

PROBUS PARISH COUNCIL



CCTV Policy

1. Policy Statement

Surveillance Camera systems are used as a valuable tool to assist with public safety and security, enforcement of legislation and to protect property. Probud Parish Council will operate its systems to the requirements of Data Protection legislation and good practice guidelines, such as those issued by the Information Commissioner's Office (ICO) and the Surveillance Camera Commissioner (SCC), to ensure the need for public protection is balanced with respect for the privacy of individuals.

2. Scope

This policy applies to all overt (open) CCTV installations controlled by or on behalf of the council, including both external cameras and Body Worn Cameras (BWC) utilised by our enforcement officer. These are referred to throughout this policy collectively as surveillance cameras.

Specifically this policy refers to the management, operation, use and confidentiality of the CCTV system at the following locations

- Play Area 4 x fixed cameras located at <https://w3w.co/gadgets.evening.confining>
- Pavilion 3 x fixed cameras located at
 - <https://w3w.co/wings.limitless.notices>
 - <https://w3w.co/manicured.drummers.vows>
 - <https://w3w.co/snoozing.jeering.revision>
- MUGA & Playing Field Car Park 4 x fixed cameras located at
 - <https://w3w.co/suffer.hothouse.ignore>
- Probud Village Hall & car Park located at :-
 - PTZ Camera - <https://w3w.co/cursing.operating.rising>
 - Fixed 50mm - <https://w3w.co/kiosk.hinders.incisions>
 - Fixed 28mm - <https://w3w.co/weddings.scratches.broadens>
 - PTZ Camera <https://what3words.com/unsigned.vision.shirt>
- Public convenience – 1 fixed camera:
 - <https://what3words.com/machinery.nurtures.unravel>

3. Legislative and Governance Framework

- Data Protection Act 2018
- Human Rights Act 1998
- Freedom of Information Act 2000
- Protection of Freedoms Act 2012
- Private Security Industry Act 2001
- Regulation of Investigatory Powers Act 2000 – (Note: overt CCTV is not covered by this Act but is included as a means of defining the boundaries of overt/covert recording).
- Information Commissioner’s Office - Code of Practice on CCTV
- The College of Policing Guidance on body worn cameras 2014
- Surveillance Commissioner Code of Practice

4. Purposes

The Parish Clerk must be consulted before a surveillance camera system is implemented or altered. Surveillance camera systems will only be implemented where they will assist the council to meet one or more of the following purposes:

- (a) To protect the building and its assets
- (b) To increase personal safety and reduce the fear of crime
- (c) To support the Police in a bid to deter and detect crime
- (d) To assist in identifying, apprehending and prosecuting offenders
- (e) To protect members of the public and private property
- (f) To assist in managing the Recreation Ground.
- (g) Help to protect councillors and officers at work (for Health and Safety purposes).
- (h) Help prevent acts of aggression or verbal and physical abuse or assault to councillors or council or contractor staff.

5. Operation

Surveillance systems will be operated fairly within all applicable laws, and only for the purposes stated in this policy.

The council will not locate surveillance cameras in positions that would record sensitive things like intimate care or people privately observing religious beliefs.

The Parish Clerk is the named accountable officer for each surveillance camera system in paragraph 2 within Probus Parish.

The accountable officer will ensure there are operating procedures in place, which are clearly documented, monitored and understood by operators.

6. Data Protection Impact Assessment

The council respects and supports an individual's entitlement to go about their lawful business and this will be a consideration in the operation of a surveillance system. Although, it is recognised that there is inevitably some loss of privacy when surveillance systems are operational.

A data protection impact assessment will be completed for each surveillance system, to help identify whether something else could be done that would intrude less on people's privacy and whether surveillance is the best way to use resources.

7. Privacy Notices

To ensure that individuals are made aware of the surveillance cameras privacy notices the council have implemented:

- Signs advising of the use of surveillance cameras, when located in a fixed or regularly used location
- Privacy notices on the council's website

In instances where Body Worn Cameras (BWC) are to be used, and where practical, operators will inform the individual (or group) that the BWC is switched on and recording. There may be occasions when to do so would escalate the incident or put the operator in danger if such a warning was given, but this should be very rare, and the operator may be required to justify such an action.

Individuals will only be continuously monitored if there is reasonable cause to suspect an offence or serious breach of discipline has been, or may be, about to be committed.

BWCs will not be used to monitor the progress of individuals in the ordinary course of lawful business in the area under surveillance.

8. Retention of data

Each surveillance camera system will set a retention period of 30 days for the images/sounds that are captured. These will be recorded in the council's retention schedule.

Where information is requested for legal, civil or criminal investigations and proceedings the council will seek to extend the retention period for any relevant information.

9. Access Rights

If a member of the public has been identified as being recorded by the council, they can request to view the recording. The request will be treated as a [subject access request under](#) The Data Protection Act 2018. More details about individual's information rights can be found on our website.

Availability of the recordings will be subject to the retention period for that system.

Recorded material will not be sold or otherwise used for commercial purposes or the provision of entertainment.

No images captured by surveillance cameras are to be released to other organisations until the council has received and validated a signed request under Data Protection Act, request outlining and justifying the request for the images.

Public showing of recorded material will only be allowed in compliance with enforcement agencies' needs connected with an investigation and only then in accordance with the Codes of Practice of The Police and Criminal Evidence Act 1984, or any other circumstance provided by law.

10. Data Quality (quality of images)

The quality of recordings must be sufficient to satisfy evidential requirements and data protection requirements.

It is important that the images produced by the equipment are as clear as possible in order that they are effective for the purpose(s) for which they are intended.

Data recorded by surveillance cameras must be easily retrieved, such as through the use of date, time and location stamps.

Recorded material should be stored in a way that maintains the integrity of the image. This is to ensure that the rights of individuals recorded by the surveillance camera system are protected and that the material can be used as evidence if required.

Still photographs of surveillance camera images must not be taken as a matter of routine. The taking of each photograph must be capable of justification (for example for the prevention or detection of crime and anti-social behaviour) and only done so with the permission of the named accountable officer in charge of the surveillance camera system.

11. Audio recording

Surveillance cameras with audio should not be installed unless found to be proportionate following a Data Protection Impact Assessment. Where it is deemed necessary to capture audio, signage and procedures will reflect this.

12. Data Security

Organisational and technical measures must be put in place to ensure the security of the equipment, monitors and recordings, including:

- Adherence to the council's Data Breach Policy and Data Protection Policy;
- Appropriate training for surveillance camera operators;
- Restricted access to surveillance camera footage on a need-to-know basis;
- Secure location of monitoring equipment and footage, surveillance camera monitors need to be in a physically secure location lockable office;
- Ensure the location of surveillance cameras does not capture financial card transactions and complies with the Card Payment Policy;
- Strong passwords to protect information, using the council's password policy;

- Hosting that complies with Data Protection and the council's information security requirements;
- Documented procedures for when people ask for access to recordings, about sharing information and for complaints about surveillance;
- Records of who has had access to the information, when and why;
- Documented procedures for keeping information and recordings secure, how long they are kept for, and when and how they are destroyed;
- If someone else (like a security company) is handling personal data on the council's behalf, the contract with them must set out clear rules on how they process it; and
- The recording system should be checked and maintained on a regular basis to ensure it is in good working order.

13. Policy Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 3 years.

14. Document Control

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