

BARLESTONE PARISH COUNCIL

CCTV Policy



1 **Provenance**

This Policy should be read with reference to the Data Protection Act 2018, Freedom of Information Act 2000 (FOIA), the Protection of Freedoms Act 2021 (PFA), the Human Rights Act 1998 (HRA), the Secretary of State's Surveillance Camera Code of Practice (SC code) and the Information Commissioner's Office (ICO) CCTV Code of Practice and the General Data Protection Regulation (GDPR)

2 **Background & Introduction**

Under the Protection of Freedoms Act 2021 and Data Protection Act 2018 the processing of personal data captured by CCTV systems is governed (including images identifying individuals). The Information Commissioner's Office (ICO) has issued a Code of Practice on compliance with legal obligations. The use of CCTV is covered by the Act, regardless of the number of cameras or how sophisticated the equipment is, Barlestone Parish Council adheres to the ICO's Code of Practice.

Barlestone Parish Council is committed to informing its staff, volunteers and service users about the presence of and operation of CCTV. This Policy is available on the Barlestone Parish Council's website so that all stakeholders are clear about how CCTV is utilised.

Access to personal information recorded through CCTV cameras is restricted to the Data Protection Officer and CCTV operators appointed by Barlestone Parish Council.

3 **Objectives and targets**

This CCTV Policy explains how Barlestone Parish Council will operate its CCTV equipment and comply with the current legislation

Barlestone Parish Council uses CCTV equipment to provide a safer, more secure environment for its staff, volunteers and service users and to combat vandalism and theft. Essentially it is used for:

- The prevention, investigation and detection of crime.
- The apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings).
- Safeguarding public, volunteers and staff
- Monitoring the security of the site
- To protect members of the public and private property

Barlestone Parish Council does not use the CCTV system for covert monitoring.

4 **Location**

Cameras are located in those areas where it has been identified there is a need.

The CCTV system is used solely for purpose(s) identified and is not used to routinely monitor staff, volunteers or service users' conduct. Cameras will not be used in areas subject to a heightened expectation of privacy e.g., changing rooms or toilets. Signate alerts individuals to the use of CCTV on entrance to the Community Centre building and exterior (including car park and playing field). Static cameras will not focus on private homes, gardens and other areas of private property.

Materials or knowledge secured as a result of CCTV will not be used for any commercial purpose. Recordings will only be released to the media for use in the investigation of a specific crime and with the written authority of the Police. DATA will never be released to the media for purposes of entertainment.

5 **Maintenance**

The CCTV system is maintained by Barlestone Parish Council and includes periodic maintenance inspections.

Barlestone Parish Council is responsible for:

- Ensuring that it complies with its responsibilities in relation to guidance on the location of the camera
- Ensuring that the date and time reference are accurate
- Ensuring that suitable maintenance and servicing is undertaken to ensure that clear images are recorded
- Ensuring that the Data Protection Officer, CCTV Operators and Systems Administrators are trained in the use of the equipment
- Ensuring that cameras are protected from vandalism in order to ensure that they remain in working order.

6 **Identification**

In areas of entrance to the Community Centre site and building, the Council will ensure prominent signs are in place.

The signs will:

- Be clearly visible and legible
- Contain details of the organisation operating the scheme, the purpose for using CCTV and who to contact about the scheme
- Be an appropriate size depending on context

7 **Type of Equipment**

Barlestone Parish Council's CCTV cameras record visual images.

8 **Administration**

Barlestone Parish Council is the Data Controller and the Data Protection Officer has responsibility for the security control of DATA, how the CCTV system is used and will be part of the technical team who will advise the council on the safe/best use of the system. The Council has notified the Information Commissioner's Office of both the name of the Data Controller and the purpose for which the images are used. The Data Protection Officer and appointed trained people will have access to DATA (CCTV images) and the procedures that need to be followed when accessing the recorded images. The Data Protection Officer and CCTV Operators and System Administrators are trained to ensure full awareness of responsibilities under the CCTV Code of Practice: <https://ico.org.uk/for-organisations/guide-to-data-protection/encryption/scenarios/cctv/>

Access to recorded DATA is restricted to the Data Protection Officer, Trained CCTV operators and System Administrators, DATA will be accessed as prescribed by the Council in the event of an incident.

Access to the medium on which the DATA is recorded is documented. All employees, Staff and Contractors are aware of the restrictions in relation to access and security, and disclosure of DATA

9 **Data storage, viewing and retention**

Recorded DATA (CCTV images) will be stored in a way that ensures the integrity of the DATA and in a way that allows specific time and dates to be identified.

Barlestone Parish Council reserves the right to use DATA captured on CCTV where there is activity that cannot be expected to be ignored such as criminal activity, potential gross misconduct, or behaviour which puts others at risk. The Data Protection Officer, Trained CCTV operators and System Administrators will retain DATA for evidential purposes in a locked area. Where DATA is retained, the Data Protection Officer, Trained CCTV operators and System Administrators will ensure the reason for its retention is recorded, where it is kept, and any use made of the images and finally when it is destroyed.

Barlestone Parish Council ensures that DATA (CCTV images) is not retained for longer than is necessary. Once the retention period has expired, DATA is removed and erased.

10 Disclosure

Disclosure of the recorded DATA to third parties can only be authorised by the Data Controller or approved CCTV Operators and System Administrators in accordance with the current rules set out by the Parish.

Disclosure will only be granted:

- If its release is fair to all individuals concerned
- If there is an overriding legal obligation (e.g., information access rights)
- If it is consistent with the purpose for which the system was established

All requests for access or for disclosure are recorded. If access or disclosure is denied, the reason is documented.

NB Disclosure may be authorised to law enforcement agencies, even if a system was not established to prevent or detect crime, if withholding it would prejudice the prevention or detection of crime.

11 Subject Access Requests

Individuals whose DATA (CCTV images) are recorded have a right to view the DATA (images) of themselves and, unless they agree otherwise, to be provided with a copy of the DATA. If Barlestone Parish Council receives a Subject Access Request under the General Data Protection Regulations 2018 it will comply with the request within 1 month. The Council may charge a fee for the provision of a copy of images. If the Council receives a request under the Freedom of Information Act 2000 it will comply with requests within 20 working days of receiving the request.

As a general rule, if the viewer can identify any person other than, or in addition to, the person requesting access, it will be deemed personal data and its disclosure is unlikely as a Freedom of Information request.

Those requesting access must provide enough detail to allow the operator to identify that they are the subject of the images, and for the operator to locate the images on the system. Requests for access should be addressed to the Data Controller.

Refusal to disclose DATA (CCTV images) may be appropriate where its release is

- Likely to cause substantial and unwarranted damage to that individual.
- To prevent automated decisions from being taken in relation to that individual.

12 Monitoring and evaluation

Barlestone Parish Council undertakes regular audits to ensure that the use of CCTV continues to be justified. The audit includes a review of:-

- Its stated purpose
- The location of cameras
- The DATA recorded
- DATA storage length
- Deletion

13 Period of Review

The efficacy of the Policy will be reviewed bi-annually by Barlestone Parish Council. If the Council decides to change the way in which it uses CCTV it will inform the Information Commissioner within 28 days.

14 Guiding Principles

- 1) System Operators & System Administrators should adopt the following 12 guiding principles: Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
- 2) The use of a surveillance camera system must take into account its effect on individuals and their privacy with regular reviews to ensure its use remains justified.
- 3) There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints

- 4) There must be a clear responsibility and accountability for all surveillance camera system activities including DATA (images) and information collected, held and used.
- 5) Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
- 6) No more DATA (images) and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system and such images and information should be deleted once their purposes have been discharged.
- 7) Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted: the disclosure of DATA (images) and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
- 8) Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
- 9) Surveillance camera system DATA (images) and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
- 10) There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
- 11) When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
- 12) Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date

Data Controller : Barlestone Parish Council

ICO Registration: Z9978178

**Data Protection Officer : Clerk to the Council, Barlestone Parish Council
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