

BREASTON PARISH COUNCIL CCTV CODE OF PRACTICE

A closed-circuit television system is used at the Green, Breaston by the Parish Council.

The safety of residents and visitors using the Green and Duffield Close is of the utmost importance. Four Cameras are situated on Duffield Close adjacent to the Sensory and Memorial Gardens to monitor activity on the Green, Blind Lane and Duffield Close.

The installation of CCTV can provide information on activities in these areas.

Introduction

The Parish Council own the public closed circuit television system (cctv) currently installed at the Green.

The cameras are overt fixed cameras and record uncontrolled images. The cameras cover the Green, Blind Lane and Duffield Close.

Images are recorded within the Parish Rooms. They are viewable by nominated officers.

Objectives for the use of CCTV systems

The objectives for the use of the various CCTV systems are to:

- Assist in providing a safe and secure environment for the benefit of those who might visit the Green, Blind Lane & Duffield Close Breaston and buildings thereon.
- reduce crime and the fear of crime by reassuring visitors
- deter and detect crime, public disorder and anti-social behaviour
- identify, apprehend and prosecute offenders in relation to crime, public disorder and anti-social behaviour
- provide the Police with evidence upon which to take criminal, civil and disciplinary action respectively
- Obtain evidence for use in the investigation of criminal actions.

Procedural and administrative notes

The Clerk of Breaston Parish Council retains overall responsibility for the system.

It is their responsibility to ensure that CCTV is managed in line with this Code of Practice, the current CCTV Code of Practice produced by the Information Commissioner's Office and the current Surveillance Camera Code of Practice issued by the Home Office.

All images produced by the system remain the property and copyright of the Parish Council. If designated usage of the area changes it will be necessary to assess whether the location of cameras remains justified in meeting the stated purpose and whether there is a case for removal or relocation.

Security control room

The Security Control Room is situated in the Breaston Parish Council Meeting Rooms and is capable of receiving images from the Cameras on Duffield Close.

Data protection

This Code of Practice reflects the spirit and guidance issued by the Information Commissioner's Office as documented in the CCTV Code of Practice (revised edition 2008) and the Surveillance Camera Code of Practice (June 2013) issued by the Home Office and will not be used to invade the privacy of any individual, residence, business or other private premises, buildings or land.

The Parish Council is committed to complying with the requirements of the Data Protection Act 1998 and will operate the system in accordance with the eight data protection principles.

The standards, which must be met if the requirements of the Data Protection Act 1998 (DPA) are to be satisfied, are based on the eight data protection principles which are:

- personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless (a) at least one of the conditions in Schedule Two is met, and (b) in the case of sensitive personal data, at least one of the conditions in Schedule Three is also met
- personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes
- personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
- personal data shall be accurate and, where necessary, kept up to date
- personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes
- personal data shall be processed in accordance with the rights of data subjects under this Act
- appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data
- personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data

All officers involved in operating the system will be made aware of the objectives of the scheme and will be permitted only to use the system to achieve those objectives.

All officers involved in operating the system will be forwarded a copy of the CCTV Codes of Practice for reference and compliance purposes.

The Parish Council recognises the importance of strict guidelines in relation to access to and disclosure of recorded images and all members of staff should be aware of

the restrictions relating to this set out in this Code and the rights of individuals under the Data Protection Act.

Administration

It will be the responsibility of the Clerk of Breaston Parish Council to:

- monitor the effectiveness of camera sites and areas to be viewed
- be responsible for compliance with the Data Protection Act
- take responsibility for control of the images and make decisions on how these can be used
- ensure the system is secure and only viewed by authorised persons
- ensure that the procedures of this Code of Practice comply with the current CCTV Code of Practice produced by the Information Commissioner's Office and the current Surveillance Camera Code of Practice issued by the Home Office
- introduce a CCTV incident log and record of Police or other Statutory Authority requests for images
- make bi-annual checks to establish that nominated managers still require viewing rights of the system in line with the above objectives
- ensure adequate signing is erected
- regularly evaluate the system to ensure it complies with the latest legislation, CCTV Codes of Practice and its use is in accordance with these Codes of Practice

Authorised users

Authorised persons include:

- the Clerk of Breaston Parish Council
- Police Officers
- other Statutory Officers

It will be the responsibility of the Parish Council to:

- clearly communicate the specific purposes of the recording of and use of images and objectives to their members
- ensure that a CCTV incident log and record of Police or other Statutory Authority requests for images is maintained
- carry out annual audits to check that procedures are being complied with
- ensure that regular three monthly reviews are conducted of all locked images and delete those not still required for evidential purposes
- ensure that all Data Protection Act forms received from the Police or other investigatory bodies e.g. Health and Safety Executive are filed for future reference
- ensure that all data and images are erased after a period of three months unless retained for evidential purposes

It will be the responsibility of the individual operating officer to:

- select appropriate images to be recorded on controllable cameras so as to comply with the objectives outlined above
- not to view into private property and be mindful of privacy
- complete the CCTV incident log as appropriate

Storing and viewing images

All images recorded on the cameras are digitally stored on computer/server hard drives and although the images can be searched it is not possible to tamper with or alter them.

In the event of the Police requiring images they can be 'burnt' onto a CD/DVD or memory stick for evidence in court, on receipt of the appropriate Data Protection form.

The general CCTV images over record after ten to 28 days, dependant on the image quality being recorded, however any relevant images can be 'locked' on the hard drive for future reference.

All other images and data will be erased after three months unless required for evidential purposes.

Locked images are reviewed on a three monthly basis and any not still required for evidential purposes will be deleted.

Requests to view images or image disclosure should be made in writing to the Clerk of Breaston Parish Council

Disclosure

The following guidelines will be adhered to in relation to disclosure of images:

- will be in line with the above objectives
- will be controlled under the supervision of the Clerk of Breaston Parish Council
- a log book/sheet will be maintained itemising the date, time(s), camera, person copying, person receiving and reason for the disclosure
- the appropriate disclosure documentation from the Police will be filed for future reference
- images must not be forwarded to the media for entertainment purposes or be placed on the internet
- images must not be copied in any way, e.g. photographed, downloaded or printed for use other than described in the objectives
- images will only be released to the media for identification purposes in liaison with the Police or other law enforcement agency
- the method of disclosing images should be secure to ensure they are only seen by the intended recipient
- consider obscuring images of third parties not relevant to the investigation to prevent unnecessary identification of individuals

Any other requests for images should be routed via the Clerk of Breaston Parish Council, as disclosure of these may be unfair to the individuals concerned.

In some limited circumstances it may be appropriate to release images to a third party, where their needs outweigh those of the individuals whose images are recorded. For example, a member of the public requests CCTV footage of a car park, which shows their car being damaged.

They say they need it so that they or their insurance company can take legal action.

You should consider whether their request is genuine and whether there is any risk to the safety of other people involved.

The Parish Council has discretion to refuse any third-party request for information unless there is an overriding legal obligation such as a court order or information access rights.

Once an image has been disclosed to another body, such as the police, then they become the data controller for their copy of that image.

It is their responsibility to comply with the Data Protection Act in relation to any further disclosures.

Signage

Signage has been erected on Duffield Close informing the public that CCTV surveillance is in operation.

The signs contain details of Breaston Parish Council and a Contact Number.

It is the responsibility of the Parish Council to ensure adequate signing is erected to comply with the Information Commissioner's Code of Practice.

Subject access requests

Individuals whose images are recorded have a right to view the images of themselves and, unless they agree otherwise, to be provided with a copy of the images. All such requests are handled *by the Clerk of Breaston Parish Council*

- These images must be provided within 40 calendar days of receiving a request
- a fee of up to £10 is payable (this is the current statutory maximum set by Parliament)
- those who request access must provide you with details which allow you to identify them as the subject of the images and also to locate the images on your system
- a log of such request will be maintained in the disclosure log

If images of third parties are also shown with the images of the person who has made the access request, consideration must be given as to whether there is need to obscure the images of the third parties.

A public space CCTV camera records people walking down the street and going about their ordinary business.

Where nothing untoward has occurred, this can be released without editing out third party images.

Use of the system

All authorised users must read these codes of practice prior to being instructed on the operation of the system.

Viewing monitors should be pass-worded and switched off when not in use to prevent unauthorised use or viewing.

Complaints

Complaints received in relation to the use of the CCTV system should be made to the Clerk of Breaston Parish Council who will investigate the allegation or complaint.

Complaints in relation to the disclosure or image supply should be made in writing to the Clerk of Breaston Parish Council.

Approval date: June 2017

Approved by: Breaston Parish Council.