

CCTV Data Protection Policy

Cranwell, Brauncewell & Byards Leap Parish Council

Created 13th November 2023; reviewed annually in May.

Introduction

CCTV will only be installed at premises owned or administered by Cranwell, Brauncewell & Byards Leap Parish Council (the "council") with Council approval. Each installation will need to be justified, normally as a result of logged incidents where CCTV can be judged to be appropriate in order to deter or prevent future incidents.

The System is located at the Village Hall, Old School Lane, Cranwell Village, Sleaford, Lincolnshire NG34 8DF. It covers the Village Hall, Car Parks, Tennis Courts, Bowls Club, Children's Play Equipment and surrounding grounds.

The policy of the council is to comply fully with the requirements of relevant legislation and guidance in the consideration and possible use of CCTV.

Legislative Requirements

This Policy is prepared in accordance with the Code of Practice published by the Data Protection Commissioner and is subject to periodic review at least annually, to ensure it reflects public interest and it and the system meet all legislative requirements. The Council operates in accordance with the General Data Protection Regulations (GDPR) and these key areas:

- Data must be fairly and lawfully processed
- For limited purposes and not in any manner incompatible with those purposes
- Adequate, relevant and not excessive
- Accurate
- Not kept for longer than is necessary
- Processed in accordance with individuals' rights
- Consent is obtained where necessary
- Secure

The legislation relating to the use of CCTV is the Data Protection Act 2018 ("DPA"). Following the DPA, full compliance with the procedures of the Data Protection Commissioner's Code of Practice (the "code") is required from 24th October 2018. The revised edition of the code, dated 2018, is used by the council to ensure that CCTV is used in compliance with relevant legal provisions. Other legislation relating

to the disclosure of data obtained by the council CCTV system(s) is the Freedom of Information Act 2000 (FOIA).

Purpose of CCTV installations

Within premises owned or administered by the council, the purposes of CCTV installations are primarily to deter criminal action and are therefore intended to provide a safe and secure environment for the benefit of those who might visit, work or utilise the area for recreation and leisure purposes. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law. The System is used for the following purposes:

- To reduce the fear of crime by persons using Parish Council facilities so that they can enter and leave the area without fear of intimidation by individuals or groups.
- To reduce the vandalism of property and to prevent, deter and detect crime and disorder.
- To assist the Police, the Parish Council and other law enforcement agencies with identification, detection, apprehension and prosecution of offenders by examining and using retrievable evidence relating to crime, public order or contravention of bye-laws.
- To deter potential offenders by publicly displaying the existence of CCTV, having a camera clearly sited that is not hidden and signs on display within the vicinity.
- To assist all emergency services to carry out their lawful duties.

Purpose of the policy

The purpose of this policy is to provide the council with guidance in order to comply with relevant legislation relating to the possible use of CCTV in certain areas owned or administered by the council.

Roles & Responsibilities

Certain roles have been established to ensure that the council is able to meet its' obligations to comply with relevant legislation. The roles are:

Data Protection Co-Ordinator. This role may be held by any member or employee of the council by agreement.

- Data Protection Manager.
- A Parish Councillor who will stand in for the Co-Ordinator or manager when unavailable.

This policy provides details on the associated responsibilities relating to the roles identified above.

Definitions, assessment methodology and justification for use

The definition of CCTV used in this policy is "equipment used to capture and store images, potentially including those of persons".

The assessment methodology used by the Parish Council in determining the suitability of CCTV is to firstly consider all possible alternatives, such as security patrols and enhanced lighting systems, prior to selecting CCTV.

The justification for use is "Prevention and detection of criminal activity and protection of council property".

Standards

CCTV cameras are located in fixed positions in order to only monitor council land and premises.

CCTV installations are only operated by authorised council representatives and only for the purposes detailed above.

Signs are displayed at all entrances to areas covered by CCTV, notifying the public that they are entering an area covered by CCTV equipment.

Viewing of live images will only take place in restricted areas, out of sight of the public, by authorised representatives of the council. Viewing of recorded images is only by authorised council representatives.

Recorded images may be retained for longer than one week but only when put aside because of a known incident and required for the apprehension or prosecution of offenders. Recorded images are stored in one of two ways depending on the equipment installed; digital or tape. The following standards apply whichever method is used.

Recording-medium management

Where tape or digital recording-medium are used, the following rules are applied:

- Tapes and/or digital recordings will normally only be viewable by the Data Protection Co-Ordinator or Data Protection Manager of the council on a need-to-view basis, in an area secure from casual/accidental viewing by un-authorised persons.
- Appropriate measures will be taken to prevent un-authorised/ unlawful processing of data or accidental loss.
- Tapes, if used, will be of good quality and replaced every 6 months.
- Sufficient tapes and/or digital recording medium will be held on site to allow for 14 days of recordings to be retained.

- Tapes and/or digital recording medium should be labelled with a unique reference or serial number (eg, date) so that the tape can be easily identified.
- Tapes will not normally overwrite images taken at an earlier date. Old recordings will be erased before reusing the tape; before disposal, tapes will have any existing images erased.
- Tapes and/or digital recording medium will be held at all times in secure locked storage.
- Recordings will only be retained for an adequate period for the purpose for which they are being made (called the 'Retention Period'), which shall be 14 days.

Live-imaging only

The council does not currently operate live imaging CCTV systems. In the event that equipment of this nature is used or existing equipment adapted for this purpose, the Data Protection Manager should give written authority to do so.

Disclosure to third parties

The council may sometimes disclose CCTV images to third parties such as the police for the apprehension or prosecution of offenders. In such cases the Data Protection Co-ordinator must ensure that the correct request is completed by the person requesting disclosure and that this request includes details of; the purpose of the request (e.g. crime detection), the name of the person requesting disclosure (e.g. PC Smith), the authority under which they are requesting access (e.g. PACE) and the date of removal and expected return of any recordings. The Data Protection Co-ordinator must also;

- Record the names of all council members and others (e.g. police) viewing the image(s), the outcome of the viewing and, importantly,
- Record the name and authority of anyone removing images from site, and also the date of their return.

Registration

The CCTV systems installed and used by the council do not require to be registered with the Information Commissioner due to their nature i.e. static. All CCTV systems used by the council will be registered, however, with the Council's Data Protection Co-ordinator.

Parish Clerk - Tel: 07916-628673

Mail: Data Protection Manager, Cranwell BBL Parish Council, Village Hall, Old School Lane, Cranwell Village, Sleaford NG34 8DF

Signs

One or more prominent signs (black and yellow) will be displayed in the vicinity of where the CCTV is deployed. Signs will be laminated once contact details have been added and will state/give the following:

- Why CCTV is being used
- Who manages the CCTV operation
- Contact details (Data Protection Co-Ordinator), plus telephone number, in case anyone wants to find out more about the scheme or request access to their CCTV images.

Maintenance

A designated person will be charged with ensuring the system is adequately maintained (and a record kept of who that person is). This person should ensure that the operation of the equipment is checked regularly and any faults are rectified as soon as possible.

Additional maintenance requirement for CCTV with tape/digital recording equipment

Tapes and/or digital recording equipment will be managed adequately (see above). A maintenance log will be kept listing installation dates, repair details and tape changes. A maintenance contract will be in place for the equipment in use.

Data subject access rights

All persons whose image is/might be recorded on a CCTV tape/media have a right to have a copy of those images including themselves, but have no right to view images of persons other than themselves. No data subject, including residents of the parish, will be given access to CCTV footage unless they make a formal "Data Subject Access Request – (SAR)". They should do this by expressing their desire to access information under the terms of the (1998) Data Protection Act IN WRITING. The written request MUST be referred to Data Protection Co-Ordinator, whose responsibility it is to ensure full legal compliance with lawful processing. The council policy is to respond to a SAR within 20 days to ensure compliance with the FOIA. In unusual circumstances, the council may advise the applicant in writing that the full 40 day period allowed for under the DPA is required. A charge of £10 per application will be made by the council for the administration of each request. Additional charges will apply if images of other individuals are included in the footage requested. This is in line with FOIA as these images will need to be removed by specialists to protect their identity.

Where live-imaging only occurs, ie where a monitor only is in use without a recorder, there is nothing to supply for a data subject-access request. The response to any request to view should be that "tapes and/or digital recordings are not held."

Review

This policy, together with the continued need for CCTV usage, will be reviewed every year by the council at the Annual meeting.

A major change that would have a significant impact on either the purpose or policy of operation of the CCTV System will take place only after discussion and resolution at a Meeting of the Parish Council. Notices of meetings are posted on the Council Noticeboard and website.

Approved by the Council 13th November 2023

Signature(s) (Chair)

A handwritten signature in black ink, appearing to be 'Trevor Batten', written over a horizontal dashed line.

Data Protection Manager

Cllr Trevor Batten

Village Hall,

Old School Lane Cranwell Village

Sleaford

NG34 8DF

Tel: 01442-62470

Co-ordinator

Parish Clerk

Relief Member / Manager

Cllr Don Wilson