

CCTV Policy

1. POLICY STATEMENT

- 1.1. Cottenham Parish Council believes that CCTV has a legitimate role to play in helping to maintain a safe and secure environment for all staff and visitors to its premises. However, it recognises that this may raise concerns about the effect on individuals and their privacy. This policy is intended to address such concerns.
- 1.2. Images recorded by surveillance systems are personal data which must be processed under data protection laws. Cottenham Parish Council is committed to complying with its legal obligations and ensuring that the legal rights of individuals relating to their personal data are recognised and respected.
- 1.3. This policy is intended to assist Cottenham Parish Council in complying with its legal obligations when working with personal data. In certain circumstances, the misuse of information generated by CCTV could constitute a criminal offence.

2. DEFINITIONS

- 2.1. For this policy, the following terms have the following meanings:
 - 2.1.1. **CCTV:** means a Closed-Circuit Television system employing cameras designed to capture and record images of individuals and property.
 - 2.1.2. **Data:** is information stored electronically, or in certain paper-based filing systems. In the context of this CCTV policy, it generally means video images. It also includes any static pictures such as printed screenshots.
 - 2.1.3. **Data subjects:** means all living individuals about whom personal information is held as a result of the operation of CCTV.
 - 2.1.4. **Personal data:** means data relating to a living individual who can be identified from that data (or other data held by Cottenham Parish Council). This will include video images of identifiable individuals.
 - 2.1.5. **Data controller:** Cottenham Parish Council is the data controller of all personal data used in its operations.
 - 2.1.6. **Data user:** an employees of or contractor to Cottenham Parish Council whose work involves processing personal data. Data users must protect the data they handle per this policy.
 - 2.1.7. **Data processor:** is any person or organisation that is not a data user that processes data on behalf of Cottenham Parish Council and following its instructions (for example, a third-party supplier storing or handling data on behalf of the council).
 - 2.1.8. **Processing:** is any activity which involves the use of data. It includes obtaining, recording or holding data, or carrying out any operation on the data including organising, amending, retrieving, using, disclosing or destroying it. Processing also includes transferring personal data to third parties.
 - 2.1.9. **Premises:** Cottenham Village Hall and Car Park, Recreation Ground and Pavilion.

3. ABOUT THIS POLICY

- 3.1. Cottenham Parish Council uses CCTV to view and record individuals on and around its premises. This policy outlines the purpose of using CCTV, how the CCTV will operate and how images recorded will be processed to ensure compliance with data protection law

and best practice. This policy also explains how to make a subject access request in respect of personal data created by CCTV.

- 3.2. Cottenham Parish Council recognises that personal data is subject to data protection legislation. The images of individuals recorded by CCTV are personal data and therefore subject to the legislation. Cottenham Parish Council is committed to complying with its legal obligations and seeks to comply with best practice suggestions from the Information Commissioner's Office (ICO).
- 3.3. This policy covers all Parish Council employees and other individuals working in or visiting its premises and environs within the scope of the CCTV.
- 3.4. This policy has been approved by Cottenham Parish Council.
- 3.5. The policy will be regularly reviewed to ensure that it meets legal requirements, relevant guidance published by the ICO and industry standards.
- 3.6. A breach of this policy may, in appropriate circumstances, be treated as a disciplinary matter. Following an investigation, a breach of this policy may be regarded as misconduct leading to disciplinary action, up to and including dismissal.

4. PERSONNEL RESPONSIBLE

- 4.1. The Parish Council has overall responsibility for ensuring compliance with relevant legislation and the effective operation of this policy.
- 4.2. Day-to-day management responsibility for deciding what information is recorded, how it will be used and to whom it may be disclosed has been delegated to the Parish Council CCTV Working Party and the Parish Clerk. Day-to-day operational responsibility for CCTV cameras and the storage of data recorded is the responsibility of the Clerk to the Parish Council.

5. REASONS FOR USE OF CCTV

- 5.1. CCTV is deployed by Cottenham Parish Council where such use is necessary for legitimate purposes, including:
 - to deter and prevent crime
 - protect buildings and assets from damage, disruption and vandalism
 - enhance the personal safety of staff, visitors and other members of the public
 - to support law enforcement bodies in the prevention, detection and prosecution of crime
 - to assist in the effective resolution of disputes which arise in the course of disciplinary or grievance proceedings
 - to assist in the defence of any civil litigation.

This list is not exhaustive and other purposes may be or become relevant.

6. MONITORING

- 6.1. For the Village Hall, CCTV monitors public areas indoors, the exterior of the building and both the main entrance and secondary exits 24 hours per day, 7 days per week.
- 6.2. For the Pavilion, CCTV monitors the exterior of the building 24 hours per day, 7 days per week.
- 6.3. Camera locations are chosen to minimise viewing of spaces not relevant to the legitimate purpose of the monitoring. As far as practically possible, CCTV cameras will not focus on private homes, gardens or other areas of private property.
- 6.4. Surveillance systems will not be used to record sound.
- 6.5. Images are viewed by authorised personnel during working hours only.

- 6.6. In the event of an incident requiring immediate response, e.g. fire alarm etc., live camera feeds and recordings may be accessed by authorised personnel outside working hours.
- 6.7. Personnel required to use CCTV will be given appropriate training to ensure they understand and observe the legal requirements related to the processing of relevant data.

7. HOW CCTV SYSTEMS ARE OPERATED

- 7.1. Where CCTV systems are deployed, signs are displayed at the entrance of the surveillance zone to alert individuals that their image may be recorded. Such signs will contain details of the organisation operating the system, the purpose of using the surveillance system and who to contact for further information, where these things are not obvious to those being monitored.
- 7.2. Live feeds from CCTV cameras will only be monitored where this is reasonably necessary, for example, to protect health and safety.
- 7.3. Live feeds from cameras and recorded images will only be viewed by approved members of staff whose role requires them to have access to such data. This may include staff involved with disciplinary or grievance matters.
- 7.4. Recorded images will only be viewed in areas where confidentiality can be maintained. Where practical a minimum of two people should view the CCTV at any one time and only for specific reasons.

8. USE OF DATA GATHERED BY CCTV

- 8.1. Data gathered from CCTV cameras is stored to maintain its integrity and security. This may include encrypting the data, where it is possible to do so.
- 8.2. Local storage may be supplemented by offsite including “Cloud” storage. All reasonable steps will be taken to ensure that any storage service provider maintains the security of information, under industry standards.
- 8.3. Cottenham Parish Council may engage data processors to process data on its behalf, in which case it will ensure reasonable contractual safeguards are in place to protect the security and integrity of the data.

9. RETENTION AND ERASURE OF DATA GATHERED BY CCTV

- 9.1. CCTV images are not to be retained for longer than necessary. This will normally be a maximum of 30 days
- 9.2. By exception, for example when a law enforcement body is investigating a crime, it may be necessary to download and retain images or video for a longer period as part of an active investigation or as evidence.
- 9.3. At the end of their useful life, all images and video in whatever format will be erased permanently and securely.
 - 9.3.1. Data stored and managed by the CCTV system will be automatically deleted in line with a retention policy implemented on that system
 - 9.3.2. Digital data stored externally will have a policy set to ensure secure deletion at the end of the retention period
 - 9.3.3. Any physical media such as still photographs, hard copy prints, tapes or discs will be disposed of as confidential waste.

10.EXTENDING SURVEILLANCE SYSTEMS

- 10.1. Before introducing any new surveillance system, including placing a new CCTV camera in any location, a privacy impact assessment (PIA) will be completed to confirm appropriateness.
- 10.2. The PIA will consider whether new surveillance capabilities are necessary and proportionate in the circumstances, what limitations, if any, should be placed on their use and whether they should be used at all. It will consider the effect a surveillance camera will have on individuals and therefore whether its use is a proportionate response to the problem identified.
- 10.3. Any PIA will consider the nature of the problem to be addressed at that time, available options and whether surveillance is likely to be the most appropriate solution.
- 10.4. Surveillance cameras will not be placed in areas where there is an expectation of privacy (for example, in changing rooms) unless, in very exceptional circumstances, it is judged by us to be necessary to deal with very serious concerns.
- 10.5. All changes to existing or additional CCTV capabilities and systems must be approved by the Parish Council.

11.USE OF CCTV FOR COVERT MONITORING

- 11.1. Covert monitoring or surveillance is where individuals are unaware that the monitoring or surveillance is taking place and it risks monitoring of innocent individuals and activity
- 11.2. Cottenham Parish Council will not engage in covert monitoring using its CCTV capabilities, except in highly exceptional circumstances where there is no less intrusive way to tackle the issue. Examples of such exceptions would include, but are not limited to, situations where there are reasonable grounds to suspect that criminal activity or extremely serious malpractice is taking place, or on a properly documented request from a law enforcement agency
- 11.3. Authorisation for covert monitoring must be sought from the Parish Council. The authorisation should state who will be involved in such monitoring and its duration. If an extension is required, a new authorisation must be sought
- 11.4. This authorisation is delegated to the Council Chair or Vice-Chair, a Proper Officer of the Council and at least one other council member
- 11.5. The decision to carry out covert monitoring will be documented and will set out how the decision to use covert means was reached and by whom.
- 11.6. The number of people involved in any covert monitoring will be as small as possible
- 11.7. Covert monitoring will be carried out only for a limited and reasonable period consistent with the objectives of making the recording and will only relate to the specific suspected illegal or unauthorised activity described in the authorisation.

12.ONGOING REVIEW OF CCTV USE

- 12.1. Cottenham Parish Council will review the continued justification of using CCTV, its proportionality and appropriateness, annually.

13.REQUESTS FOR DISCLOSURE

- 13.1. Cottenham Parish Council will not normally release data unless satisfactory evidence that it is required for legal proceedings or under a court order has been produced or where it is reasonably necessary for any of the legitimate purposes set out above in Paragraph 5.1.

- 13.2. Requests for disclosure must be made in writing to the Clerk to the Parish Council and approved by the Parish Council.
- 13.3. Images from CCTV systems will not be disclosed to any third party, without express permission being given by the Parish Council.
- 13.4. This authorisation is delegated to the Council Chair or Vice-Chair, a Proper Officer of the Council and at least one other council member.
- 13.5. All disclosures of CCTV data will be documented and managed within the retention guidelines described in section 9.
- 13.6. Images or video from CCTV will not be posted online or disclosed to the media.

14.SUBJECT ACCESS REQUESTS

- 14.1. Data subjects may request disclosure of their personal information, which may include CCTV data (data subject access request).
- 14.2. A data subject access request should be made in writing to the Clerk to the Parish Council.
- 14.3. A response to a valid request should be provided within a month. This should detail the types of data held, the purpose of holding them, who has access and applicable retention policies. The applicant should be advised of their rights regarding data, including the right to complain to the ICO.
- 14.4. For us to identify relevant data, requests for CCTV video or images must include the date and time of the recording, the location where the footage was captured and, if necessary, information identifying the individual.
- 14.5. On receipt of a valid request, Cottenham Parish Council will provide a copy of the individual's personal data but reserves the right to obscure images of third parties, where it is considered necessary to do so. The Council will consider the ICO Code of Practice and the law when deciding whether to disclose third party personal data.

15.COMPLAINTS

- 15.1. Any questions about this policy or concerns about Cottenham Parish Council's use of CCTV should be directed to the Clerk to the Parish Council in the first instance.

16.REQUESTS TO PREVENT PROCESSING

- 16.1. Articles 21 and 22 of the GDPR, document the exceptional circumstances in which individuals have a legal right to object to processing of data. Examples include use for direct marketing, profiling and automated decision making.
- 16.2. Cottenham Parish Council will respond to and, if necessary, comply with any valid requests to prevent processing of individual's data.