



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

# **Small Unmanned Aircraft (SUA)(Drone) Policy Version 1**



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## **1. INTRODUCTION**

The objective of this policy is to ensure that employees operating SUA/Drones on behalf of South Kesteven District Council have the information they need to ensure that whilst operating their devices, they are not posing a risk to any other aircraft or people and that they are complying with the relevant legislation.

## **2. POLICY STATEMENT**

It is the policy of South Kesteven District Council (SKDC), to, so far as is reasonably practicable, ensure the health, safety and welfare of all who may be affected by its undertakings, acts or omissions. The Council will:

- Ensure a safe working environment for all employees, contractors and the public.
- Operate SUA in a safe and responsible manner, in accordance with the legislation and the conditions detailed in the manufacturer's guidance.
- Ensure that all personnel are suitably trained, current and competent to participate in operations.
- Plan, assess and execute all operations in accordance with the procedures outlined within.
- Manage risk and implement suitable mitigations where required.
- Ensure personnel do not deviate from any documented procedures.
- Report any accident, serious incident, reportable occurrence in a timely manner.
- Conduct equipment maintenance in accordance with the manufacturer's recommendation.
- Keep up to date with changes in legislation by means of the CAA website and SkyWise platform, ensuring this document always remains compliant.

## **3. OBJECTIVE**

The objective of this policy is to set out minimum standards for ensuring the safety of persons using and those affected by SUA/Drone activity undertaken by SKDC. Activities include SUA/Drone use for inspection of housing properties, including private sector housing, new build inspections and property related maintenance/damage review works. This is designed to reduce the risk of works at height and reduce the time and cost of works.

## **4. RESPONSIBILITIES**

### **4.1 Heads of Services / Responsible Managers**

Ensure all SUA use in respect of SKDC related activities is undertaken:

- in compliance with this policy, Civil Aviation Authority (CAA) legislation and guidance Drone Operations Manual and all related procedures;
- on completion of suitable and sufficient risk assessments and safe systems of work;
- by suitably competent persons and,
- with the necessary public liability insurance cover.

### **4.2 Head of Health & Safety Service**

- Ensure the SUA/Drone policy is reviewed and updated regularly. Including whenever legislation changes and no longer than every 2 years.
- Provide advice and guidance to SUA/Drone operators and approve, where appropriate, SUA use subject to satisfactory compliance with this policy, CAA regulations and guidance, including suitable and sufficient risk assessments.
- Ensure the Council's Insurance Officer is informed of the use of drones and the drone policy.
- Audit records of use and compliance with the policy.
- Lead on all incident/accident reviews in relation to drone use and compliance.

### **4.3 SUA/Drone Operations Coordinator **named officer/s****

- Apply for, and upon issue by the CAA, hold and maintain the Permission for operations (Operators licence) and regularly review and maintain any associated SUA Operations Manual.
- Advise on the appropriate procedures for complying with the relevant legislation and guidance on safe management of SUA.
- Advise SUA Operators as necessary regarding training, flight planning, risk assessment etc.
- Operate SUA in compliance with this policy, CAA legislation and guidance, on completion of suitable and sufficient risk assessments and having obtained suitable Public Liability insurance.

### **4.4 SUA/Drone Operators**

- All SUA/Drone Operators will be responsible for ensuring that their flights are carried out safely and that all risks are controlled to an acceptable level in accordance with CAA Code of Practice for Drone use
- All SUA/Drone Operators will be required to have registered their devices with the CAA and to have taken an online training course and test. This will be an annual registration, and a charge will be levied by the CAA.

- While not required for drone use under 250grams in weight with a camera, all pilots will be required to complete the online training and register for flyer ID.

## 5. DEFINITIONS

- Small Unmanned Aircraft (SUA) system; Defined as remotely operated aircraft and all the control, launch and landing systems required for their operation. Sometimes referred to as 'Drones', Unmanned Aerial Vehicles (UAV), and "Remotely Piloted Aircraft Systems" (RPAS). All are covered by the scope of this policy.
- Operator (or pilot) – the person operating the SUA / Drone.

## 6. BACKGROUND

### 6.1 Regulation of aviation in the UK

The primary legislation is the Air Navigation Order (ANO) 2016 (as amended). ANO is enforced by the CAA, which has enforcement powers.

The ANO does not distinguish between different types of aircraft. It covers ALL aircraft, of all sizes. The CAA grants "exemptions" from certain provisions of the ANO. If there is no explicit exemption, then the provisions of the ANO apply.

The ANO does not regulate the use of SUA's/Drones indoors. Workplace health and safety legislation applies to indoor use.

### 6.2 Commercial Aviation

ANO defines a 'commercial operation' as:

*"...any operation of an aircraft other than for public transport—*

*(a) which is available to the public; or*

*(b) which, when not made available to the public, is performed under a contract between an operator and a customer, where the latter has no control over the operator, in return for re-numeration or other valuable consideration."*

Any commercial operation requires the operator to meet all of the legal requirements of a commercial operator that apply to their type of aircraft.

Any SUA use must be risk assessed. This will include the risk to persons who might be affected by malfunction, as well as operators, for example, where there may be manual handling and hazardous substance hazards..

### 6.3 SUA/Drone Operations around airfields

In March 2019 the Flight Restriction Zone (FRZ) around airports and airfields changed. Boundaries of FRZ around airports are now set at a minimum distance of **5km**. Air Traffic Control (ATC) approval is required for any SUA/Drone flight within the FRZ.

SUA/Drone Operators are required to ask permission from the local airport's Air Traffic Control (ATC) to fly within the Aerodrome Traffic Zone (ATZ). The ATZ is a 4.6km radius circle centred at an Aerodrome Reference Point (ARP). The ARP is the geographical location of the aerodrome and the centre of its traffic zone where an ATZ is established.

In addition, a zone has been introduced, 5km by 1km starting from the point known as the 'threshold', at the end of each of the airfield's runways. Both zones (FRZ and ATZ), extend upwards to a height of 2,000 feet above the airfield.

A map depicting the restricted areas at East Midlands Airport and Heathrow Airport are included as examples at Appendix 1 and are available at <https://dronesafe.uk/restrictions/>.

Where appropriate, Operators must provide written evidence of their permission to operate inside the FRZ / ATZ to the Health & Safety team upon request and in any case, to the local Air Traffic Control prior to any flying in the FRZ / ATZ.



## 7. SAFETY LEGISLATION

The Health and Safety at Work Act 1974 sets out that Employers have a legal obligation to ensure the health, safety, and welfare of all employees and others who may be affected by their work. This includes:

- Ensuring that the workplace is safe and without risks to health, and that employees are adequately trained and supervised.
- Employers are required to assess and control risks in the workplace, including identifying potential hazards and taking steps to eliminate or minimize them.

The Act is an enabling act, and we must also consider additional regulations. SUA/Drones are considered to be work equipment, as defined by the Provision and Use of Work Equipment Regulations 1998. They must therefore be:

- suitable for the intended use;
- safe for use, maintained in a safe condition and inspected to ensure it is correctly constructed and does not subsequently deteriorate;
- used only by people who have received adequate information, instruction and training;
- accompanied by suitable health and safety measures, such as protective devices and controls. These will normally include emergency devices, adequate means of isolation from sources of energy, clearly visible markings and warning devices.

The Management of Health and Safety at Work Regulations 1999 places a number of duties on the Council in its undertakings, including:

- identifying what could cause injury or illness in your business (hazards);
- decide how likely it is that someone could be harmed and how seriously (the risk);
- take action to eliminate the hazard, or if this isn't possible, control the risk;
- provide information and training for employees.

### 7.1 Safety Requirements

- SKDC SUA/Drone Policy requires that all SUA/Drone operators must have, before flying, a current registration certificate for the devices they intend to use and their Operators training certificate. (Please refer to the following website for details: [CAA website](#) including exemptions.
- Will only be operated by trained and competent persons as identified in the risk assessment.
- Equipment must be serviced and maintained as identified in manufacturer's guidance, undergo regular (at least twice per year) Portable Appliance (PA) testing.
- Undergo pre and post use flight inspection checklist and suitable safe storage.

Will follow all CAA code of practice guidance including:

- The person responsible for the flight must maintain direct, unaided visual contact. First Person View (FPV camera use) flights must operate with an observer.
- Flights above 400ft (c.120m) are prohibited (unless prior CAA approval is obtained).
- Operators must not fly within 50m horizontal distance (150ft) of a person.
- Operators must not fly within 150m (500ft) of crowds and built-up areas. The 400 feet maximum height applies in all cases.
- During landing/take off the SUA/Drone must not fly within 30m (100ft) of any person, except those who oversee the aircraft.
- Always comply with the manufacturer's instructions for your SUA / Drone.
- SKDC operates a zero tolerance drink and drug policy at work and this includes the use of drones. The policy can be located at [HR Policies](#)
- Since 30<sup>th</sup> November 2019, it has been a requirement for SUA/Drone Operators to register their devices with, and undertake an online training course provided by, the CAA. The Police have powers from the same date to deal with offenders. These include powers to enter and search premises under a warrant where there's a reasonable suspicion that there is a SUA/Drone which the Police reasonably believe to have been used in the commission of an offence.
- Police will be able to issue fixed penalties of up to £100 for minor SUA/Drone related offences. Such as failing
  - to produce registration documents and/or proof of registration for SUA/Drones between 250g and up to and including 20kg in mass.
  - failure to produce evidence of any other relevant permissions required by legislation (e.g. proof of Operators Permission for Commercial Operations (PfCO) or exemption issued by the CAA from the ANO.
  - failing to comply with a Police officer's instruction to land a SUA/Drone.
  - flying a SUA/Drone without a valid acknowledgement of competency or evidence of meeting that competency when requested.

## **7.2 Permissions required for Commercial Operations**

In the UK, commercial drone use can mean using a drone for any business or income-generating purpose, such as aerial photography, surveying, inspections, or delivery services. This requires specific permissions and licensing from the Civil Aviation Authority, including demonstrating sufficient aviation knowledge and passing practical flight assessments.

## **7.3 The Operations Manual**

The Operations Manual document is not required for drones under 250 grams; however all pilots must undertake the training and obtain flyer and operator ID to operate a drone for SKDC under this policy.



## **8. DATA STORAGE AND GDPR COMPLIANCE**

Drones are likely to collect personal information during their operations. This includes:

- personal information programmed into the drone prior to operational flight;
- audio, video or photos of people, captured either when on the ground or in flight; and
- information that may point to an identifiable person, such as their number plates or address details.

Some of these activities may involve capturing personal information of employees working in the vicinity of the drone, people in public spaces, or people within the boundary of their private property.

Due to their bird's eye nature and wide aspect, drones also have the potential to collect large volumes of information, some of which may be personal information. This raises concerns about transparency and facilitating people's rights, including the right to be informed if their personal information is being processed. Our guidance on video surveillance clarifies that organisations should consider switching on and off any recording system when appropriate, and unless necessary and proportionate any recording should not be continuous.

The use of optical sensors or any other personal data processing sensor is governed by the UK General Data Protection Regulation (UK GDPR) and as such, the Remote Pilot and Cam-Op must carefully consider the application of any payload in relation to an individual's privacy. Article 5(1) requires that personal data shall be:

- a) processed lawfully, fairly and in a transparent manner in relation to individuals ('lawfulness, fairness and transparency');
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes ('purpose limitation');
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
- d) accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
- e) kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals ('storage limitation');

- f) processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

Prior to using drones at properties, households should be notified of the use of drones and the purpose of the use/data being collected. As other passing individuals may be affected, officers should also take the following actions where possible:

- Use signage indicating a drone is in use, clearly labelled as belonging to SKDC.
- Wear high visibility clothing or uniform indicating that they are operating a drone and are working on SKDC's behalf.

In addition, all SKDC staff engaged in drone use are responsible for the appropriate handling, storage, transmission, retention and disposal of personal data. Any data captured must be:

- Appropriately stored using a resilient system; Suitably secured using encryption, or another form of protection;
- Protected against unauthorised or unlawful processing, accidental loss, destruction or damage.
- Transferred to SKDC systems at the earliest possible opportunity
- Deleted in line with the Councils retention policy or, as soon as the purpose for its collection i.e. surveys and damage inspection/ maintenance works are completed, and the information is no longer relevant.

All SUA, and other data storage devices such as MicroSD cards must be securely transported and stored in a manner which prevents unauthorised personnel from access, or otherwise interfering with any element of the system.

Drone footage may be subject to access to information rights under the Data Protection Act 2018 (DPA 18) and/or the Freedom of Information Act 2000 (FOIA). All requests received for this information should be directed to the Governance Support Team via the [FOI@southkesteven.gov.uk](mailto:FOI@southkesteven.gov.uk) mailbox.

## **9. INSURANCE**

The use of SUA/Drones will be covered under the Council's Public Liability insurance policy for works undertaken on behalf of SKDC as outlined in Section 3 of the document. This is for equipment owned and maintained by SKDC only. The use of drones will only be permitted in connection with Council business.

**NOTE 1:** "Small Unmanned Aircraft" includes systems (or any part thereof) and radio-controlled helicopters (model aircraft).

**NOTE 2:** The provision of insurance cover does not remove the obligation to adhere to CAA legislation.

The Insurance Officer and Health and Safety Team must be informed of, and consulted on, any other types of SUA/Drone operations beyond those outlined in this document, prior to any activities or purchasing. Information required will include the activity risk assessment and details of the pilot's training and additional accreditation as required under CAA guidance and the ANO 2016.

## 10. REFERENCES AND DOCUMENT MANAGEMENT TABLE

1. Link to the "Drone Assist" App, "Drone Aware" video and other resources  
<http://dronesafe.uk/> :
2. Dronesafe Drone Code; <https://dronesafe.uk/drone-code/>
3. For detailed guidance on all unmanned aircraft and specifically SUA / Drone laws, go to; <https://www.caa.co.uk/Consumers/Unmanned-aircraft-and-drones/>

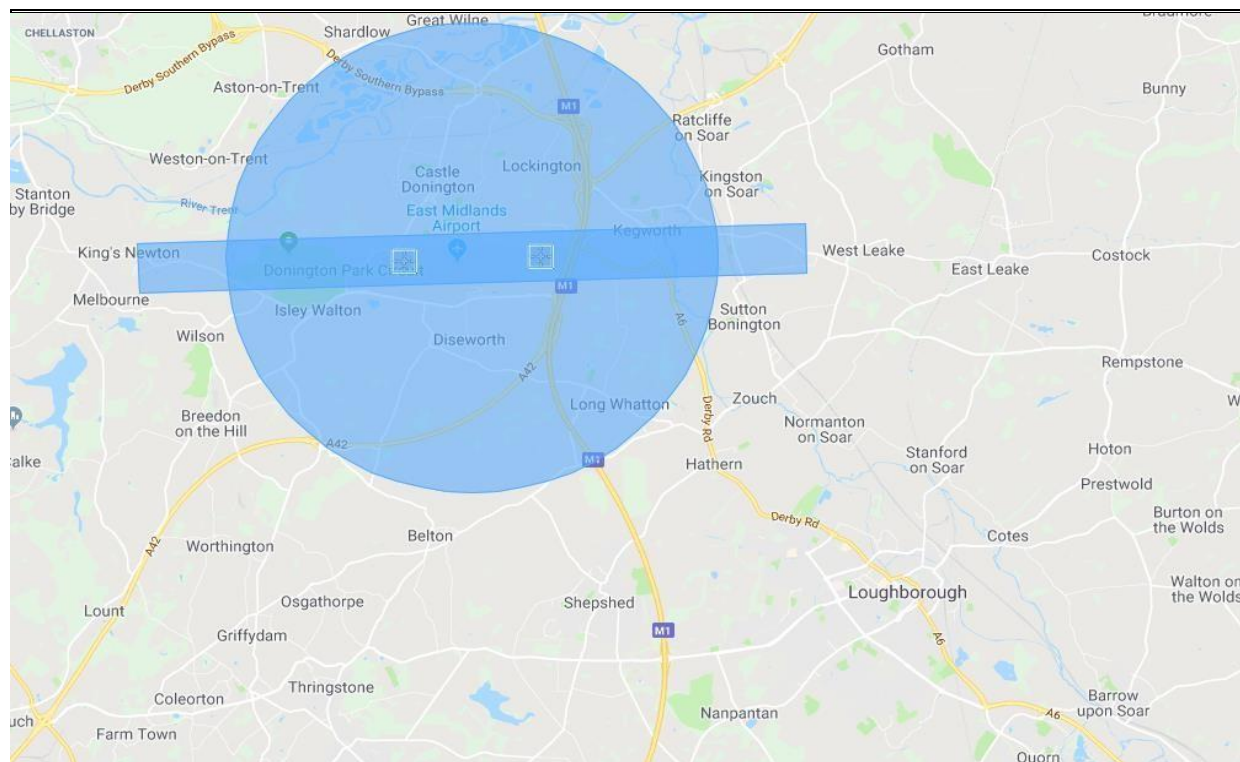
### DOCUMENT MANAGEMENT TABLE

Version	Owner	Author	Revised by	Summary of revision	Date of revision
V1	Phil Swinton	Phil Swinton	First draft	N/A	N/A
V2	Phil Swinton	Phil Swinton	Phil Swinton	Review and comments from Insurance, GDPR and qualified drone pilot	01-07-2025

**Aerodrome Traffic Zones (ATZ) and Flight Restriction Zones (FRZ)**

Permission is required from the local ATC to fly any SUA in the shaded areas. Outside of the FRZ's SUA's must not be flown above 120 meters / 400 feet above ground level.

**Figure 1: East Midlands Airport ATZ and FRZ**



**Figure 2: Heathrow Airport ATZ and FRZ**

