

1. **Closed Circuit Television Policy**

The following policy relates to surveillance camera equipment and the gathering, storage, use and disposal of CCTV system recorded data. The Council uses surveillance camera devices for various purposes. These include CCTV systems within Council premises and car park.

Penkridge Parish Council is referred to as 'the council' throughout this policy.

- This document should be read in conjunction with the Parish Council's GDPR Policy and South Staffordshire Council's Guidelines.

2. **Definitions**

Camera	Any device used as part of a CCTV system.
CCTV	Closed Circuit Television.
CCTV System	Any system or device used by the Council to monitor an area.
Image	Any image captured by a CCTV system
Overwrite Period	The period between an image being recorded and it being automatically deleted from the CCTV system
Responsible Officer	The Officer with responsibility for a specific CCTV system in operation
CCTV Manager	The Officer with responsibility for CCTV policy and its use throughout the Council

3. **Introduction**

- 3.1 Use of cameras and other electronic recording devices in public places has escalated over recent years and the advance of technology has meant that the variety of devices available has expanded. Whilst these perform a useful role in preventing and detecting crime and keeping people and property safe, such use has led to much greater intrusion into the private lives of individuals going about their lawful business. This policy aims to set out standards relating to the use of such equipment that maximises effectiveness whilst at the same time minimises interference with the privacy of individuals whose images are captured by the devices.
- 3.2 Officers undertaking covert surveillance with or without recording devices must comply with the requirements of the Regulation of Investigatory Powers Act 2000 (RIPA) and the Codes of Practice issued pursuant to that legislation. This policy does not apply to such activities.

4. **Objectives**

- 4.1 It is important that everyone, and especially those charged with operating the CCTV systems on behalf of the Council, understand exactly why the CCTV system and each camera used as part of a CCTV system has been introduced and what the cameras should and should not be used for.

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- 4.2 Each CCTV system will have its own site or task specific objectives. These could include some or all of the following:
- a) Protecting areas and premises used by Council Officers and the public.
 - b) Deterring and detecting crime and anti-social behaviour.
 - c) Assisting in the identification of and apprehension of offenders.
 - d) Deterring violent or aggressive behaviour towards Council Officers.
 - e) On-site traffic and car park management.
 - f) Protecting Council property and assets.
 - g) Assisting in grievances, formal complaints and investigations.
 - h) Surveying buildings for the purpose of maintenance and repair.
- 4.3 The CCTV system must not be used to monitor the activities of Council Officers or members of the public in the ordinary course of their lawful business. Councillors are not permitted to use the CCTV system to observe the working practices and time keeping of Council Officers.

5. Legislation

- 5.1 CCTV systems are subject to legislation under:
- a) The General Data Protection Regulation 2018 [GDPR].
 - b) The Human Rights Act 1998 (HRA).
 - c) The Freedom of Information Act 2000 (FOIA).
 - d) The Regulation of Investigatory Powers Act 2000 (RIPA).
 - e) The Protection of Freedoms Act 2012
 - f) The Criminal Procedures and Investigations Act 1996

6. Responsibilities

The CCTV Manager

- 6.1 The CCTV Manager (Parish Administrator) is responsible for ensuring all those involved in the use of the CCTV system can view current legislation and guidance relating to the CCTV system.
- 6.2 The CCTV Manager will review the CCTV policy annually.
- 6.3 The CCTV Manager will take the CCTV policy to the Full Council to receive policy approval.

The Responsible Officer

- 6.4 The day-to-day operational responsibility for the CCTV system rests with the Parish Administrator.
- 6.5 The Responsible Officer shall ensure that Council Officers involved in the operation of the CCTV system are trained in the use of the equipment and are aware of this policy and the procedures in place to manage CCTV systems at the Council.
- 6.6 The Responsible Officer should act as the first point of contact for all enquiries relevant to the CCTV system in their premises and should ensure that only authorised council officers are able to operate or view images.
- 6.7 The Responsible Officer shall investigate any reported misuse of a CCTV system and report it immediately to the Chairman of Council.

- 6.8 The responsible officer shall report any faults in the CCTV system to the installation company who shall take steps to remedy the fault at the earliest opportunity.

7. CCTV Operations

- 7.1 Council Officers operating CCTV systems are responsible for operating the equipment in accordance with all requirements set out in current legislation, this policy document, relevant guidelines, codes of practice and local operational manuals.
- 7.2 Council Officers operating CCTV systems must be familiar with the requirements of information governance.
- 7.3 Council Officers involved in the use of CCTV systems shall report any misuse to the Responsible Officer and shall co-operate with any investigation by the Responsible Officer. The Responsible Officer shall investigate any reported misuse of a CCTV system and report it immediately to the Chairman.
- 7.4 Council Officers operating CCTV systems shall be responsible for bringing any equipment faults to the Responsible Officer's attention immediately.

8. Purchasing and Deployment of CCTV Cameras

- 8.1 It is advisable when purchasing CCTV systems to purchase from suppliers that are registered with the Surveillance Camera Commissioner's Third Party Certification Scheme. Certification enables organisations to demonstrate that they use their CCTV systems transparently, effectively and proportionately.
- 8.2 Those responsible for introducing and operating CCTV systems must ensure that the use of cameras is proportionate to the intended objective and that individuals' right to privacy is respected at all times. A clear operational objective for the CCTV system must be identified and an assessment on the impact on privacy must be carried out and reviewed each year.
- 8.3 Care must be taken to ensure that cameras do not capture images or sounds of private spaces such as dwelling houses.
- 8.4 The Council does not deploy 'dummy' cameras as part of its CCTV systems as these can provide a false sense of security.
- 8.5 The council does not generally operate cameras that can monitor conversation or be used to talk to individuals as this is seen as an unnecessary invasion of privacy.

9. Monitoring

- 9.1 CCTV system monitors sited in Reception and other areas are intended to provide live monitoring of Reception areas by security or other Council Officers. The ability to view the CCTV system monitors must be restricted to those authorised to see them.
- 9.2 Monitoring of CCTV systems where required will only be carried out by persons authorised by the relevant Responsible Officer.
- 9.3 CCTV will only be subject to the GDPR Act 2018 if the footage captured "relates to living individuals who can be identified" from it

10. Viewing Images

- 10.1 The casual viewing or trawling of images or sounds captured by a CCTV system is strictly forbidden. Viewings must only be carried out for a specific, legitimate purpose.
- 10.2 Under the Freedom of Information Act 2000, people can request access to any recorded information (with certain exemptions) that the Council holds. However, if individuals are capable of being identified from the CCTV system footage then it is personal information about the individual concerned and is unlikely to be disclosed in response to a Freedom of Information request as the requester could potentially use the information for any purpose and the individual concerned is unlikely to expect this. All **Freedom of Information requests** relating to CCTV system images should be directed to the Council's Responsible Officer.
- 10.3 On occasions the Council **may wish to access images and recordings captured on CCTV systems as part of a legitimate investigation** into criminal activities, civil claims, potential disciplinary matters, complaints, grievances or health and safety issues. Viewings and images will only be released to a properly authorised investigating Council Officer upon the submission of a formal request to the Chairman. The viewing request should include:
- a) The name of the Authorising Officer
 - b) The name and contact details of the person viewing images
 - c) The reason for viewing the images

Viewing Requests should be made in a timely manner as the retention period for the Council's CCTV systems in operation is 28 days.

- 10.4 On occasion, **Police Officers may request to view images taken from CCTV systems during the investigation of criminal activity**. This is acceptable under the GDPR Act 2018. However, the Police Officer making the request must complete a CCTV Request Form (available from the Responsible Officer] confirming that the information is needed for the detection or prevention of a specific crime. The form must be signed by a Senior Police Officer and returned to the Responsible Officer. Police Officers are not permitted to trawl the Council's CCTV systems on the off chance of detecting a crime.
- 10.5 Occasionally **insurance companies or solicitors will request footage, generally over disputes regarding damage to cars in the car park**. As the footage may identify the individual drivers or vehicles involved it is classed as personal information. Copies of personal information can be requested by completing a CCTV Request Form. Ordinarily you are only entitled to information about yourself; however, in certain circumstances it is reasonable to include information about third parties, and this is permitted by the GDPR. Such circumstances may include where a third party has caused damage to you or your vehicle. All such requests must be made through the Parish Administrator, who logs all such requests and who may need to redact third party information.

11. Signage

- 11.1 All areas where CCTV is in use should be clearly signed. Such signs warn people that they are about to enter an area covered by a CCTV system or to remind them that they are still in an area covered by a CCTV system. Signs will also act as an additional deterrent. CCTV system signs should not be displayed in areas that do not have CCTV cameras.
- 11.2 Signs should be an appropriate size depending on context. For example, whether they are viewed by pedestrians or car drivers.

11.3 Signs should be more prominent and frequent in areas where people are less likely to expect that they will be monitored by a CCTV system.

11.4 Signs should:

- a) Be clearly visible and readable;
- b) Contain details of the organisation operating the system;
- c) The purpose for using the surveillance system;
- d) Contact details such as a simple website address, telephone number or email address.

12. Storage and Retention

12.1 CCTV system images are stored for 28 days and then overwritten.

12.2 Recorded material will not be sold or used for commercial purposes.

12.3 CCTV systems will be kept secure from unauthorised access.

12.4 All images remain the property and copyright of the Council.

12.5 All images are stored on secure servers.

12.6 Image resolution should be relevant to purpose.

12.7 All media will be confidentially disposed of when no longer needed.

12.8 No CCTV system images will be stored in the Cloud

12.9 No CCTV system images will ever be published to the Internet

13. Inspections

13.1 CCTV systems at the Council can be inspected at any time by:

- a) The CCTV Manager.
- b) The relevant Responsible Officer.
- c) A Police Officer after completion of the relevant form.

13.2 Spot checks and audits of the Council's CCTV systems will take place sporadically.

14. Health and Safety

14.1 The relevant Responsible Officer should ensure that Officers are made aware of and comply with all Council policies on health and safety, in particular, working with electrical equipment, VDU regulations and working with heights.

15. Complaints

15.1 Any complaints regarding CCTV systems at the Council should be directed to the relevant Responsible Officer. All complaints will be dealt with in accordance with the Council's Complaints Procedure.