



ST STEPHEN PARISH COUNCIL

CCTV POLICY

1. Policy Statement

1.1 The Parish Council's CCTV system and the images produced by it are controlled by the Clerk and/or the Centres Manager, who are responsible for how the system is used and for notifying the Information Commissioner about the CCTV system and its purpose (which is a legal requirement of the Data Protection Act 1998 and for the purposes of the Data Protection Act the Clerk is responsible for the Council's data protection obligations).

1.2 St Stephen Parish Council considered the need for using CCTV and decided that it is required to monitor buildings in order to provide a safe and secure environment for staff and members of the public, to reduce crime and to prevent the loss or damage to Parish Council property. The system chosen produces clear images which the law enforcement bodies (usually the police) can use to investigate crime and these can easily be taken from the system when required.

2. Introduction

2.1 St Stephen Parish Council (the Parish Council) uses closed circuit television (CCTV) images to monitor buildings in order to provide a safe and secure environment for staff and members of the public, to reduce crime and to manage or prevent the loss or damage to Parish Council property.

2.2 The system comprises a number of fixed cameras.

2.3 The system does not have sound recording capability but records visually.

2.4 The CCTV system is owned and operated by the Parish Council and the deployment is determined by the Clerk and/or the Centres Manager under guidance from the Parish Council within the terms of this Policy.

2.5 The Policy will be operated in accordance with the requirements of the Data Protection Act 2018, the General Data Protection Regulations 2018 and the revised ICO CCTV Code of Practice.

2.6 The CCTV is monitored centrally from the Community Centre offices and/or remotely by mobile phone and/or laptop by the Clerk and/or the Centres Manager and any other authorised staff as necessary in order to operate the system.

2.7 The CCTV Scheme is registered with the Information Commissioner under the terms of the Data Protection Act 2018. The use of CCTV and the associated images is covered by the Data Protection Act 2018. This policy outlines the Council's use of CCTV and how it complies with the Act.

2.8 All authorised operators and employees with access to images are aware of the Council's procedures or requirements that need to be followed to accord with this Policy and the Parish Council's legal obligations when accessing the recorded images which are available to view at the Parish Office and/or Centre Manager's office.

2.9 All employees are aware of the restrictions in relation to access to, and disclosure of, recorded images as per the requirements of the Data Protection Act 2018, the General Data Protection Regulations 2018 and the revised ICO CCTV Code of Practice.

2.10 The operation of the CCTV system will be reviewed annually by the Clerk and Centres Manager and the outcomes will be recorded on an Annual Inspection Checklist subject to completion of a CCTV Annual Review Checklist (form attached at **Appendix A**).

3. Statement of Intent

3.1 The Council complies with Information Commissioner's Office (ICO) CCTV Code of Practice (the 2004 Code is currently being updated by ICO) to ensure it is used responsibly and safeguards both trust and confidence in its continued use. The Code of Practice when revised is published on the ICO website.

3.2 In areas where CCTV is used, the Parish Council will ensure that there are prominent signs placed within the controlled areas.

3.3 It is not possible to guarantee that the system will cover or detect every single incident taking place in the areas of coverage.

4. Siting the Cameras

4.1 Cameras will be sited so they only capture images relevant to the purposes for which they are installed, and care will be taken to ensure that reasonable privacy expectations are not violated.

4.2 The Parish Council will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act and ICO Code of Practice.

4.3 The Parish Council will make every effort to position cameras so that their coverage is restricted to the Parish Council premises, which will include outdoor areas.

4.4 Members of staff will be made aware of where CCTV cameras are situated.

4.5 It is a requirement of the Data Protection Act 1998 to notify people entering a CCTV protected area that the area is monitored by CCTV and that pictures are recorded and the Parish Council will ensure that this requirement is fulfilled by providing appropriate signage at each location.

5. Covert Monitoring

5.1 The Parish Council may in exceptional circumstances set up covert monitoring as part of a legitimate investigation for example:-

(a) where there is good cause to suspect that illegal or unauthorised action(s), is taking place, or where there are grounds to suspect serious misconduct and/or where a legitimate request has been made by the police or other law enforcement agency;

(b) where notifying the individuals about the monitoring would seriously prejudice the reason for making the recording which will only be for health and safety and security reasons.

5.2 In these circumstances, authorisation must be obtained from the Clerk who will seek ICO advice as necessary.

5.3 Covert monitoring must cease following completion of the investigation.

5.4 Cameras sited for the purpose of covert monitoring will not be used in areas which are reasonably expected to be private, for example toilet cubicles or changing rooms.

6. Storage and Retention of CCTV images

6.1 Recorded data obtained from the system will be retained for a maximum of 30 days and then deleted.

6.2 While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded.

6.3 All retained data will be stored securely in a locked safe at the Parish Office.

7. Access to CCTV images

7.1 Access to recorded images will be restricted to those staff authorised to view them and will not be made more widely available unless the Parish Council is under a legal obligation or required to do so if subject to a SAR (see below) or law enforcement agencies by warrant or Court Order.

8. Subject Access Requests (SAR)

8.1 Individuals have the right to request access to CCTV footage relating to themselves under the Data Protection Act.

8.2 All requests should be made in writing to the Clerk. Individuals submitting requests for access will be asked to provide sufficient and specific information to enable the footage relating to them to be identified e.g. date, time and location.

8.3 The Parish Council will respond to requests within 30 days of receiving the written request and fee.

8.4 A fee of £10 will be charged per request.

8.5 The Parish Council reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an on-going investigation.

9. Access to and Disclosure of Images to Third Parties

9.1 Requests may be made by individuals of themselves. In certain circumstances the Council may refuse to share the CCTV footage. There will be no disclosure of recorded data to third parties other than to authorised personnel such as the Police and service providers to the Parish Council where they would reasonably need lawful access to the data (e.g. authorised investigators) or when required by warrant or Court Order.

9.2 Requests should be made in writing to the Clerk and subject to completion of a CCTV Image Request Form (form attached at **Appendix B**). The applicant will be required to provide proof of their identity and a description of themselves.

9.3 Any member of staff contravening this Policy and/or breaches the DPA requirements and accesses, views, shares or discloses CCTV images/recordings without authority and/or maliciously will be subject to the Council's Disciplinary and Grievance Procedures. Such action and offence may be treated as gross misconduct as appropriate and/or criminal action.

10. Complaints

10.1 Complaints and enquiries about the operation of CCTV within the Parish Council should be directed to the Clerk in the first instance.

11. Further Information

11.1 Further information on CCTV and its use is available from the following:-

- CCTV Code of Practice (published by the Information Commissioners Office)
- Regulation of Investigatory Powers Act (RIPA) 2000
- Data Protection Act 2018
- Parish Council's Privacy Statement/Data Protection Policy.

Appendices

Appendix A – CCTV Annual Review Checklist

Appendix B – CCTV Image Request Form

Approved by the Parish Council at the meeting on 14th February 2019

ST STEPHEN PARISH COUNCIL

CCTV Annual Review Checklist

| | | | |
|--|---------------------|--------------------------|--------------------------|
| This annual review will be completed by the named individual responsible for the operation of the system. | | | |
| Location | | | |
| ICO Registration No: Z709878X | Renewal date | 22 September 2019 | |
| Notification has been submitted to the Information Commissioner and the next renewal date recorded. | | | <input type="checkbox"/> |
| There is a named individual who is responsible for the operation of the system. | | | <input type="checkbox"/> |
| Cameras have been sited so that they provide clear images. | | | <input type="checkbox"/> |
| There are visible signs showing that CCTV is in operation. | | | <input type="checkbox"/> |
| Images from this CCTV system are securely stored, where only authorised persons may have access to them. | | | <input type="checkbox"/> |
| Staff know how to respond to individuals making requests for copies of images. If unsure the Clerk will seek advice from the Information Commissioner as soon as such a request is made. | | | <input type="checkbox"/> |
| Regular checks are carried out to ensure that the system is working properly and produces high quality images. | | | <input type="checkbox"/> |
| Reviewed by (name) | | | |
| Job Title | | | |
| Signature | | Date | |
| For and on behalf of the St Stephen Parish Council (Data Controller) | | | |
| Clerk (name) | | | |
| Signature | | Date | |

ST STEPHEN PARISH COUNCIL
CCTV Image Request Form

| | |
|--|--|
| Camera Location | |
| Date of Recording | |
| Time of Recording | |
| Applicant (name) | |
| Address and Post Code | |
| ID provided | |
| Tel. No. | |
| Reason for request | |
| <p>Description of applicant and any distinguishing features (e.g. clothing etc at the time in question) – if relevant please supply a photograph to aid identification.</p> | |
| <p>Declaration I declare and confirm that the information in this form is correct to the best of my knowledge and that I am entitled to apply for access to personal data referred to above under the Data Protection Act 1998 and the General Data Protection Regulations.</p> | |
| Signature of Applicant | |

***Note:** The making of false or misleading statements in order to obtain access to personal data to which you are not entitled is a criminal offence.

| Office Use only | | | | | |
|---------------------------------|---|-------------------------|--|-----------------|--|
| Date Received: | | Request Approved | | Yes / No | |
| Clerk's Signature | | | | | |
| Fee | £ | Date | | Method | |
| Date Applicant Informed: | | | | | |