



HARLING PARISH COUNCIL

CCTV System Policy Statement

1. Introduction

1.1 The purpose of this policy is to regulate the management, operation and use of Harling Parish Council's CCTV System (the System). The aim is to ensure that the System is not abused or misused and that it is correctly and efficiently installed, managed and maintained.

1.2 The System comprises 4 CCTV cameras, currently installed at The Poplars Play area and on the Sports and Social Club. The system may be extended by the Parish Council. Images are not monitored continuously but are recorded. The Parish Council securely stores images recorded by the System for a limited period. Access to images is restricted to Authorised Persons only. Authorised Persons include the Parish Clerk, the Police, and The Parish Council Chairman and Deputy Chair (two authorised persons to view at anytime). With prior written consent of the Parish Council, images may be released to the media via the Police for the purpose of crime detection.

1.3 The Policy addresses the need for the System to comply with the Data Protection Principles set out in the Data Protection Act 1998, Human Rights Act 1998, Freedom of Information Act, Regulation of Investigatory Powers Acts 2000 (if applicable) and other relevant legislation.

1.4 This policy will be subject to review annually, to include consultation with interested parties where appropriate, e.g. the Police, as defined in the Data Protection Act 1998.

1.5 Harling Parish Council (The Data Controller) controls the System and the images recorded by it. The Council is responsible for how the System is used and for notifying the Information Commissioner about the System and its purposes. This is a legal requirement of the Data Protection Act 1998.

1.6 The Parish Council's Data Protection Officer for the purposes of this Policy Statement is the Parish Clerk.

1.7 Ownership of the recorded material and copyright in the recorded material will remain with Harling Parish Council

2. Objectives of the CCTV System

- i) To Protect Harling Parish Council's property and assets.
- ii) To increase personal safety and help reduce the fear of crime in Harling
- iii) To support the Police in a bid to deter and detect crime.
- iv) To assist the Police in identifying, apprehending and prosecuting offenders.

3. Viewing of the Recorded/Live Images

3.1 Images of areas under surveillance are not monitored continuously but are recorded and accessible as required by the Parish Clerk or by Authorised Persons as defined in 1.2

3.2 Access to the recorded images will be restricted to those mentioned at 1.2 above. The Parish Clerk in conjunction with at least 2 other councillors will decide whether to allow requests for access by third parties in accordance with the Parish Council's disclosure policy.

3.3 The viewing of recorded images must take place in a secure area to which only Authorised Persons will have access.

3.4 Viewing or Removal of the medium by Harling Parish Council on which the images are recorded e.g. DVD or HDD for viewing purposes must be documented as follows.

- Name(s) of Authorised Person(s) viewing the images
- The date and time of the request
- The purpose of the viewing
- Date and time of viewing
- Action taken (if any)
- The date and time the images were destroyed or returned to the System or secure place.

3.5 Police requests to view images and information relating to the viewing and copying of images at the request of the Police must be recorded on. The following information must be recorded;

- The name (and rank if applicable) and address of the Requestor
- The date and time of the request
- The reason for the viewing
- The name(s) of the person(s) viewing/copying the images. The outcome, if any, of the viewing
- The date and time the images were returned to the Data Controller for destruction.

4. Siting of Camera and Signage

4.1 The CCTV System will be sited in such a way that it only monitors those areas intended to be covered by the equipment. CCTV software will be used to obscure any private property that falls within the view of the camera.

4.2 Where it is not possible to restrict coverage, the owner of the property or space being overlooked will be consulted. If cameras are adjustable by the operator, this should be restricted so that it is not possible to overlook areas not intended to be covered. Camera operators will be trained in recognising the privacy implications in overlooking areas not intended to be covered by the System.

4.3 Signs will be placed so that the public are aware that they are entering a zone that is covered by surveillance equipment. The signs should be clearly visible and legible to members of the public.

4.4 The signs must contain the following information.

- The identity of the organisation responsible for the scheme.
- The Purpose of the scheme.
- Details of whom to contact regarding the scheme.

5. Subject Access Requests

5.1 Under the Data Protection Act, individuals whose images are recorded have a legal right to view the images of themselves, and to be provided with a copy of the images if requested. They do not have the right of instant access. Access to images must be granted within 40 calendar days of receiving a request.

5.2 The Parish Clerk is the officer responsible for dealing with requests under the Data Protection Act from members of the public requesting to view images of themselves.

5.3 A fee of £10 will be charged to cover administration and material costs for subject access requests.

5.4 A request to view recorded images may also be made under the Freedom of Information Act 2000 (FOI). The Parish Council must respond within 20 working days from receipt of a written request for information under the Act. However, if the images are those of the requester, then that information is exempt from the FOI and should be treated as a data protection subject access request as referred to in 5.1 above. If the requested images are of other

people who are individually identifiable, these images would not normally be released. This is because the requester could potentially use the images for any purpose, and the individual concerned is unlikely to expect this. This could constitute unfair processing in contravention of the Data Protection Act.

5.5 The applicant must provide sufficient information for the requested images to be identified, i.e. the location, date and approximate time the images are believed to have been recorded.

6. Retention of Images

6.1 Recorded images will be kept for a period of 28 days, after which the recording will be destroyed, unless a longer period is authorised by the Parish Clerk. In some circumstances it may be necessary to retain images for longer e.g. at the request of the Police for investigation purposes or to comply with a data subject access request under the Data Protection Act. These images will be destroyed when they are no longer required.

6.2 If images are retained for evidential purposes, they must be stored in a secure place to which there is controlled access.

6.3 If the retained images are released for use in legal proceedings, the following information must be recorded :

- The date on which the images were copied from the System for use in legal proceeding.
- The reason they were copied from the System.
- To whom the images were released e.g. if the images were handed to a police officer, the name and station of that police officer must be recorded and the images signed for by the police officer.
- Any crime incident number to which the images may be relevant.
- The location of the images.

7. Complaints

7.1 Complaints relating to the use of the CCTV system will be dealt with under Harling Parish Council's existing complaints procedure.

Background papers: Data Protection Act 1998, Freedom of Information Act 2000.

Reference documents: CCTV Code of Practice, revised Edition 2008, (a publication of the Information Commissioner's Office).

Harling Parish Council
January 2016

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