



Binsted Parish Council

CCTV Policy Procedure

Introduction

Under the **Protection of Freedoms Act 2012** the processing of personal data captured by CCTV systems (including images identifying individuals) is governed by the **Data Protection Act 1998**.

On 25th May 2018 the **General Data Protection Regulation (GDPR)** came into force across the EU and replaces all data protection legislation in EU member states (including the UK's Data Protection Act 1998).

This Policy explains how Binsted Parish Council operates the CCTV system owned by it and located at the Recreation Ground Pavilion and will comply with current legislation. It is prepared after taking due account of the *Code of Practice for Surveillance Cameras and Personal Information* published by the Information Commissioner.

Statement of Purpose

The Purpose of the CCTV system installed by the Council is:

- To monitor the security of the pavilion, car park, playground and the recreation ground.
- To assist Law Enforcement Agencies with identification, detection, apprehension and prosecution of offenders of crime and anti-social behaviour in the vicinity of the (named building and outside area) by providing them with retrievable images provided by the system.
- To provide a safe and secure environment for users, visitors and to help loss or damage to the (named building and outside area), equipment and assets of the Parish Council.
- To reduce the fear of crime and anti-social behaviour in (named building and outside area)
- To deter any potential offenders by publicly displaying the existence of CCTV and signs of its operation around the (named building and outside area).

Lawful basis for processing

The Parish Council is a public authority and has certain powers and obligations. Most personal information collected by it is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers.

A Parish Council may for the detection or prevention of crime in its area install and maintain any equipment, establish and maintain any scheme, or assist others to install and maintain any equipment or to establish and maintain any scheme.

Any personal information collected and used in connection with the CCTV system will be processed to provide for the general public's benefit a safe and secure environment, free from crime and anti-social behaviour, and damage to buildings and assets provided for community use and equipment.

Location

The installation consists of 5 network cameras at the following locations:

Camera 1- Above Main Entrance – covers grass side of car park and allotments

Camera 2- Rear of Building – covers rear of building to show side door on garage

Camera 3- Above Main Entrance – covers driveway entrance and remaining car park

Camera 4- Above Veranda – covers left hand side of Recreation Ground

Camera 5- Above Veranda – covers right hand side of Recreation Ground and bench

Camera 6- Behind Pavilion - covers driveway and garage door

To cover the perimeter of the car park, play area, all allotments and recreation ground.
The recorder and screen are located in a secure and lockable cupboard inside the pavilion.

Every effort has been made to ensure that the CCTV cameras are sited and image capture is restricted so far as not to view or record areas that are not intended to be the subject of surveillance, such as individuals' private property. The system does not have sound recording capability.

Maintenance

The CCTV system is maintained by Excel Security Systems

Signage

In areas where the CCTV is installed the Parish Council will ensure that there are prominently placed signs within the controlled areas. The signs will be clearly visible and readable and will confirm that Binsted Parish Council is operating the system and contact details.

Management of the System

Binsted Parish Council has responsibility for the control and decisions on how the CCTV is used.

Day-to-day operational responsibility rests with the Clerk to the Council and any Councillors nominated by the council (Data Control Officers) who may be consulted out of hours, if and when necessary.

Access to recorded images is restricted to the Operators.

The Data Controllers are aware of the procedures that need to be followed when accessing recorded images and are trained in their responsibilities under the CCTV Code of Practice.

All access to the medium on which the images are recorded is documented.

All Councillors are aware of the restrictions in relation to access to, and disclosure of, recorded images.

The Parish Council has notified the Information Commissioner's Office of both the name of the Parish Council, as data controller, and the purpose for which the images are used.

Restricted and Access- Image storage, viewing and retention

Recorded images will be stored in a way that ensures the security and integrity of the image and allows specific times and dates to be identified. Access to live images is restricted to the Operators. Recorded images can only be viewed in a restricted area approved by the Parish Council.

Periods of retention of images are intended to reflect the Parish Council's purpose for recording the information. Normally, images will be deleted at **30 calendar days** intervals which will provide adequate time for any incidents of a criminal or anti-social nature to have come to light and to have been reported to Law Enforcement Agencies (usually the police). On occasion, however, personal information may need to be retained longer where, for example, an incident has been identified and an access request has been made, or time is required to enable the police to collect the relevant images, or the police are investigating a crime and ask for images to be preserved to afford them the opportunity to view information as part of an active crime investigation. A record of this process will be captured.

Images retained for evidential purposes will be retained in a locked area accessible by the data controllers only. The Clerk will ensure that the reason for retention is recorded, where the images are kept, any use made and when they are finally destroyed.

Disclosure of Images

Judgements regarding disclosure to third parties (such as system maintenance providers) can only be authorised by the Parish Council, as Data Controller, with the right to refuse any request for information unless there is an overriding legal obligation, such as a court order or information access rights.

Disclosure of information will be controlled and consistent with purpose(s) for which the system is established. It is intended that CCTV images produced on the system will be used by law Enforcement Agencies alone for the purposes of detecting, investigating and preventing criminal or anti-social behaviour. Once information is disclosed to the police or any other law enforcement body, they will become Data Controller for the copy they hold.

All requests for disclosure are recorded, if disclosure is denied, the reason is documented.

Individual's Access Requests

Individuals whose images are recorded have a right to be provided with a copy of the images caught by the request that constitute their personal data, unless they agree otherwise, such as by viewing the footage. Requests for access should be made by e-mail or in writing to the Clerk.

If a request is received the Clerk will comply with it within one month of receiving the request and a fee of £10 will be charged first(this is the statutory maximum set by Parliament) and should be paid to Binsted Parish Council (bank details to be obtained from the Clerk) whether you have effectively labelled information to assist with retrieval.

Those who request access must provide the Parish Council with details that allow us to identify them as the subject information and also to locate the information on the system: date/time/location and where the footage was captured or the vehicle registration

The Parish Council will provide the data subject with a copy of all information caught by the requests that constitute their personal data, unless an exemption applies. This information will be provided in a permanent form or you may be invited to a viewing

All requests for access are recorded. If disclosure is denied, the reason is documented and the individual will be informed within at least one month of the reason and their right to complain to a statutory authority.

Other Individuals Rights

Unless subject to exemption, the law gives individuals additional rights to control what personal information the Parish Council uses and how.

Change of inaccurate information

If something is written on a file that is out of date, incomplete or incorrect, the Parish Council will update it.

Right to erasure

An individual can ask for their personal information to be deleted where it is no longer necessary, was unlawfully processed, they withdraw their consent or object to the processing, or they need to comply with a legal obligation.

Right to restrict use of personal information

Where there is a dispute in relation to the accuracy or processing of personal information, or it is needed regarding a legal claim, the individual has the right to request a restriction is placed on further processing.

Right to object

Individuals have the right to object to the processing of their personal information

Right to Complain

Individuals have the right to lodge a complaint with the Information Commissioners Office

<https://ico.org.uk>

The Parish Council will consider any request made to the Clerk

Enquiries about the Operation of the CCTV

Requests can be made to a public authority for information under the Freedom of Information Act 2000 relating to surveillance systems, such as the operation of the system, its siting of the cost of using and maintaining it. If such a request is received by the Parish Council, it will consider whether disclosure is appropriate and/or whether an exemption under the Act applies.

Requests under the Freedom of Information Act must be in writing and will receive written response within 20 working days from the Clerk.

Monitoring, Compliance, Evaluation and Review

The Council is committed to the recommendations of the Code of Practice for Surveillance Cameras and Personal Information published by the Information Commissioner.

To exercise any rights, queries or complaints, please in the first instance contact the Clerk to Binsted Parish Council at clerk@binstedparishcouncil.org.uk or telephone 01420 520692

For independent advice, data protection compliance concerns or to lodge a formal complaint, contact the Information Commissioner's Office on 0303 123 1113 or at

<https://ico.org.uk/global/contact-us/email> or

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Any major change that would have a significant impact on either the purpose(s) or this policy will take place after discussion by the Council and resolution at a Full Council meeting. All agendas are posted on the Council notice board and website at least 3 clear days excluding weekends before Council meetings.

If the Council decides to change the way in which it uses the CCTV, it will provide members of the public with information of the new purpose(s) prior to commencing the processing and setting out the relevant purposes and processing conditions and will inform the Information Commissioner within 28 days.

Adopted at Full Council Meeting 9 Jan 2024

Review Date Jan 2025