



CCTV POLICY **& CODE OF PRACTICE**

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This Policy will be reviewed annually by Full Council.

Adopted: Full Council Meeting 19th March 2024 Minute Ref: 23/146 (a)

Reviewed:

INTRODUCTION

Closed circuit television (CCTV) is installed at Great Horkesley New Village Hall for the purpose of staff and premises security. Cameras are located at various places in and outside of the premises, and images from the cameras are recorded.

The use of CCTV falls within the scope of the UK GDPR and Data Protection Act 2018. In order to comply with the requirements of the law, data must be:

- Fairly and lawfully processed.
- Processed for limited purposes and not in any manner incompatible with those purposes.
- Adequate, relevant, and not excessive.
- Accurate and kept up to date.
- Not kept for longer than is necessary.
- Processed in accordance with individuals' rights.
- Secure.

STATEMENT OF PURPOSE

Great Horkesley Parish Council are the Data Controllers under the Act.

CCTV is installed at the premises:

- For the purposes of staff and premises security.
- To reduce the fear of crime by persons using facilities at the Village Hall, so they can enter and leave buildings without fear of intimidation.
- To reduce vandalism of the property.
- To prevent, deter, and detect crime and disorder.
- To assist 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.

Access to stored images will be controlled on a restricted basis within the Council. CCTV may be used to monitor the movements and activities of persons whilst on the premises and may therefore be used where appropriate as part of staff counselling or disciplinary procedures.

External and internal signage are displayed on the premises stating the presence of CCTV and indicating the names of the Data Controllers and a contact number for enquiries.

RETENTION OF IMAGES

Images (recordings) from the cameras are recorded on a secure hard drive. Where recordings are retained for the purposes of the security of staff and premises, these will be held in secure storage and access controlled. Recordings which are not required will not be retained for longer than 30 days.

ACCESSING AND REMOVING IMAGES

Access to recorded images is restricted to the Data Controllers and the Parish Clerk, who has authority to decide whether to allow requests for access by data subjects and/or third parties.

Viewing of images must be documented as follows:

- The name of the person removing the recordings from secure storage, or otherwise accessing the recordings.
- The date and time of removal or access to the recordings.
- The names of the persons viewing the images (including the names and organisations of any third parties).
- The reason for the viewing.
- The outcome, if any, of the viewing.
- The date and time of replacement of the recordings, if necessary.

In cases where recordings are removed from secure storage for use in legal proceedings, the following information must also be documented:

- Specific authorisation of removal and provision to a third party.
- Any crime incident number to which the images may be relevant.
- The place to which the recordings will be taken.
- The signature of the collecting police officer, where appropriate.

ACCESS TO IMAGES BY THIRD PARTIES

The Data Controller has delegated authority to the Parish Clerk to assess applications to access CCTV images and decide whether the requested access will be permitted. Release will be specifically authorised. Disclosure of recorded images to third parties will only be made in limited and prescribed circumstances. For example, in cases of the prevention and detection of crime, disclosure to third parties will be limited to the following:

- Law enforcement agencies where the images recorded would assist in a specific criminal enquiry.
- Prosecution agencies.
- Relevant legal representatives.
- The press/media, where it is decided that the public's assistance is needed in order to identify a victim, witness or perpetrator in relation to a criminal incident. As part of that decision, the wishes of the victim of an incident should be taken into account and the images of other individuals must be disguised or blurred so that they are not readily identifiable.
- People whose images have been recorded and retained (unless disclosure to the individual would prejudice criminal enquiries or proceedings).

All requests for access or for disclosure should be recorded. If access or disclosure is denied, the reason should be documented.

ACCESS TO IMAGES BY DATA SUBJECTS

Data subjects have a right of access under the UK GDPR and Data Protection Act 2018. Requests for access to images are to be made to the Data Controller. Requests need to provide enough information so that they can be identified in the footage, such as a specific date and time, proof of their identity and a description of themselves. Any footage provided may be edited to protect the identities of any other people.

All requests for access by data subjects will be dealt with by the Parish Clerk. The Data Controller has delegated authority to the Parish Clerk to locate the images requested and determine whether disclosure to the data subject would entail disclosing images of third parties. It will need to be determined whether the images of third parties are held under a duty of confidence. In all circumstances the Council's indemnity insurers will be asked to advise on the desirability of releasing any information.

If third party images are not to be disclosed, the Parish Clerk will arrange for third party images to be disguised or blurred.

The Parish Clerk will provide a written response to the data subject within 30 days of receiving a request, setting out the Data Controller's decision. A copy of the request and response will be retained.

USE OF AN EDITING COMPANY

If the CCTV system does not have the facilities to disguise or blur images of individuals so that they are not readily identifiable, an editing company may need to be used. If an editing company is used, then the data controller must ensure that there is a contractual relationship between them and the editing company, and:

- The editing company has given appropriate guarantees regarding security measures they take in relation to the images.
- The written contract makes it explicit that the editing company can only use the images in accordance with the instructions of the Data Controller.
- The written contract makes the security guarantees provided by the editing company explicit.

CCTV CODE OF PRACTICE

In its use of the CCTV system, Great Horkesley Parish Council will adopt the following 12 guiding principles from the Surveillance Camera Code of Practice 2013 (Amended 2021):

- Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
- The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.

- There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
- There must be clear responsibility and accountability for all surveillance camera activities including images and information collected, held and used.
- Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
- No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
- Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
- Surveillance camera system operators should consider any approved operational, technical, and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
- Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
- There should be effective review and audit mechanisms to ensure legal requirements, policies, and standards are complied with in practice, and regular reports should be published.
- When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
- Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

COMPLAINTS

Complaints must be in writing and addressed to the Parish Clerk. Where the complainant is a third party, and the complaint or enquiry relates to someone else, the written consent of the data subject is required. All complaints will be acknowledged within 7 days, and a written response issued within 21 days.

Data Controller: Great Horkesley Parish Council

ICO Registration: Z2994228

Data Protection Officer: Parish Clerk
c/o 15 Malvern Way
Great Horkesley
CO6 4TZ