



## CCTV Policy

### 1. Background:

1.1 Biddenham Parish Council uses Closed Circuit Television (CCTV) and its images for the prevention, identification and reduction of crime and to monitor the Biddenham Pavilion and its facilities, in order to provide a safe and secure environment for all council members, council employees and users of the Pavilion building and grounds.

1.2 CCTV Surveillance at the Pavilion is intended for the purpose of:

- Protecting the Council owned Pavilion, facilities and grounds 24 hours a day, 7 days a week
- Promoting the health and safety of staff, councillors and users
- Reducing the incidence of crime and anti-social behaviour (including theft and vandalism)
- Supporting the Police in a bid to deter and detect crime through criminal investigations
- Assisting in identifying, apprehending and prosecuting offenders and ensuring that all rules pertaining to the use of the building and grounds are respected and can be managed properly

### 2. The CCTV system:

2.1 The system comprises of 8 cameras, which cover the Pavilion main hall, the car park, side and back doors, and the playground.

2.2 The CCTV system is owned and operated by Biddenham Parish Council and the deployment of which is determined by the full council as Data Controller.

2.3 The CCTV system is sited in a locked room at the Pavilion with system login details held only by the Clerk and Pavilion Manager.

2.4 Cameras have been sited so they can only capture images relevant to the purposes for which they are installed and care will be taken to ensure that reasonable privacy expectations are not violated.

2.5 CCTV will not be used inside the changing rooms, toilets or kitchen.

2.6 Use of CCTV to monitor areas where individuals would have a reasonable expectation of privacy would be difficult to justify. The Council has endeavoured to select a location for the installation of CCTV cameras so as to be the least intrusive to protect the privacy of individuals, with cameras in external areas being positioned in such a way as to prevent recording of another person's private property.

- 2.7 The Council's CCTV system is not required to be registered with the Information Commissioner under the terms of the Data Protection Act because the Council does not deem that the processing of data will result in a high risk to the rights and freedoms of individuals.
- 2.8 All employees are aware of the restrictions in relation to access to and disclosure of recorded images.
- 2.9 The Council complies with the Information Commissioner's Office (ICO) Code of Practice to ensure it is used responsibly and safeguards both trust and confidence in its continued use.
- 2.10 The use of CCTV system will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes are prohibited by this policy, e.g. it will not be used to monitor employee performance.

### **3. Justification**

- 3.1 The use of CCTV to control the Pavilion main hall, car park, and playground for security purposes has been deemed to be justified by the Council. The system is intended to capture images of intruders or of individuals damaging council owned property, removing equipment without authorisation, or anti-social behaviour. In particular, the Council has in the past experienced drug use/selling and anti-social vehicle use in the car parks, and vandalism to the playground.
- 3.2 CCTV systems will not be used to monitor sporting events/activities or employees at work, and any capturing of these images is purely incidental to its primary purpose.

### **4. Data Protection Impact Assessment**

- 4.1. A Data Privacy Impact Assessment (DPIA) has not been carried out; this is only required where the processing is deemed to be high risk. This has been determined because the following factors are considered not to apply to this processing: systematic profiling, large scale use of sensitive data, public monitoring on a large scale, evaluation/scoring, automated decision making, systematic monitoring, data processed on a large scale, matching/combined datasets, data concerning marketing to vulnerable data subjects, innovative technologies, prevention of right to use a service.

### **5. Covert surveillance**

- 5.1 Biddenham Parish Council will not engage in covert surveillance.

### **6. Notification**

- 6.1 A copy of this CCTV policy is available on request and is also available free of charge to download from the parish council website.
- 6.2 Adequate signage is placed on the Pavilion buildings, to indicate that CCTV is in operation.

## **7. Storage and Retention of Images/Data**

7.1 The images/data captured by the CCTV system will be retained for a maximum of 30 days, except where the image identifies an issue and is retained specifically in the context of an investigation/prosecution of that issue.

## **8. Access**

8.1 The images/recordings will be stored in a secure environment.

8.2 Access to the room is restricted and only authorised personnel have the login details for the system. Supervising the access and maintenance of the CCTV system is the responsibility of the Parish Clerk, who may delegate the administration of the CCTV system to the Pavilion Manager.

8.3 In certain circumstances, the recordings may also be viewed by other individuals in order to achieve the objectives set out above. When CCTV recordings are being viewed, access will be limited to authorised individuals on a need-to-know basis.

8.4 A record of the date of any disclosure request along with details of who the information has been provided to (the name of the person and the organisation they represent), why they required it and how the request was dealt with will be made and kept, in case of challenge.

8.5 Data will be provided to those requests authorised in a permanent format where possible. If this is not possible the data subject will be offered the opportunity to view the footage.

8.6 In relevant circumstances, CCTV footage may be accessed:

- By the police where Biddenham Parish Council are required by law to make a report regarding the commission of a suspected crime; or
- Following a request by the Police when a crime or suspected crime has taken place and/or when it is suspected that illegal/anti-social behaviour is taking place on Biddenham Parish Council property, or;
- To the HSE and/or any other statutory body charged with child safeguarding; or
- To assist the Parish Clerk/Pavilion Manager in establishing facts in cases of unacceptable behaviour, in which case, the individuals involved, will be informed; or
- To data subjects (or their legal representatives), pursuant to a Subject Access Request; or
- To individuals (or their legal representatives) subject to a court order.
- To the Parish Council insurance company where the insurance company requires same in order to pursue a claim for damage done to the insured property.

## **9. Subject Access Request (SAR)**

9.1 Individuals have the right to request access to CCTV footage relating to themselves under the Data Protection Act.

9.2 Individuals submitting requests for access will be asked to provide sufficient information to enable the footage relating to them to be identified. For example, date, time and location.

9.3 Council will respond to requests within 30 calendar days of receiving the request in line with the council's right of access policy.

9.4 Council reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an on-going investigation.

9.5 A record of the date of the disclosure along with details of who the information has been provided to (the name of the person and the organisation they represent) and why they required it will be made.

9.6 In giving a person a copy of their data, Council will provide a still/series of still pictures, with relevant images. However, other images of other individuals will be obscured before the data is released.

9.7 Where footage contains images relating to 3rd parties, Council will take appropriate steps to mask and protect the identities of those individuals.

## **10. Complaints**

10.1 Complaints and enquiries about the operation of CCTV should be directed to the Parish Clerk in the first instance. Escalations should be raised to full council.

## **11. Training**

11.1 Staff authorised to access the CCTV system will be trained to comply with this policy. Staff will understand that all information relating to the CCTV images must be handled securely.

11.2 Staff misuse of surveillance system information will lead to disciplinary proceedings.

## **12. Responsibilities**

12.1 The Parish Clerk and Council will:

- Ensure that the use of CCTV systems is implemented in accordance with the policy set down by Biddenham Parish Council.
- Oversee and co-ordinate the use of CCTV monitoring for safety and security purposes within the Pavilion and grounds.
- Ensure that the CCTV monitoring is consistent with the highest standards and protections

- Review camera locations and be responsible for the release of any information or recorded CCTV materials stored in compliance with this policy
- Maintain a record of the release of any material recorded or stored in the systems Ensure that the perimeter of view from fixed location cameras conforms to this policy both internally and externally
- Give consideration to members of the public and council staff feedback/complaints regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment
- Ensure that all areas being monitored are not in breach of an enhanced expectation of the privacy of individuals within the setting and be mindful that no such infringement is likely to take place
- Ensure that external cameras are non-intrusive in terms of their positions and views of neighbouring residential housing and comply with the principle of “Reasonable Expectation of Privacy”
- Ensure that monitoring footage is stored securely with access by authorised personnel only
- Ensure that images recorded are stored for a period not longer than 30 days and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil)
- Ensure that camera control is solely to monitor suspicious behaviour, criminal damage etc
- Ensure that camera control is not infringing an individual’s reasonable expectation of privacy in public areas.

### **13. Review**

13.1 This Policy was adopted by the Parish Council at the meeting on 14th November 2023 and will be reviewed annually.

## BIDDENHAM PARISH COUNCIL

### CCTV POLICY

#### Version Control Record

Ref.	Date of Update	Details of Amendments/Changes	BPC Approval Minute
1	November 2023	Adoption of CCTV Policy	