

CCTV Policy

Purpose and Use of the CCTV

1. The health and safety of employees and customers.
2. To monitor the security of the sites and property thereon.
3. The prevention and detection of crimes and assistance in any subsequent investigations.
4. The apprehension and /or prosecution of offenders. (may include the use of recorded images as evidence in prosecutions.)
5. For the purpose of good management.

Introduction

The purpose of this policy is to help the owner/operator of a CCTV system to produce credible recorded evidence in accordance with the statutory requirements of the Data Protection Act and recommendations of the Police and UK Home Office.

The principles relate to all types of recording media including, but, not limited to Analogue or Digitally Recorded magnetic Tape or Disc, Hard Disk, CD, Photographic Reproduction from a video source, or using images via a network viewer

Contents

- Section 1 The Data Protection Act 1998
A practical interpretation of the 1998 Data Protection Act including the subsequent CCTV Code of Practice July 17 2000 issued by the Data Protection Commissioner.
- The unexpurgated DPA Code of Practice is available on the DPA website:-
www.dataprotection.gov.uk
- Section 2 Elements of Good Practice
Detailed descriptions of best practices relative to the various management functions necessary to produce credible evidence, in accordance with Police and UK Home Office recommendation.
- Section 3 Site Specific Code of Practice
A practical code of practice that combines with Sections 1 & 2 and has been adopted to suit Norton Hill Recreation Ground.

Section 1 – The Data Protection Act 1998

The Data Protection Act 1998 relates to data processing of all types. The definition of data under the new Act is 'information which is being processed by equipment operating automatically in response to instructions; or is recorded with the intention that it should be processed'.

The definition of 'processing' is much wider in its scope than the previous legislation 'obtaining, recording or holding data, carrying out any operation or set of operation on the data, organisation, adaptation or alterations, retrieval, consultation or use of the data, disclosure of the data by transmission, dissemination, or otherwise making available, alignment, combination, blocking, erasure or destruction'.

Data in the case of CCTV recordings is in the form of recorded images of individuals that can be identified from these images.

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Having regard for these definitions, it will be recognised that the use of CCTV for surveillance purposes is encompassed by the requirements of the Data Protection Act. The Act came into force on 1 March 2000.

1.01 Fairness

Individuals must be made aware that they are about to enter an area where CCTV video recording is active. This is normally achieved by prominent signage placed at the entrances of buildings or the perimeter and approaches of an open or less well-defined area. The system owner's name and contact details must be apparent.

1.02 Objectives

Operators of the system must have access to a clear, documented statement of the objectives of the system and responsibilities of those involved in its operation and management. The objectives must be legitimate.

1.03 Confidentiality

Operators of the system must be aware of the need for confidentiality and that recorded information must be kept secure and available only to those directly connected with achieving the objectives of the system.

1.04 Traceability

Recordings must be logged and traceable throughout their life within the system.

1.05 Security

The recordings and recording/processing equipment must only be accessible to those directly concerned with achieving the objectives of the system.

1.06 Copy Recordings

Copies of recorded information must be strictly controlled and only made in relation to incidents which are the subject of investigation, or a valid Subject Access request.

1.07 Information Sharing (Section 115, Crime and Disorder Act 1998)

The Crime and Disorder Act creates a power to share information, from the System Owner/Operator to the Police and between the Police forces, Police Authorities, Probation Committees, Local Authorities, Health Authorities.

1.08 Evidence

Original recordings from which copies have been made must be segregated from operation recordings and held in a secure manner only accessible to those directly concerned with achieving the objectives of the system. These recordings must be magnetically erased, physically destroyed, and deleted if images are held on a computer, upon official closure of any investigation relative to the subject matter.

1.09 Retention

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The archive period of recordings shall be no longer than is necessary to achieve the objectives of the system. The generally accepted period is 31 days although if there is reasonable cause to extend this period a longer duration of storage may be acceptable.

1.10 Erasure

Digital images held are to be deleted from any folders after a period of time relevant to any ongoing investigations

1.11 Subject Access

An individual may request a copy of any recording that exists of them. This can be in the form of a download to a CD or to a mobile device such as a USB flash drive supplied by the individual. S/He must be made aware of their rights regarding such recording by means of a Right of Subject Access Information Form.

The system owner's/manager's rights are that:

- The request is made in writing (a standard subject request form must be provided)
- Sufficient information is provided to satisfy themselves of the identity of the individual
- Sufficient information is provided to locate the relevant recording, a specific date and reasonable time window
- S/He has up to 40 days to respond
- S/He may continue with the established recording management routine
- S/He may charge a fee up to the statutory maximum £10

If the system owner/manager cannot comply with a request without disclosing identifiable images of third parties, the manager or a designated member of staff should determine whether the images of third parties are held under a duty of confidence, in which case the images shall be edited to disguise the identity of such parties.

Access may be denied where such an action would compromise the detection or prevention of crime, or where it may impede the apprehension or prosecution of offenders.

1.12 Covert Recording

The right to use covert recording is reserved. Because fairness requires signs to be installed making individuals aware that they are entering an area where their images may be recorded, it follows that failure to provide signs is a breach of the Act.

However, there is an exemption in Section 29(1) of the Act which states that *personal data* processed for reasons of prevention and detection of crime and apprehension and prosecution of offenders are exempt, providing that the following criteria are met:

- It has been assessed that if individuals had been informed that recording was taking place it would prejudice the objective.
- There is reasonable cause to suspect specific criminal activity is taking place.
- That covert processing is only carried out for a limited and reasonable period of time and relates to the specific suspected criminal activity.

NB – It is only this matter relating to signage that differentiates between covert and overt systems in relation to the Act and Elements of Good Practice for the management of CCTV systems.

1.13 Privacy

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Cameras should be set to only record the areas they were intended in order to achieve the objectives of the system.

Section 2 – Elements of Good Practice

2.01 Traceability & Record Keeping

Original recordings should only be found:

- a) within the recognised secure storage system
- b) operational in the recording device

Copies of recorded information must be strictly controlled and only made in relation to incidents which are the subject of investigation or a valid subject access request. Copies must only be issued by the Parish Council or those acting on behalf of the Parish Council, to those directly connected with achieving the objectives of the system.

2.02 Time and Date Stamping

The correct time and date must be overlaid on the recorded image. A known accurate point of reference, such as a speaking clock, must be used to set the time and the BST to GMT changeovers must be routinely dealt with.

Where systems incorporate a number of recorders, it is particularly important to synchronise the time and date display. Evidence may be called for that involves recordings from a number of machines. If the time display is not synchronous between recording machines, evidence could be made to appear nonsense.

2.03 Recording Archive Period

The archive period of recordings shall be no longer than is necessary to achieve the objectives of the system. The generally accepted period is 31 days although this may be reduced depending on the record period setup on a digital recording unit. If there is cause for images to be kept for longer these can be downloaded from the recording unit and stored on a PC until the query is resolved.

2.04 Secure Storage of Recordings

The recordings and recording/processing equipment must only be accessible to those directly concerned with achieving the objectives of the system.

Recordings and Recording/Processing equipment must be either located in a formal, secure CCTV control room environment or must be secured in a lockable enclosure accessible only to authorised keyholders.

Section 3 – Site Specific Code of Practice

3.01 Introduction

This code of practice relates to the Closed Circuit Television Systems installed at Norton Hill Recreation Ground, Fosseyway, Westfield. The owner of the system is Westfield Parish Council and the system is registered with the office of the Data Protection Registrar.

The system is managed by the Parish Council. The designated Data Controller is the Parish Clerk under the direction of the Parish Council.

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3.02 Objectives

- ✓ To assist in the detection of crime
- ✓ To provide evidence of crime
- ✓ To deter those having criminal intent
- ✓ To give confidence to staff and customers that they are in a secure environment
- ✓ To provide management information relating to Health & Safety matters
- ✓ To provide information relating to good management

3.03 Systems

The following are equipment lists:

Westfield Parish Council

- 7 no Fixed position camera, one of which is set to zoom
- 1 no Digital Video Recorder
- 1 no LCD Monitor

3.04 Operations Manual

An Operations Manual relating to the specific items of equipment has been compiled by the installer of the system and is held at the DVR location, which is in the Plant Room of the Pavilion, Norton Hill Recreation Ground.

3.05 General Principles

The principles detailed in **Section 1 Data Protection Act – Compliance** and **Section 2 Elements of Good Practice** will be observed in the operation and management of the system.

3.06 Incident Reporting

An Incident Report will be completed for each incident requiring investigation.

Assuming that facilities exist for duplication, a copy tape, or CD, containing images for the purpose only of the investigation, will be made and issued to the Parish Council for any internal investigation and to the Police for any external investigation, together with a photocopy of the incident report.

3.07 System Maintenance

- 3.08.01 The system maintenance is contracted with Apex Alarms, Unit 1, Radstock Road, Midsomer Norton, Radstock, BA3 2AA. Service is available and a response time of is agreed due to the nature of the fault. The contractor must provide an engineer on site within this time and the reported fault must, if possible, be attended to within 24 hours. If a final fix is not achieved within this period and a further site visit is required the final fix must be completed within an agreed time.
- 3.08.02 Digital video recorders will be maintained as per manufacturers' recommendations at intervals not exceeding 12 months. Service replacement units will be provided if a machine is removed from site.
- 3.08.03 Any fault callout or routine maintenance visit will be recorded.

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Review History	To be reviewed annually
Policy created	11 th February 2015
Policy agreed by F&P	18 th February 2015
Policy agreed by Parish Council	3 rd March 2015
Policy agreed by Parish Council	6 th June 2016
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Reviewed by Parish Council	15 th May 2023
Reviewed by Parish Council	7 th May 2024
Next review	May 2025

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CCTV OPERATIONS SYSTEM Data Protection Act 1998

HOW TO APPLY FOR ACCESS TO INFORMATION HELD ON CCTV SYSTEM

NB: ALL sections of the form must be completed. Failure to do so may delay your application.

Section 1 Asks you to give information about yourself that will help the Parish Council to confirm your identity. The Parish Council has a duty to ensure that information it holds is secure and it must be satisfied that you are who you say you are.

Section 2 Asks you to provide evidence of your identity by producing TWO official documents (which between them clearly show your name, date of birth and current address) together with a recent full face photograph of you.

Section 3 Asks you to confirm whether you will accept just viewing the information or if you want a copy of the information.

Section 4 You must sign the declaration.

When you have completed and checked this form, take or send it together with the required TWO identification documents, photograph and fee to the Parish Clerk.

If you have any queries regarding this form or your application, please contact the Parish Clerk.

Lesley Welch 01761 410669

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**CCTV OPERATIONS SYSTEM
Data Protection Act 1998**

APPLICATION FORM FOR THE GENERAL PUBLIC

Section 1 About Yourself

The information requested below is to help the Parish Council (a) satisfy itself as to your identity and (b) to find any data held about you.

PLEASE USE BLOCK LETTERS

Title (tick as appropriate)	Mr	Mrs	Miss	Ms
	Other			

Surname/Family name:

First names:

Maiden name:

Sex:	Male	Female
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Height:

Date of Birth:

Place of Birth:	Town	County
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Current Home Address & Tel No: (one to which we will reply)
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**APPLICATION FORM FOR THE GENERAL PUBLIC
(continued)**

If you have lived at the above address for less than 3 years, please give your previous address:

Section 2 Proof of Identify

To help establish your identity, your application must be accompanied by TWO official documents that between them clearly show your name, date of birth and current address.

For example: driving licence, medical card, passport, birth/adoption certificate, or other official document that shows your name and address.

Also a recent, full face photograph of yourself.

Failure to provide this proof of identity may delay your application.

Section 3 Supply of Information

You have a right, subject to certain exceptions, to receive a copy of the information in a permanent form. Do you wish to:

- (a) Receive a permanent copy YES / NO
- (b) Only view the information YES / NO

Section 4 Declaration

To be signed by the applicant.

The information that I have supplied in this application is correct and I am the person to whom it relates.

Signed by Date

Warning – a person who impersonates or attempts to impersonate another may be guilty of an offence.

Please complete Section 4 and then check the 'Check Box' before returning the form.

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**APPLICATION FORM FOR THE GENERAL PUBLIC
(continued)**

Section 5 To Help us Find the Information

If the information you have requested refers to a specific offence or incident, please complete this section.

Please complete a separate box in respect of different categories/incidents/involvement. Continue on a separate sheet if necessary.

Were you (tick relevant box):

A person reporting an offence or incident

A witness to an offence or incident

A victim of an offence

A person accused or convicted of an offence

Other (please specify):

Date and Time of Incident:

Place incident happened:

Brief details of incident:

WESTFIELD PARISH COUNCIL

APPLICATION FORM FOR THE GENERAL PUBLIC
(continued)

CHECK BOX

Before returning this form, have you:

- Completed ALL sections of this form?
- Enclosed TWO identification documents?
- Signed and dated the form?
- Enclosed the £10.00 (ten pounds) fee?
- Supplied a CD or Pen Drive for images?
- Completed a Occurrence Report?

Further Information

These notes are only a guide. The law is set out in the Data Protection Act 1998, obtainable from the Stationery Office. Further information and advice may be obtained from The Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF Tel: (01625) 545745

Please note that this application for access to information must be made direct to the **Parish Council** and **NOT** to the Data Protection Commissioner.

FOR OFFICIAL USE ONLY

Please complete ALL of this section (refer to 'Check Box' above)

Application checked and legible?

Date application received

Identification documents checked?

Fee paid

YES / NO

Details of 2 documents (see Section 2)

Method of payment

Receipt No.

Documents returned

YES / NO

Incident Report Completed

YES / NO

Incident Report No.

Member of staff completing this section:

Name:

Position:

Signature:

Date:

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CCTV OPERATIONS SYSTEM

Date Protection Act 1998

REQUEST FROM POLICE FOR DATA HELD ON CCTV

Date & Time of Incident:

Details of Incident:

Signature of Police Officer:

Printed Name of Police Officer:

Incident Report No:

Date Information Taken:

Member of Staff Dealing with Request:

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APPLICATION FOR ACCESS TO INFORMATION HELD ON CCTV BY COUNCILLORS AND STAFF

Name:	
Position:	
Ext. No:	
Date & Time of Incident:	
Details of Incident:	

- a) A person reporting an offence or incident
- b) A witness to an offence or incident
- c) A victim of crime
- d) A person accused of an offence or incident

The information viewed must only relate to the incident recorded above. Viewing must take place with a trained and authorised member of staff.

Please specify the name of the member of staff:

If appropriate images are found, do you require copies? YES / NO

Signature of person requesting access: