



CHURT PARISH COUNCIL

CCTV POLICY

Created 12.10.21

Introduction

On 25 May 2018 the *General Data Protection Regulation (GDPR)* came into force across the EU and replaced all data protection legislation in EU member states (including the UK's Data Protection Act 1998).

This Policy explains how Churt Parish Council aims to comply with legislation regarding the operation of the CCTV system owned by it and located at Churt Pavilion. It is prepared after taking due account of the *Code of Practice for Surveillance Cameras and Personal Information* published by the Information Commissioner.

The Council's Privacy Notice should be read in conjunction with this Policy.

Statement of Purpose

The purposes of the CCTV system installed by the Parish Council are:

- to monitor the security of the Pavilion front and rear doors, car park and bin areas.
- to assist Law Enforcement Agencies with identification, detection, apprehension and prosecution of offenders of crime and anti-social behaviour in the vicinity of the Pavilion, car park by providing them with retrievable images provided by the system
- to improve safety and security for users and visitors and staff and to help prevent loss or damage to the buildings, motor vehicles in the car park, and equipment and assets of the Parish Council
- to reduce the fear of persons using and working in the area regarding crime and anti- social behaviour
- to deter potential offenders by publicly displaying the existence of CCTV and signs of its operation

Lawful basis for processing

The Parish Council is a public authority and has certain powers and obligations. Most personal information collected by it is processed for compliance with a

legal obligation which includes the discharge of the council's statutory functions and powers.

A parish council may, for the detection or prevention of crime in its area, install and maintain any equipment, establish and maintain any scheme, or assist others to install and maintain any equipment or to establish and maintain any scheme.

The purpose of installing the council's CCTV system is as set out above. Any personal information collected and used in connection with the CCTV system will be processed to provide for the general public's benefit a safe and secure environment free from crime, anti-social behaviour and damage to buildings and assets provided for community use and enjoyment.

Location

The installation consists of four high-definition cameras fixed to the Churt pavilion soffits and positioned as follows:

- a) two on the front of pavilion by front door and patio areas
- b) one car park and bins
- c) one at the rear covers the back area of the Pavilion.

All the cameras have built-in infra-red ability for night-time usage. An 8-channel recorder is situated within a designated secure cupboard, protected by a separate but dedicated security coded intruder alarm.

Every effort has been made to ensure that the CCTV cameras are sited and image capture is restricted so as not to view or record areas that are not intended to be the subject of surveillance, such as individuals' private property.

The system has sound recording capability.

Maintenance

The CCTV system is maintained by the Parish Council (see **Appendix A**).

Signage

In areas where the CCTV is installed the Parish Council will ensure that there are prominently placed signs at both the entrance to the CCTV zone and within the controlled area. The signs will be clearly visible and readable, of an appropriate size depending on the context and will signal that Churt Parish Council is operating the system, the purpose for it and who to contact about the scheme.

Management of the system

Churt Parish Council has responsibility for the control of images and decisions on how the CCTV system is used.

Day-to-day operational responsibility rests with the individuals, (Operators) nominated by the council and named in **Appendix B**, who may be consulted out of hours when necessary.

Access to recorded images is restricted to the Operators.

The Operators are aware of the procedures that need to be followed when accessing recorded images and are trained in their responsibilities under the CCTV Code of Practice.

Each and every access to the medium on which the images are recorded is documented.

All Councillors are aware of the restrictions in relation to access to, and disclosure of, recorded images.

Office of both the name of the Parish Council as data controller and the purpose for which the images are used.

Image storage, viewing and retention

Recorded images will be stored in a way that ensures the security and integrity of the image and allows specific times and dates to be identified.

Access to live images is restricted to the Operators.

Recorded images can only be viewed in a restricted area approved by the Parish Council.

Periods of retention of images are intended to reflect the Parish Council's purpose for recording the information. Normally, images will be deleted at 14-day intervals which will provide adequate time for any incidents of a criminal or anti-social nature to have come to light and to have been reported to law enforcement agencies (usually the police). Occasionally, personal information may need to be retained longer where, for example, an incident has been identified and an access request has been made, or time is required to enable the police to collect relevant images, or the police are investigating a crime and ask for images to be preserved to afford them the opportunity to view the information later as part of an active crime investigation. A record of this process will be documented.

Images retained for evidential purposes will be retained in a locked area accessible by the Operators only. The Parish Council will ensure that the reason for retention is documented, where the images are kept, any use made of them and when they are finally destroyed.

Disclosure of images

Judgements regarding disclosure to third parties (such as system maintenance providers) can only be authorised by the Parish Council, as data controller, with the right to refuse any request for information unless there is an overriding legal obligation, such as a court order or information access rights.

Disclosure of information will be controlled and consistent with the purpose(s) for which the system is established. It is intended that CCTV images produced on the system will be used by law enforcement agencies alone for their purposes of

detecting, investigating and preventing criminal or anti-social behaviour. Once information is disclosed to the police or any other law enforcement agency, they will become data controller for the copy they hold.

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

Individuals' access requests

Individuals whose images are recorded have a right to be provided with a copy of the images caught by the request that constitute their personal data, unless they agree otherwise, such as by viewing the footage. Requests for access should be made by email or in writing to the Clerk.

If a request is received the Clerk will comply with it within one month of receiving the request. No fee will be charged unless the request is manifestly unfounded or excessive.

Those requesting access must provide enough detail (for example date, time and location) to allow the Operators to identify that they are the subject of images, and for the Operators to locate the images on the system.

All requests for access are recorded. If disclosure is denied, the reason is documented and the individual will be informed within at least one month of the reason and their right to complain to a statutory authority. Recorded images can only be viewed in a restricted area approved by the Parish Council.

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All requests for access are recorded. If disclosure is denied, the reason is documented and the individual will be informed within at least one month of the reason and their right to complain to a statutory authority. Other Individuals' Rights *Unless subject to an exemption*, the law gives individuals additional rights to control what personal information the Parish Council uses and how.

Change of inaccurate information. If something written on a file is out of date, incomplete or incorrect, Parish Council will update it.

Right to erasure. An individual can ask for their personal information to be deleted where it is no longer necessary; was unlawfully processed; they withdraw their consent or object to the processing; or they need to comply with a legal obligation.

Right to restrict use of personal information. Where there is a dispute in relation to the accuracy or processing of personal information, or it is needed regarding a legal claim, the individual has the right to request a restriction is placed on further processing.

Right to object. Individuals have the right to object to the processing of their personal information.

Right to complain. Individuals have the right to lodge a complaint with the Information Commissioner. The Parish Council will consider any request made to the Clerk.

Enquires about the operation of the CCTV

Requests can be made to a public authority for information under the Freedom of Information Act 2000 relating to surveillance systems, such as the operation of the system, its siting or the cost of using and maintaining it. If such a request is received by

the Parish Council it will consider whether disclosure is appropriate and/or whether an exemption under the Act applies.

Requests under the Freedom of Information Act must be in writing and will receive a written response within 20 working days from the Clerk.

Monitoring, compliance, evaluation and review

The Parish Council is committed to the recommendations of the *Code of Practice for Surveillance Cameras and Personal Information* published by the Information Commissioner.

To exercise any rights, queries or complaints, please in the first instance contact the Clerk to the Parish Council at churt_pc@btinternet.com

For independent advice, data protection compliance concerns or to lodge a formal complaint, contact the Information Commissioner's Office on 0303 123 1113 or at <https://ico.org.uk/global/contact-us/email> or Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

The Parish Council will undertake regular audits to ensure the use of the CCTV continues to be relevant and appropriate in accordance with its stated purpose, location, images recorded, storage length and deletion.

The efficacy of this policy will be reviewed at least annually by the Parish Council. Any changes will be published and the date at the top of the document shows when this policy was last updated. Changes are effective when we post the updated policy.

Any major change that would have a significant impact on either the purpose(s) or

this policy will take place after discussion by the Parish Council and resolution at a Council

meeting. All agendas are posted on the Parish Council notice boards and website at least 3 working days before Council meetings.

If the Parish Council decides to change the way in which it uses the CCTV, then it will provide members of the public with information of the new purpose(s) prior to commencing the processing and setting out the relevant purposes and processing conditions and will inform the Information Commissioner within 28 days.

Appendix A

CCTV Privacy Statement

Surveillance Camera System at Churt Pavilion

Privacy

The cameras are located in the soffit of Churt Pavilion. During installation they have been checked to ensure coverage is of the intended area only, that is the external areas around the buildings, play area and car park. Private land/buildings are not included in the coverage. However, should capture of images in these areas inadvertently occur, no use or disclosures of them will be made nor will they be passed to any third party, unless potential criminal behaviour is detected or there is an overriding legal obligation. Such images will be deleted in accordance with the Churt Parish Council's retention policy regarding CCTV image collection.

Prominent signs at the entrances to the car park inform individuals that they are about to enter or are in the area where the surveillance system is in operation.

Although the purpose is to prevent and deter crime and anti-social behaviour in these areas and to record any suspects' behaviour, images of law-abiding individuals accessing these locations will also be captured and may be included in images sent to law enforcement agencies. To minimise any potential obtrusive

effect on law-abiding citizens, consideration will be given to whether identifying features of any incidental individuals in the images collected need to be obscured or whether the privacy intrusion will be minimal and obscuring images will not be required. Deletion of the images will take place in accordance with the council's retention policy regarding CCTV image collection.

Disclosure of personal data

Disclosure of information from surveillance systems must be controlled and consistent with the purpose for which the system is established. The purpose of the installed system is to deter and detect crime and anti-social behaviour in the area around the car Pavilion, and car park. It is intended that CCTV images produced on the system will only be used by law enforcement agencies for the purposes of investigation, for example in the event of an incident of vandalism or anti-social or other criminal behaviour. Judgements about disclosure will be made by Churt Parish Council, as data controller, with the right to refuse any request for information unless there is an overriding legal obligation. However, once information is disclosed to the law enforcement agency, that agency will become data controller for the copy it holds.

Retention of personal data

Periods of retention of personal data are intended to reflect Churt Parish Council's purpose for recording the information. Normally, images will be deleted at 14-day intervals which will provide adequate time for any incidents of a criminal nature to have come to light and to have been reported to law enforcement agencies (usually the police). On occasion, however, personal information may need to be retained longer where, for example, an individual access request has been made, or an incident has been identified and time is required to enable the police to collect relevant images, or the police are investigating a crime and ask for images to be preserved to afford them the opportunity to view the information as part of an active crime investigation.

Risk

Risks include use of inaccurate data, a security breach, a legal compliance failure, or upset caused by unnecessary intrusion on privacy (including where images have incorrectly been passed to a law enforcement agency).

Occurrences of such risks are likely to be low and will be mitigated by close adherence to policies and procedures, proper training of operators, and sufficient protection of information.

Wider use of images

Images will be used only for the purposes stated in this document and the CCTV Policy. It is not anticipated that images from the CCTV scheme could be used for any other purposes but, should such occasion arise in the future, Churt Parish Council will undertake a privacy impact assessment prior to making any changes. If Churt Parish Council decides to change the way in which it uses the CCTV then it will inform the Information Commissioner within 28 days of that change. The CCTV is monthly visually checked and maintained by operators in **Appendix B**

Appendix B

CCTV Operators: (details updated 12.10.21)

Dawn Barrow (Clerk) - 07766 190201 or 01428 714375 - churt_pc@btinternet.com

Eunice Burch - 01428 712127

David Crossley (Chairman) - 01252 794041

Adrian Waller - 0771 686 5555