

Draft CCTV Policy

Author: Tina Dudley, Ferndown Town Council, 12 March 2021

This policy takes account of all applicable legislation and guidance, including

- General Data Protection Regulation (GDPR) 2018
- Data Protection Act 2018
- CCTV Code of Practice
- Human Rights Act 1998

This policy sets out the position of Ferndown Town Council (Council) in relation to its use of closed circuit television (CCTV)

1. Introduction

1.1 Ferndown Town Council uses CCTV images to reduce crime and monitor buildings in order to provide a safe and secure environment for members of the public, staff and councillors and to prevent the loss or damage to property.

1.2 This Policy is to control the management, operation, use and confidentiality of CCTV systems at:

- the Barrington Centre, Pennys Walk, Ferndown BH22 9TH
- the Youth Centre, Mountbatten Drive Ferndown BH22 9FB
- King George V Pavilion, Peter Grant Way, Ferndown BH22 9EN

1.3 The Council CCTV system comprises a number of fixed cameras at the above Council managed locations. The system does not have sound recording capability.

1.4 The CCTV system is owned and operated by the Council and monitored by Council staff in a supervisory role.

1.5 This policy will be subject to periodic review by the Council to ensure that it continues to reflect the public interest and that it and the system meets legislative requirements.

1.6 The Council accepts the principles of the Human Rights Act 1998 Act based on the Data Protection Principles:

- data must be fairly and lawfully processed;
- processed for limited purposes and not in any manner incompatible with those purposes;
- adequate, relevant and not excessive';
- accurate;
- not kept for longer than is necessary;
- processed in accordance with individuals' rights;
- secure;
- not transferred to countries with inadequate protection;
- subject to guidance on good practice.

1.7 All authorised access to the CCTV system and associated images is covered by the Data Protection Act 1988. All staff and authorised contractors are required to follow this policy in the accessing of recorded images and are aware of restrictions in relation to access and the disclosure of recorded images.

1. Statement of Purpose

- 2.1 To provide a safe and secure environment for the benefit of those who might visit, work or live in the area. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law.
- 2.2 The scheme will be used for the following purposes:
 - to reduce the fear of crime by persons using Council facilities so they can enter and leave the buildings and facilities without fear of intimidation by individuals or groups;
 - to reduce the vandalism of property and to prevent, deter and detect crime and disorder;
 - to assist the police, other law enforcement agencies and the Council with identification, detection, apprehension and prosecution of offenders by examining and using retrievable evidence relating to crime, public order or contravention of bye-laws;
 - to deter potential offenders by publicly displaying the existence of CCTV, having cameras clearly sited that are not hidden and signs on display;
 - to assist all emergency services to carry out their lawful duties.
- 2.3 Council will comply with the Information Commissioner's Office (ICO) CCTV Code of Practice to ensure it is used responsibly and safeguard both trust and confidence in its use.
- 2.4 In areas where CCTV is used Council will display appropriate signage at that location.
- 2.5 It is not possible to guarantee that the system will cover or detect every single incident taking place in the areas of coverage.
- 2.6 The siting of cameras will be placed in locations relevant to the purpose for which they have been installed and care will be taken to ensure that reasonable privacy expectations are not violated. Council will ensure that the location of equipment is carefully considered to ensure that images captured comply with the Data Protection Act.
- 2.7 Council will make every effort to position cameras so that their coverage is restricted to the premises (Barrington Centre, Youth Centre) which will include outdoor areas.

2. Management of the System

- 3.1 Day to day operational responsibility rests with Council staff that have supervisory roles at Council owned/managed buildings.
- 3.2 Breaches of this policy will be investigated by the Clerk and reported to the Council.
- 3.3 A CCTV system prevents crime largely by increasing the risk of detection and prosecution of an offender. Any relevant tape or digital evidence must be in an acceptable format for use at Court hearings. This policy must be read and understood by all persons involved in this scheme and individual copies of this policy will therefore be issued for retention. A copy will also be available for reference in the secure recording areas.

4. Control and operation of the CCTV system

- 4.1 Trained operators must act with integrity and not abuse the equipment or change the pre-set criteria to compromise the privacy of an individual.
- 4.2 No public access will be allowed to the monitors except for lawful, proper and sufficient reason, with prior approval of the Clerk or supervisory employee. The Police are permitted access to tapes and prints if they have reason to believe that such access is necessary to investigate, detect or prevent crime. The Police are permitted to visit Council's offices to review and confirm the Council's operation of CCTV by arrangement. Any visit by the Police to view images will be logged by the operator. Access to images will be restricted to those staff and authorised contractors to view them in secure rooms at the above venues.
- 4.3 Any event that requires checking of recorded data should be clearly detailed in the log book of incidents, including a crime reference if available.
- 4.4 All requests should be made in writing to the Clerk detailing sufficient information to enable images relating to them to be identified. The Council's office will respond to requests within 28 days. The Police are permitted access if they have reason to believe that such access is necessary to investigate, detect or prevent crime.
- 4.5 Any request by an individual member of the public for access to their own recorded image must be made on an 'Access Request Form' and if authorised a fee of £20 may be charged per request (to cover the cost of administering the request, visiting the site and accessing the system). Sight of the individuals driving license or passport will be required as proof of identity. Requests will be submitted to the next meeting of the Council for consideration and reply, normally within one calendar month in line with the Council's privacy statement and the General Data Protection Regulations and the Data Protection Act 2018.
- 4.6 Storage and Retention of Images - digital records should be securely stored to comply with data protection and should only be handled by the essentially minimum number of persons. Digital images will be erased after a period of 28 days.
- 4.7 Council reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an ongoing police investigation.
- 4.8 Operators should check the accuracy of the date/time displayed on a monthly basis.
- 4.9 As records may be required as evidence at Court, each person handling a digital record may be required to make a statement to a police officer and sign an exhibit label. Any images that are handed to a police officer should be signed for by the police officer and information logged to identify the recording and showing the officer's name and police station. The log should also show when such information is returned to the Council by the police and the outcome of its use.
- 4.10 Any damage to equipment or malfunction discovered by an operator should be reported immediately to the Clerk. When a repair has been made this should be logged showing the date and time of completion.

4.11 The Police will be informed of the installation and provided with a copy of this CCTV Policy.

4.12 Any written concerns, complaints or compliments regarding the use of the system should be directed to the Clerk and will be considered by the Council, in line with the existing complaints policy.

4.13 The CCTV system may be used within the council's discipline and grievance procedures as required and will be subject to the usual confidential requirements of those procedures.

4.14 Further information on CCTV and its use is available from the following:

- CCTV Code of Practice (published by the ICO)
- Regulation of investigatory Powers Act 2000 (RIPA)
- Data Protection Act and GDPR 2018.

5. Changes to the Purpose or Policy

The CCTV Policy may be discussed at meetings of the Finance and General Purposes Committee. However, any major change that would have a significant impact on either the purpose or this policy of operation of the CCTV scheme will take place only after discussion and resolution at Full Council meeting.

6. Responsible person contact details

Louise Harrison, Clerk to Ferndown Town Council, The Barrington Centre, Pennys Walk, Ferndown, BH22 9TH, tel. 01202 892249, email townclerk@ferndown.gov.uk

7. Accountability

7.1 Copies of the CCTV Policy are available in accordance with the Freedom of Information Act, as will any reports that are submitted to the Council providing it does not breach security needs.

7.2 The Police will be informed of the installation and provided with a copy of this CCTV Policy.

7.3 Any written concerns or complaints regarding the use of the system will be considered by the Council, in line with the existing complaints policy.