

# BILBROOK PARISH COUNCIL

## CCTV Policy

### 1. POLICY STATEMENT

- 1.1 Bilbrook Parish Council (BPC) believes that CCTV has a legitimate role in helping maintain a safe and secure environment for all our staff and visitors. However, we recognise that this may raise concerns about the effect on individuals and their privacy. This policy is intended to address such concerns. Images recorded by surveillance systems are personal data that must be processed under data protection laws. BPC is committed to complying with our legal obligations and ensuring that the legal rights of individuals relating to their personal data are recognised and respected.
- 1.2 This policy is intended to assist Bilbrook Parish Council in complying with their legal obligations when working with personal data. In certain circumstances, the misuse of information generated by CCTV could constitute a criminal offence.

### 2. DEFINITIONS

- 2.1 For this policy, the following terms have the following meanings:

**CCTV:** means cameras designed to capture and record images of individuals and property.

**Data:** is information that is stored electronically, or in certain paper-based filing systems. With respect to CCTV, this generally means video images. It may also include static pictures such as printed screenshots.

**Data subjects:** means all living individuals about whom we hold personal information as a result of the operation of our CCTV.

**Personal data:** means data relating to a living individual who can be identified from that data (or other data in our possession). This will include video images of identifiable individuals.

**Data controllers:** We are the data controller of all personal data used in our *business* for our commercial purposes.

**Data users:** are those of our employees whose work involves processing personal data. Data users must protect the data they handle per this policy.

**Data processors:** any person or organisation that is not a data user (or employee of Bilbrook Parish Council) that processes data on our behalf and follows our instructions (for example, a supplier that handles data on our behalf).

**Processing:** any activity which involves the use of data. It includes obtaining, recording or holding data, or carrying out any operation on the data including organising, amending, retrieving, using, disclosing or destroying it. Processing also includes transferring personal data to third parties.

**Our Premises:** Bilbrook Village Hall, Twentyman Playing Fields and Car Park

### 3. ABOUT THIS POLICY

- 3.1 We currently use CCTV cameras to view and record individuals on and around our premises. This policy outlines why we use CCTV, how we will use CCTV and how we will process data recorded by CCTV cameras to ensure we are compliant with data protection laws and best practices. This policy also explains how to make a subject access request with respect to personal data created by CCTV.
- 3.2 We recognise that information that we hold about individuals is subject to data protection legislation. The images of individuals recorded by CCTV cameras are personal data and therefore subject to the legislation. We are committed to complying with our legal obligations and seek to comply with best practice suggestions from the Information Commissioner's Office (ICO).
- 3.3 This policy covers all employees and other individuals working and/or visiting our premises).
- 3.4 The policy will be regularly reviewed to ensure that it meets legal requirements, relevant guidance published by the ICO and industry standards.

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3.5 A breach of this policy may, in appropriate circumstances, be treated as a disciplinary matter. Following an investigation, a breach of this policy may be regarded as misconduct leading to disciplinary action, up to and including dismissal.

### **4 PERSONNEL RESPONSIBLE**

4.1 The Parish Council has overall responsibility for ensuring compliance with relevant legislation and the effective operation of this policy. Day-to-day management responsibility for deciding what information is recorded, how it will be used and to whom it may be disclosed has been delegated to the Parish Clerk. Day-to-day operational responsibility for CCTV cameras and the storage of data recorded is the responsibility of the Parish Clerk.

4.2 Responsibility for keeping this policy up to date has been delegated to the Parish Clerk.

### **5. REASONS FOR THE USE OF CCTV**

5.1 We currently use CCTV around our site as outlined below. We believe that such use is necessary for legitimate purposes, including:

- (a) to prevent crime and protect buildings and assets from damage, disruption, vandalism and other crime;
- (b) for the personal safety of staff, visitors and other members of the public and to act as a deterrent against crime;
- (c) to support law enforcement bodies in the prevention, detection and prosecution of crime;
- (d) to assist in the effective resolution of disputes which arise in the course of disciplinary or grievance proceedings;
- (e) to assist in the defence of any civil litigation

This list is not exhaustive and other purposes may be or become relevant.

### **6. MONITORING**

6.1 CCTV monitors the exterior of the building and both the main entrance and secondary exits 24 hours a day and this data is recorded when motion is sensed by the cameras.

6.2 Camera locations are chosen to minimise viewing of spaces not relevant to the legitimate purpose of the monitoring. As far as practically possible, CCTV cameras will not focus on private homes, gardens or other areas of private property.

6.3 Surveillance systems will not be used to record sound.

6.4 Images are monitored by authorised personnel only.

6.5 Staff and councillors using CCTV will be given appropriate training to ensure they understand and observe the legal requirements related to the processing of relevant data.

### **7. HOW WE WILL OPERATE ANY CCTV**

7.1 Where CCTV cameras are placed, we will ensure that signs are displayed at the entrance of the surveillance zone to alert individuals that their image may be recorded. Such signs will contain details of the organisation operating the system, the purpose of using the surveillance system and who to contact for further information, where these things are not obvious to those being monitored.

7.2 Live feeds from CCTV cameras will only be monitored where this is reasonably necessary, for example, to protect health and safety.

7.3 We will ensure that live feeds from cameras and recorded images are only viewed by approved members of staff and councillors whose role requires them to have access to such data. This may include staff involved with disciplinary or grievance matters. Where practical a minimum of two people should view the CCTV at any one time and only for specific reasons.

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### **8. USE OF DATA GATHERED BY CCTV**

- 8.1 To ensure that the rights of individuals recorded by the CCTV system are protected, we will ensure that data gathered from CCTV cameras is stored in a way that maintains its integrity and security. This may include encrypting the data, where it is possible to do so.
- 8.2 Given the large amount of data generated by surveillance systems, we may store video footage using a cloud computing system. We will take all reasonable steps to ensure that any cloud service provider maintains the security of our information, under industry standards.
- 8.3 We may engage data processors to process data on our behalf. We will ensure reasonable contractual safeguards are in place to protect the security and integrity of the data.

### **9. RETENTION AND ERASURE OF DATA GATHERED BY CCTV**

- 9.1 Data recorded by the CCTV system will be stored digitally on the hard drive of the CCTV and/or digitally using a cloud computing system. CCTV images are not to be retained for longer than necessary. Data storage is automatically managed by the CCTV digital recorder which uses software programmed to overwrite historical data in chronological order to enable the recycling of storage capabilities. This process takes approximately 30 days.
- 9.2 On occasion it may be necessary to retain downloaded images or footage for a longer period, for example when a law enforcement body is investigating a crime, to allow them to view the images as part of an active investigation.
- 9.3 At the end of their useful life, all images stored in whatever format will be erased permanently and securely. Any physical matter such as tapes or discs will be disposed of as confidential waste. Any still photographs and hard copy prints will be disposed of as confidential waste.

### **10. USE OF ADDITIONAL SURVEILLANCE SYSTEMS**

- 10.1 Before introducing any new surveillance system, including placing a new CCTV camera in any location, we will carefully consider if they are appropriate by carrying out a privacy impact assessment (PIA). A PIA is intended to assist us in deciding whether new surveillance cameras are necessary and proportionate in the circumstances and whether they should be used at all or whether any limitations should be placed on their use.
- 10.3 Any PIA will consider the nature of the problem that we are seeking to address at that time and whether the surveillance camera is likely to be an effective solution, or whether a better solution exists. In particular, we will consider the effect a surveillance camera will have on individuals and therefore whether its use is a proportionate response to the problem identified.
- 10.4 No surveillance cameras will be placed in areas where there is an expectation of privacy (for example, in changing rooms) unless, in very exceptional circumstances, it is judged by us to be necessary to deal with very serious concerns.
- 10.5 All additional cameras and upgrades of the CCTV system must be approved by the Parish Council.

### **11. COVERT MONITORING**

- 11.1 We will never engage in covert monitoring or surveillance (that is, where individuals are unaware that the monitoring or surveillance is taking place) unless, in highly exceptional circumstances, there are reasonable grounds to suspect that criminal activity or extremely serious malpractice is taking place and, after suitable consideration, we reasonably believe there is no less intrusive way to tackle the issue.
- 11.2 In the unlikely event that covert monitoring is considered to be justified, it will only be carried out with the express authorisation of the Parish Council. The decision to carry out covert monitoring will be fully documented and will set out how the decision to use covert means was reached and by whom. The risk of intrusion on innocent workers will always be a primary consideration in reaching any such decision. Only a limited number of people will be involved in any covert monitoring.

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11.4 Covert monitoring will only be carried out for a limited and reasonable period consistent with the objectives of making the recording and will only relate to the specific suspected illegal or unauthorised activity.

**12. ONGOING REVIEW OF CCTV USE**

12.1 We will ensure that the ongoing use of existing CCTV cameras in the workplace is reviewed periodically to ensure that their use remains necessary and appropriate and that any surveillance system continues to address the needs that justified its introduction.

**13. REQUESTS FOR DISCLOSURE**

13.1 We may share data with others where we consider that this is reasonably necessary for any of the legitimate purposes set out above in Paragraph 5.1. Requests must be made in writing to the Parish Clerk.

13.2 No images from our CCTV cameras will be disclosed to any third party, without express permission being given by the Parish Clerk and the Chairman of the Parish Council. Data will not normally be released unless satisfactory evidence that it is required for legal proceedings or under a court order has been produced.

13.3 In other appropriate circumstances, we may allow law enforcement agencies to view or remove CCTV footage where this is required in the detection or prosecution of crime.

13.4 We will maintain a record of all disclosures of CCTV footage subject to document retention guidelines.

13.5 No images from CCTV will ever be posted online or disclosed to the media.

**14. SUBJECT ACCESS REQUESTS**

14.1 Data subjects may request disclosure of their personal information and this may include CCTV images (data subject access request). A data subject access request should be made in writing. A response should be provided within a month. We should tell the individual why we are processing the information, the types of data involved, who we have shared it with, and how long we will keep it and advise them as to their rights including the right to complain to the ICO if concerned about our processing.

14.2 For us to locate relevant footage, any requests for copies of recorded CCTV images must include the date and time of the recording, the location where the footage was captured and, if necessary, information identifying the individual.

14.3 We will provide a copy of the individual's personal data to them but reserve the right to obscure images of third parties when disclosing CCTV data as part of a subject access request, where we consider it necessary to do so. We will consider the ICO Code of Practice and the law when deciding whether to disclose third-party personal data.

**15. COMPLAINTS**

15.1 If anyone has questions about this policy or any concerns about our use of CCTV, then they should speak to the Parish Clerk in the first instance.

**16. REQUESTS TO PREVENT PROCESSING**

16.1 We recognise that, in rare circumstances, individuals may have a legal right to object to processing and in certain circumstances, to prevent automated decision-making (see Articles 21 and 22 of the UK GDPR). For further information regarding this, please contact the Parish Clerk.

<b>Date of Review</b>	<b>Description of Revision</b>
Sept 2023	4.0 - CCTV working party removed. 6.5 - Added councillors 7.3 - Added councillors 13.2 - Replaced CCTV working group with the Chairman of the Parish Council 16.1 - Replaced GDPR with UK GDPR
Sept 2022	No changes