

CCTV Usage Policy

Reviewed Jan 2020, next Review Jan 2022



1. Introduction

This Policy is to control the management, operation, use and confidentiality of the CCTV systems at 15 locations in Wotton-under-Edge. List of camera locations held by the Town Clerk.

It was prepared after taking due account of the Code of Practice published by the ICO and the 2013 Surveillance Camera Code of Practice guidelines following the introduction of the Protection of Freedoms Act 2012 This policy will be subject to periodic review by the Town Council to ensure that it continues to reflect the public interest and that it and the system meets all legislative requirements.

Under the provisions of GDPR 2018, CCTV images are considered to be personal data. Personal data shall be handled in accordance with the Council's privacy notices. Wotton-under-Edge Town Council accepts the data protection principles based on the:

a). GDPR 2018 as follows:

- Personal data shall be processed fairly and lawfully
- Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- Personal data shall be accurate and, where necessary, kept up to date.
- Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes
- Personal data shall be processed in accordance with the rights of data subjects under this Act
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

b). the guidelines in the 2013 Home Office Code of Practice:

- 1) 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.
- 2) 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. A group of councillors will be appointed annually to undertake this task. **(appendix A annual review)**
- 3) 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. **(appendix B signage)**
- 4) There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
- 5) 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.
- 6) 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.

- 7) 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. (**access log held at Council offices**)
- 8) 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.
- 9) Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use. The Council's subject access request form must be completed to access images.
- 10) 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.
- 11) 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.
- 12) 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.

2. Statement of Purpose

To provide a safe and secure environment for the benefit of those who might visit, work or live in the area. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law.

The scheme will be used for the following purposes:

- to reduce the fear of crime by persons within the town, so they can enter and leave buildings and use facilities 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 Town 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 cameras clearly sited that are not hidden and signs on display, both inside and outside Town Council buildings, other buildings and public open spaces
- to assist all "emergency services" to carry out their lawful duties

3. Changes to the Purpose or Policy

A major change that would have a significant impact on either the purpose or this policy of operation of the CCTV scheme will take place only after discussion and resolution at a full Council meeting

4. Responsibilities of the Owners of the Scheme

The Town Council retains overall responsibility for the scheme.

Wotton-under-Edge Town Council

CCTV Code of Practice



Management of the System

Day-to-day operational responsibility rests with the Clerk to the Council in conjunction with the Buildings Manager.

Breaches of this policy by operators will be investigated by the Clerk to the Council and reported to the Town Council.

A CCTV system prevents crime largely by increasing the risk of detection and prosecution of an offender. Any relevant tape or digital evidence must be in an acceptable format for use at Court hearings. This policy must be read and understood by all persons involved in this scheme and individual copies of this policy will therefore be issued for retention. A copy will also be available for reference in the secure recording areas.

Control and Operation of the Cameras, Monitors and Systems.

The following points must be understood and strictly observed by operators:

1. Trained operators must act with due probity and not abuse the equipment or change the pre-set criteria to compromise the privacy of an individual.
2. The position of cameras and monitors have been agreed following consultation with the police and security consultants in order to comply with the needs of the public.
3. No public access will be allowed to the monitors except for lawful, proper and sufficient reason, with prior approval of the Clerk to the Council, the Buildings Manager, or the Chair of the Town Council. The Police are permitted access to images if they have reason to believe that such access is necessary to investigate, detect or prevent crime. The Police are able to visit the Civic Centre to review and confirm the Town Council's operation of CCTV arrangements. Any visit by the Police to view images will be logged by the operator.
4. Operators should regularly check the accuracy of the date/time displayed.
5. Digital records will be securely stored to comply with data protection and will only be handled by the minimum number of persons. Digital images will be erased after a maximum period of 45 days at the Civic Centre.
6. Images will not normally be supplied to the media, except on the advice of the police if it is deemed to be in the public interest. The Clerk to the Council would inform the Chair of the Council of any such emergency.
7. As records may be required as evidence at Court, each person handling a digital record may be required to make a statement to a police officer and sign an exhibit label. Any images that are handed to a police officer should be signed for by the police officer and information logged to identify the recording, and showing the officer's name and police station. The log should also show when such information is returned to the Town Council by the police and the outcome of its use.

8. Any event that requires checking of recorded data will be clearly detailed in the log book of incidents, including Crime Nos. if appropriate, and the Council Office notified at the next available opportunity.
9. Any damage to equipment or malfunction discovered by an operator will be reported immediately to their line manager or contact made with the company responsible for maintenance, and the call logged showing the outcome. When a repair has been made this should also be logged showing the date and time of completion.
10. Any request by an individual member of the public for access to their own recorded image must be made on a 'Subject Access Request Form' and this must be accompanied by an administration fee of £10. Forms are available from the Council Office and should be submitted to the Town Clerk for consideration and reply, normally within 30 days

Accountability

Copies of the CCTV Policy are available in accordance with the Freedom of Information Act, as will any reports that are submitted to the Town Council *providing it does not breach security needs*.

The Police will be informed of the installation and provided with a copy of this CCTV Policy.

Any written concerns, complaints or compliments regarding the use of the system will be considered by the Town Council, in line with the existing complaints policy.

Wotton-under-Edge Town Council has considered the need for using CCTV and has decided it is required for the prevention and detection of crime and for protecting the safety of the public. It will not be used for other purposes.

Wotton-under-Edge Town Council will conduct an annual review of its use of CCTV. (see Appendix A).



Wotton-under-Edge Town Council CCTV System Annual Review

This CCTV system and images produced by it are controlled by Wotton-under-Edge Town Council who is 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 GDPR 2018). Wotton-under-Edge Town Council has considered the need for using CCTV and has decided it is required for the prevention and detection of crime and for protecting the safety of the public. It will not be used for other purposes. The Town Council conducts an annual review of the use of CCTV in Wotton.

	Checked (Date)	By	Date of next review
Notification has been submitted to the Information Commissioner and the next renewal date recorded.			
There is a named individual who is responsible for the operation of the system.			
A system has been chosen which 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.			
Cameras have been sited so that they provide clear images.			
Cameras have been positioned to avoid capturing the images of persons not visiting specific premises or locations.			
There are visible signs showing that CCTV is in operation. Where it is not obvious who is responsible for the system contact details are displayed on the sign(s).			
Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.			
The recorded images will only be retained long enough for any incident to come to light (e.g. for a theft to be noticed) and the incident to be investigated.			
Except for law enforcement bodies, images will not be provided to third parties.			
The organisation knows how to respond to individuals making requests for copies of their own images. If unsure the controller knows to seek advice from the Information Commissioner as soon as such a request is made.			
Regular checks are carried out to ensure that the system is working properly and produces high quality images.			
If the Council decides to extend CCTV coverage, a Privacy Impact Assessment will be completed.			

Signage used to indicate CCTV coverage in Wotton-under-Edge



**For public safety and security
24 hour
CCTV
surveillance is in operation**

**For information contact:
Wotton-under-Edge Town Council
01453 843210**



**Developed by RedHand
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