



BCH17/001

Joint Drone Policy

TABLE OF CONTENTS

1. POLICY AIM	Error! Bookmark not defined.
2. APPLICABILITY	Error! Bookmark not defined.
3. THE POLICY.....	Error! Bookmark not defined.
4. ASSOCIATED DOCUMENTATION	Error! Bookmark not defined.
5. WHO TO CONTACT ABOUT THIS POLICY	Error! Bookmark not defined.
6. EQUALITY ANALYSIS.....	Error! Bookmark not defined.

1. POLICY AIM

1.1 The aim/s should be clearly derived from the collaborative strategy, Mission, Vision and Values. How the policy links to strategy and what is it trying to accomplish with the organisation – rationale e.g. trying to maintain public confidence.

2. APPLICABILITY

2.1 Inclusions

2.1.1 The application of the Bedfordshire Police, Cambridgeshire Constabulary and Hertfordshire Constabulary, Police use of Drones Procedures, applies to all police officers and police staff, including the extended police family and those working voluntarily or under contract to Bedfordshire Police, Cambridgeshire Constabulary and Hertfordshire. They must be aware of and are required to comply with the procedures contained therein. However, these procedures are of particular relevance to officers and staff in the following roles:

- Authorised Firearms Officers (AFOs);
- Tactical Advisers (TA);
- Bronze, Silver and Gold Firearms Commanders;
- Senior and Initial Investigating Officers (SIO and IIO);
- Scenes of Crime Officers (SOCO);
- Civil contingency staff.
- Safer Neighbourhood teams/Local Policing Teams (SNT/LPT)
- Bronze and Area Inspectors.

3. THE POLICY

3.1 The aim of Bedfordshire Police, Cambridgeshire and Hertfordshire Constabularies – Joint Protected Services (BCH JPS), when deploying drones is to:

- Provide situational awareness to Officers and commanders in a variety of Policing situations
- Assist with searches for persons, both missing and suspected of committing offences
- Assist with Serious and Fatal Road Traffic Collision investigations
- Assist with Crime Scene Investigations
- Work with other Emergency services, to provide aerial imagery to assist in an efficient and appropriate incident response and increased public safety

3.2 The Assistant Chief Constable responsible for Joint Protective Services is the nominated ACPO lead in relation to the police use of drones within Bedfordshire, Cambridgeshire and Hertfordshire.

Appendix A

Privacy Impact Assessment Use of Drones for Policing Purposes

Introduction:

This document has been written in consultation with the Information Commissioners office and should be read in conjunction with the Information Commissioners Codes of Practice on conducting Privacy Impact Assessments.

It is designed to give those Forces operating or thinking of operating drones a structure for completing a Privacy Impact Assessment as required by the National Police Chief Council. The template and examples within are intended as illustrations and not a definitive document. Individual Forces may use their own template if they so wish.

The Information Commissioner describes a Privacy Impact Assessment as 'a process which assists organisations in identifying and minimising the privacy risks of new projects or policies.' It is not designed to be a time consuming or arduous process and very much follows the lines of risk registers we are familiar with using within the Police Service. The process encourages engagement with people within our own organisation in addition to partners and local communities to identify and reduce privacy risks. By identifying these at an early stage, putting processes in place to address them will be simpler and cost effective. Conducting a PIA should be beneficial by producing a better project plan or Force Policy, building public confidence in how the Police Service uses drones and reassuring them that drones will be used only when appropriate and necessary.

The public have a concern that drones intrude on Privacy. This concern is heightened when the use of drones by the Police is discussed. This assessment is one of the measures used to reassure the public that police use of drones has governance/policies and procedures/professionalised. Drones are a new technology that have the capability to capture broad personal data and the potential to drive action against individuals that can have a significant impact on them. E.g. Evidence gathering and prosecutions resulting in conviction and possible loss of liberty.

Consideration should be given to reviewing the Privacy Impact Assessment every 12 months.

BCH JPS Privacy Impact Assessment – Drone Project

Aims

The aim of Bedfordshire Police, Cambridgeshire and Hertfordshire Constabularies – Joint Protective Services (BCH JPS), when deploying drones is to:

- Provide situational awareness to Officers and commanders in a variety of Policing situations
- Assist with searches for persons, both missing and suspected of committing offences
- Assist with Serious and Fatal Road Traffic Collision investigations
- Assist with Crime Scene Investigations
- Work with other Emergency services, to provide aerial imagery to assist in an efficient and appropriate incident response and increased public safety

Benefits

The benefits of using drones to enhance the policing capability of BCH JPS are numerous. The below list is not exhaustive:

- Assist the Collaborated Forces in delivering a more effective policing service by allowing best use of resource, resolving incidents more quickly thereby reducing costs
- Reducing the deployment burden of NPAS, allowing a smarter deployment to appropriate incident types across the consortiums and whole region
- Enhancing the safety of public and police by deploying a drone to incidents that would otherwise involve risk to individuals

- Providing good quality evidence to assist successful prosecutions
- Benefiting other blue light services by enhancing Joint service interoperability allowing the drone to be used to achieve other services objectives in addition to our own
- Innovative policing, providing methods of evidence capture, previously unavailable before this technology.

Why has the need for a PIA been identified?

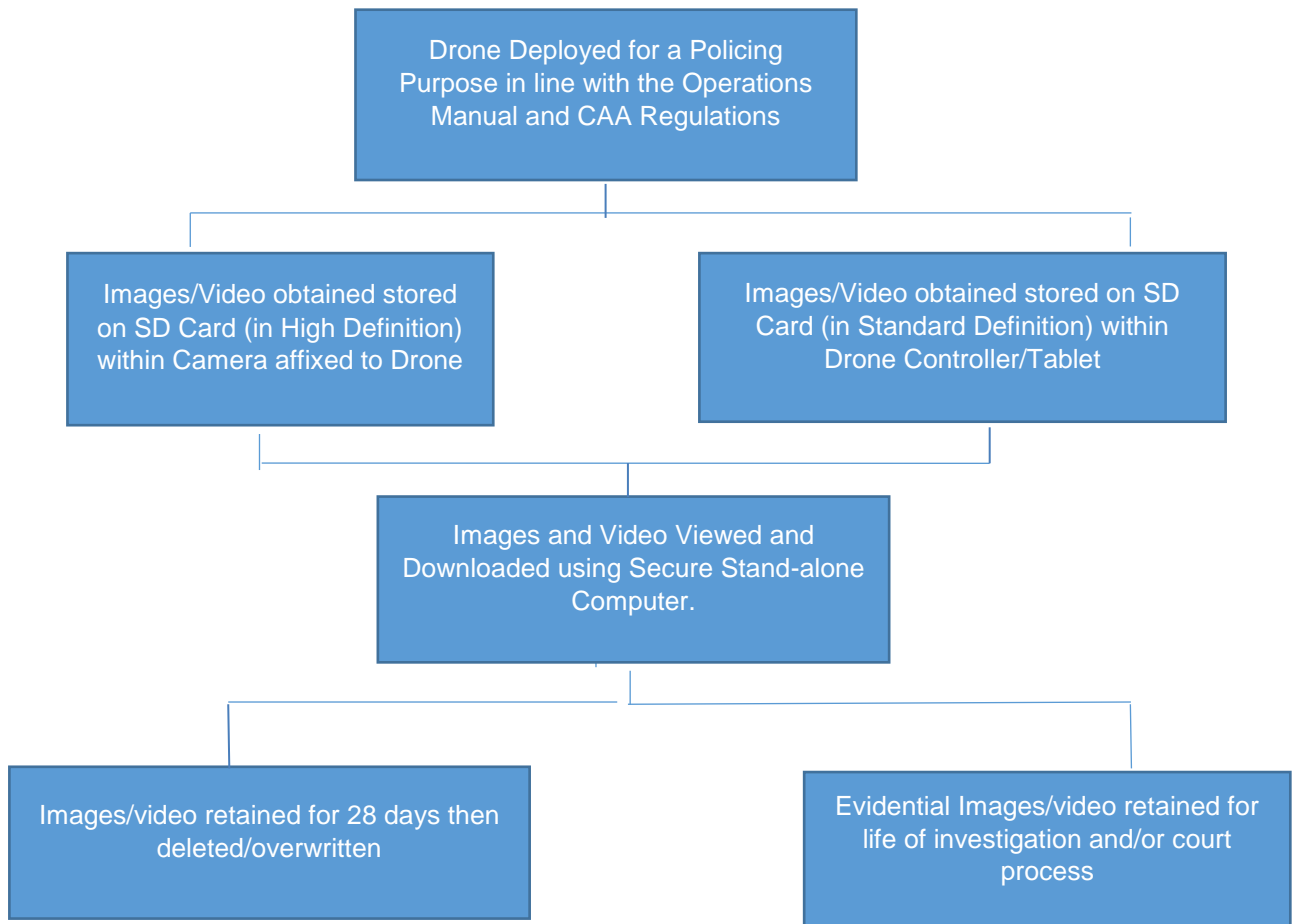
Drones are a relatively new technology that has the capability to capture broad personal data. They are perceived as being Privacy intrusive and they have the potential to drive action against individuals that can have a significant impact on them. E.g. Evidence gathering and prosecutions resulting in conviction and possible loss of liberty.

Information flow

Images and video are collected by the camera attached to the drone being operated for policing purposes. This can be in two ways:

- 1) The High Definition images and video can be stored on an SD card either within the camera attached to the drone itself, and/or;
- 2) Transmitted to the ground station controller and recorded in Standard Definition to an SD card within the controller/tablet.

Once obtained, the images and/or video stored on the SD card(s), is then downloaded utilising a secure standalone computer system. The data is examined and images and video pertinent to the deployment, or required for evidential purposes is retained. All other images and video are deleted after 28 days.



The number of individuals that may be affected is unknown. Factors affecting this are;

- The nature of the deployment,

- The time in flight,
- The geography of the area flown over,
- The weather.

The cameras affixed to the drones do not have zoom capability and should be flown no closer than 50 metres from a person (or vessel or building) not under the control of the remote pilot, therefore, if operated in public areas;

- It is not known how many persons will be present and,
- The images and/or video will be from at least a 50 metre distance.

Does the project involve new or inherently privacy-invasive technologies?

Drones have the potential to be privacy-invasive, however:

- Officers piloting the drone will wear uniform, including high visibility tabards.
- The drones will be flown overtly, within operating separation parameters defined by the CAA, and within line of sight of the Remote Pilot.
- The drones will not operate within 50 metres of a person, vessel, vehicle or structure unless under the control of the Police. I.e. sterile scene, cordon controlled, Police premises.
- The Remote Pilot will utilise their discretion with regards the use of the camera attached to the drone, utilising the single image or video option as required.
- Any video/images obtained will be uploaded and managed by the fully auditable DEMS software. Any 'non-evidential' drone footage/images will be retained for a maximum of 31 days in accordance with ACPO guidelines and the Data Protection Act.
- Drone footage marked as 'evidential' will be retained in accordance with MOPI guidance.

Does the project involve an additional use of an existing identifier?

The aim of the drone, used with its associated camera, is to capture evidence of a specific area or activity, offering a unique perspective that is unattainable from officers and staff on the ground. The drone will be operated within line of sight of the remote pilot to an absolute maximum distance of 400 metres.

Does the project involve new or substantially changed identity authentication requirements that may be intrusive or onerous?

As with the use of Police helicopters (National Police Air Service) there is the potential for images and video from Police drones capturing members of the public who are not connected to the incident or scene being recorded. The capture of such images is mitigated with the use of DEMS which ensures that images/footage of a non-evidential nature will be managed by DEMS in accordance with MOPI and Data Protection requirements.

Will the project result in the handling of a significant amount of new data about each person, or significant change in existing data-holdings?

Drone usage will not increase significantly the amount of new data about each person, but will impact on existing data holdings. The drone, as stated previously in this section, is operated with strict adherence to separation distances. Lacking a zoom functionality, the camera will not obtain 'close-up' images of individuals. The increase in existing data-holding will be managed by DEMS in accordance with MOPI and Data Protection requirements.

Will the project result in the handling of new data about a significant number of people, or significant change in the population coverage?

The drone will not result in the handling of new data about a significant number of people due to the limitations of its use in densely populated areas. These limitations will see the drone used far less than Police helicopters in such situations. In such circumstances NPAS will be utilised as previously.

Consultation

The public have a concern that drones intrude on Privacy with this concern heightened when the use of drones by the Police is discussed. This assessment is one of the measures used to reassure the public that police use of drones has governance/policies and procedures/professionalised.

- Both Sussex and Surrey Police have completed direct public consultation covering the use of police drones and have been deploying drones for in excess of 2 years.
- The BCH drone project launch will be promoted with a Media/Communications event to be held soon after the project goes 'Live'. This day will allow for demonstrations, questions and allow for the public to be informed by the media present.
- A Twitter/Facebook feed will be created to inform Social Media users of the uses of the drones and garner feedback from individuals. Where appropriate fears and concerns can be addressed via these channels.

Identify the Privacy and Related Risks

Privacy Issue	Risk to individuals	Compliance Risk	Associate organisation/corporate risk
Inadvertent capturing of images Video of persons vehicles on route to or during a deployment	All images captured are reviewed in a secure standalone password protected computer.	Operator aware at all times of where camera is pointing and will take positive action if a person comes into view.	Organisations reputational damage caused by release of inappropriate image. Risk of prosecution for Breach of Data Protection Act
Inappropriate retention of images	Images retained by Police which is not appropriate (R-v-Wood)	Where not identified as supporting an investigation or prosecution, images and footage is to be deleted within 28 days of being obtained	Reputational harm to the organisation.

Identify Privacy Solutions

Risk	Solution(s)	Result: is the risk, eliminated, reduced or accepted?	Evaluation: is the final impact on individuals after implementing each solution a justified, complaint and proportionate response to the aims of the project?
Inadvertent capture of images	Training of drone operators to include guidance on prevention of inadvertent video or image capture. Camera viewing direction	Reduced	Implementation of training and control measures will ensure that any impact if justified, compliant and a proportionate response to operating

	<p>adjusted.</p> <p>Operators clearly identified as operating drone, by signage and High Visibility clothing</p> <p>Secure data storage and data retention policy in place to ensure that any images captured that are not required are deleted after 28 days</p> <p>Incorporate above into the Drone Operations Manual.</p>		<p>drones for policing purposes.</p>
<p>Access of images by unauthorised persons</p>	<p>Data stored on standalone password protected computer. Access restricted to those with issued log on and password.</p> <p>All images not required for deleted after 28 days</p>	<p>Reduced</p>	<p>Solution is justified compliant and proportionate</p>

Sign off and record the PIA outcomes

Sign off the risks and outcomes. Identify who is the responsible officer.

Risk	Solution	Approved by
<p>Capture of video/images inadvertently</p>	<p>Effective training of operators incorporating Data Protection Act, CCTV and Information Commissioners Codes Of Practice</p>	
<p>Unauthorised access to video/images</p>	<p>Images stored on password protected standalone system</p>	
<p>Inappropriate management of data leading to unauthorised disclosure</p>	<p>Effective training of operators in data retention and storage policy.</p>	

Integrate the PIA outcomes back into project plan/Force policy

Integrate outcomes back into Project Plan/Force Policy. Identify the contact point within Force for Privacy concerns.

Action	Date for completion	Owner
<p>Incorporate training in respect of Data Protection, storage and handling, to include Information and CCTV commissioners Codes of Practice.</p>	<p>January 2017</p>	<p>Sgt Iain Carter</p>

Purchase High Visibility vests carrying words 'Police drone operator'	January 2017	Sgt Iain Carter
Ensure A board signs are available to operators deploying system	January 2017	Sgt Iain Carter
Operations Manual to reflect requirements of this PIA	October 2016	Sgt Iain Carter

Force contact point for future privacy concerns:

Operational Planning and Support Unit

Alconbury Weald

Building 201

Alconbury

PE28 4WX

Tel – 01480 425764

4. ASSOCIATED DOCUMENTATION

4.1 Legislation/National Guidance

- Civil Aviation Publication CAP 722 – Incident/Accident Procedures
- Civil Aviation Publication CAP382 – Mandatory Occurrence Reporting (MOR)
- Air Navigation Order 2009
- Regulation of Investigatory Powers Act 2000

4.2 Procedures

- BCH UAS Ops Manual

5. WHO TO CONTACT ABOUT THIS POLICY

- Head of Operational Planning and Support Unit – Inspector.

6. EQUALITY IMPACT ASSESSMENT

EQUALITY IMPACT ASSESSMENT

Name of Sponsor	Head of Uniform Protective Services
Name of Author	OPSU Inspector
Description of proposal being analysed	
Date EIA started	Jun 2016
Date EIA finished	July 2016
<p>This Equality Impact Assessment is being undertaken as a result of:</p> <p><i>Delete as appropriate</i></p> <ul style="list-style-type: none"> • A new or updated policy or procedure. • Any business process including operational and managerial decisions • A result of organisational change • <p>Note – For ease of use of this document , we will refer to all of the above as “proposal”</p>	

STEP 1 – Relevance

The general duty is set out in section 149 of the Equality Act 2010. In summary, those subject to the Equality Duty must have **DUE REGARD** to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

Authors have a statutory requirement to have **DUE REGARD** to the relevant protected characteristics shown below, whilst taking a common sense approach

- age
- disability
- gender reassignment

- marriage & civil partnership*
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

*marriage and civil partnership – the analysis applies only to the elimination of unlawful discrimination, harassment and victimisation.

Section 23 of the Equality Act 2006 allows the Equality and Human Rights Commission (EHRC) to enter into a formal agreement with an organisation if it believes the organisation has committed an unlawful act.

Under section 31 of the Equality Act 2006, the EHRC can carry out a formal assessment to establish to what extent, or the manner, in which a public authority has complied with the duty.

Additional guidance can be found by accessing the EHRC website: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

Does this proposal have a direct impact on people who:	a) are any part of the Police workforce (including volunteers)?	YES
	b) reside in any part of England and Wales	YES
If NO to both questions	<i>This Policy is solely around the use of a piece of police equipment namely a Unmanned Aerial Vehicle (UAV). There is no impact on any person either in or outside the organisation.</i>	No Further Action and Return to Sponsor for Authorisation
If Yes to either question	Continue through to Step 2	

STEP 2 – Consultation / Engagement

You should engage with those people who have an interest in how you carry out your work generally, or in a particular proposal. This may include former, current and potential service users, staff, staff equality groups, trade unions, equality organisations and the wider community. In deciding who to engage, you should consider the nature of the proposal and the groups who are most likely to be affected by it.

The proposal owner (Sponsor/Author) must be satisfied that consultation / engagement will take place with the relevant business lead and stakeholders.

This **MUST** include engagement with the following relevant groups:

Equality and Diversity Specialist
Staff Associations

Staff Support Groups
 Relevant community groups and members of the public

In addition, consider who else should you consult with internally and externally?

Who might be affected?

Does what you are considering further the aims of the general duty, to

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between different groups; and
- foster good relations between different groups.

Identify the risks and benefits where applicable, according to the different characteristics.

	Positive Impact or Benefits	Negative Impact or Risks
Age (<i>Consider elderly or young people</i>)	There are no obvious considerations	There are no obvious considerations.
Disability Groups (<i>Consider physical, sensory, cognitive, mental health issues or learning difficulties</i>)	There are no obvious considerations	There are no obvious considerations
Gender Reassignment (<i>Consider transgender, Transsexual, Intersex</i>)	There are no obvious considerations	There are no obvious considerations
Marriage & Civil Partnership	There are no obvious considerations	There are no obvious considerations
Pregnancy and Maternity	Appropriate considerations are given to female officers with regards training/operational duties. Line managers need to be flexible in their approach and focus on individual needs.	There are no obvious considerations
Race and Ethnic origin – includes gypsies and travellers. (<i>Consider language and cultural factors</i>)	There are no obvious considerations	There are no obvious considerations
Religious / Faith groups or Philosophical belief (<i>Consider practices of worship, religious or cultural observance including non belief</i>)	There are no obvious considerations	There are no obvious considerations
Sex (<i>Male, Female</i>)	There are no obvious considerations	There are no obvious considerations
Sexual orientation (<i>Consider known or perceived orientation,</i>	There are no obvious considerations in regard to	There are no obvious

<i>lesbian, gay or bisexual)</i>	sexual orientation.	considerations
----------------------------------	---------------------	----------------

	Positive Impact or Benefits	Negative Impact or Risks
Have you considered how this decision might affect work life balance? (<i>Consider caring issues re: childcare & disability, safeguarding issues, environmental issues, socio economic disadvantage, and low income families.</i>)	Yes and there are no obvious considerations.	Yes and there are no obvious considerations. .

STEP 3 – Assessment

Complete the EIA by analysing the effect of your proposal and detail the outcomes.

What were the main findings from any consultation carried out?

What feedback has been received?

Using the information you have gathered and consultation that you have undertaken answer the following questions. This will help you to understand the effect on equality your proposal might have.	
Has the feedback indicated any problems that need to be addressed?	no significant risks have been identified.
Describe and evidence any part of the proposal which could discriminate	N/A
Can the adverse impact identified be justified as being appropriate and necessary? If so, state what the business case is:	No adverse impact factors have been identified
Where impact and feedback identified, what, if anything can be done?	N/A
What outcome will be achieved that demonstrates a positive impact on people?	Individuals should feel that their unique circumstances will be fully considered and understood. Human rights have been considered throughout this EIA. Officers and staff have a right to be treated with respect and provided with as much assistance as is required to ensure they remain safe and in good health

STEP 4 - Monitoring and Review

Equality analysis is an ongoing process that does not end once a document has been produced.

What monitoring mechanisms do you have in place to assess the actual impact of your proposal?	This procedure will be monitored for compliance when the first review takes place, or if regulation or national guidance changes. Managers will be trained where possible in Equality legislation
Review Date: First review must be no later than one year.	

STEP 5 - Sign Off

Once the Equality Impact Assessment is complete it should be signed off by the Proposal Sponsor. This sign off is confirmation that the analysis is accurate, proportionate and relevant and actions will be delivered as required.	
Approved by Senior Officer / Proposal lead	Having considered the potential or actual effect of this proposal on equality, our assessment demonstrates that the proposal is robust and the evidence of our screening shows no potential for unlawful discrimination. We have taken all appropriate opportunities to advance equality and foster good relations between groups. Date: Name: