

## DRONE REPORT – 17.3.20

A gentleman has kindly offered to capture (free of charge) some drone footage of the new park. He is fully insured etc.

Request received  
17.3.20

He has proposed two dates in March and April for one hour to obtain the drone footage.

Is this okay to proceed? He will put out all necessary notices and signage etc and shouldn't take anywhere near the proposed hour?

To reply by  
Date 11.4.20

Drone usage comes under Data Protection which needs to be checked. Can you please answer the following :

Will the play area be filmed with children in it?

With Notices and signage be in placed that drone usage is taking place prior to and at the actual event?

What will you be doing with the footage?

When the footage has been removed from the drone where will be it stored?

What will happen to the footage after it has been used?

Will it be published somewhere, if so where?

I realise that the drone will cover a large area so will capture personal data which could give rise to security concerns.

If you can answer the following we can take it from there.

My answers to your questions:

1) Park closed off with signage on display. If families choose to still enter then they will accept liability of being included in the images/footage

2) Footage for promotion of work of the organisation to show potential funders and social media supporters what we have achieved

3) The organisation will become the owner of the footage/images once carried out which is being done free of charge.

4+5) Footage will be used occasionally by the organisation via Social Media and on our website

And further information from the Drone operator:

Yes you are correct other than I can't allow members of the public in while filming which is why my daughter and granddaughter will be helping me by being persons under my control that's the law of it as set out by the civil aviation authority they know to follow instructions and are used to being around drones ..but yes play area and a 30 metre exclusion zone I have cones for that ..the footage will be transferred from the drone to my phone so i can edit the footage into a short film for the organiser who will get both raw footage photographs/film and the presentation film I put together for you all free of charge..and only my own family will be in the footage so we don't have any problems with gaining permission from members of the public which could be problematic if they changed there minds at a later date etc..I will follow the drone code and comply with all relevant requirements regarding health and safety inc insurance for the job...hope this helps .

Do you anything else at this stage?

I have contacted ICO for verification of the use of drones and can comment as follows :

If the footage being taken is being used on social media or on websites then it is considered as being commercial use and not personal use.

In this case the Data Controller is the organisation and, therefore, must look the ICO website for instructions on GDPR compliance.

If you go on the ICO website and go into the Guide called "In the picture : A Data Protection Code of Practice for Surveillance Cameras and Personal Information" clause 7.3 and then go into "Organisations" on the same website and then small organisations it will provide further information on the process.

However, to clarify any points please call the ICO helpline on :

0303 123 1113

or you can email from the website.

They will be able to give advice on the whole procedure and any queries which you may have.

It will be necessary to comply with GDPR and the Civil Aviation Authority as both are to be dealt with separately. I can see that the Civil Aviation Authority have already been contacted.

As the Town Council are neither the Data Controller or Data Processor they are not involved in any way in the use of the drone even though it goes over the Town Council's property.

Data Protection is a very in depth subject and if I can help further let me know.