposes and lawful basis for processing in your privacy information, including an outline of your legitimate interests.