



BILSTHORPE PARISH COUNCIL

CCTV POLICY

Approved 8th January 2024 – to be reviewed as required

This Policy should be read with reference to the Data Protection Act 2018, Freedom of Information Act 2000 (FOIA), the Protection of Freedoms Act 2012 (PFA), the Human Rights Act 1998 (HRA), the Secretary of State's Surveillance Camera Code of Practice (SC code) and the Information Commissioner's Office (ICO) CCTV Code of Practice.

Under the Protection of Freedoms Act 2012 and Data Protection Act 2018 the processing of personal data captured by CCTV systems is governed (including images identifying individuals). The Information Commissioner's Office (ICO) has issued a Code of Practice on compliance with legal obligations. The use of CCTV is covered by the Act, regardless of the number of cameras or how sophisticated the equipment is and Bilsthorpe Parish Council adheres to the ICO's Code of Practice.

Bilsthorpe Parish Council is committed to informing all persons about the operation of CCTV. This Policy is available on Bilsthorpe Parish Council's website so that all stakeholders are clear about how CCTV is utilised. Access to personal information recorded through CCTV cameras is restricted solely to the Data Protection Officer appointed by Bilsthorpe Parish Council.

Objectives and targets

This CCTV Policy explains how Bilsthorpe Parish Council will operate its CCTV equipment and comply with the current legislation.

Bilsthorpe Parish Council uses CCTV equipment to provide a safer, more secure environment for its residents and to combat vandalism, theft and all forms of anti-social behaviour.

Essentially it is used for:

- The prevention, investigation, and detection of crime.
- The apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings).
- Safeguarding public, volunteers and staff.
- Monitoring the security of the site.
- Evidence in an insurance claim.

Bilsthorpe Parish Council does not use the CCTV system for covert monitoring.

Location

Cameras are in areas where it has been identified there is a need, and where other solutions are ineffective. The CCTV system is used solely for purpose(s) identified and is not used to routinely monitor any persons. Static cameras will not focus on private homes, gardens and other areas of private property. Recordings will only be released to the Police for use in the investigation of a specific crime. Footage will never be released to the media for any purposes.

Maintenance

The CCTV system is maintained by Bilsthorpe Parish Council and includes weekly remote inspections to ensure the cameras are functioning correctly.

Bilsthorpe Parish Council is responsible for:

- Ensuring that it complies with its responsibilities in relation to guidance on the location of the camera.
- Ensuring that the date and time reference are accurate.
- Ensuring that suitable maintenance and servicing is undertaken to ensure that clear images are recorded.
- Ensuring that cameras are protected from vandalism in order to ensure that they remain in working order.

Administration

Bilsthorpe Parish Council is the Data Controller. Persons delegated by the Council have responsibility for the control of images and deciding how the CCTV system is used. Only the Parish Council as the Data Controller and the delegated persons will have access to images and are aware of the procedures that need to be followed when accessing the recorded images.

Access to recorded images is restricted to the delegated persons and recordings will be accessed as prescribed by the Council in the event of an incident. Access to the medium on which the images are recorded is documented.

Image storage, viewing and retention

Recordings will be stored for up to 30 days and images will be stored in a way that ensures the integrity of the image and in a way that allows specific times and dates to be identified.

Bilsthorpe Parish Council reserves the right to use images captured on CCTV where there is activity that cannot be expected to be ignored such as criminal activity, potential gross misconduct, or behaviour which puts others at risk. The Data Protection Officer may store small clips if they feel that the data may be required for the investigation of crime. The Data Protection Officer will ensure the reason for its retention is recorded, where it is kept, any use made of the images and finally when it is destroyed.

Bilsthorpe Parish Council ensures that images are not retained for longer than is necessary. Once the retention period has expired, images are removed or erased.

Disclosure

Disclosure of the recorded images to third parties can only be authorised by the Data Controller.

Disclosure will only be granted:

- If its release is fair to all individuals concerned.
- If there is an overriding legal obligation (e.g. information access rights).
- If it is consistent with the purpose for which the system was established.

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

N.B Disclosure may be authorised to law enforcement agencies, even if a system was not established to prevent or detect crime, if withholding it would prejudice the prevention or detection of crime.

Subject Access Requests

Individuals whose images are recorded have a right to view images of themselves and, unless they agree otherwise, to be provided with a copy of the images. If Bilsthorpe Parish Council receives a Subject Access Request under the General Data Protection Regulations 2018 it will comply with requests within 1 month. The Council may charge a fee for the provision of a copy of images. If the Council receives a request under the Freedom of Information Act 2000 it will comply with requests within 20 working days of receiving the request.

As a general rule, if the viewer can identify any person other than, or in addition to, the person requesting access, it will be deemed personal data and its disclosure is unlikely as a Freedom of Information request. Those requesting access must provide enough detail to allow the operator to identify that they are the subject of the images, and for the operator to locate the images on the system. Requests for access should be addressed to the Data Controller.

Refusal to disclose images may be appropriate where its release is:

- Likely to cause substantial and unwarranted damage to that individual.
- To prevent automated decisions from being taken in relation to that individual.

Monitoring and evaluation

Bilsthorpe Parish Council undertakes regular audits to ensure that the use of CCTV continues to be justified. The audit includes a review of:

- Its stated purpose.
- The location.
- The images recorded.
- Storage length.
- Deletion.

Period of Review

The efficacy of this Policy will be reviewed as required by Bilsthorpe Parish Council. If the Council decides to change the way in which it uses CCTV, it will inform the Information Commissioner within 28 days.

Data Controller: Bilsthorpe Parish Council. Delegated persons; The Parish Council Clerk & Cllr Steve Kemp. Access is also granted to APACCTV Installations for the purpose of maintenance.