**WEST LAVINGTON PARISH COUNCIL**

**CCTV Policy**

# Introduction

Under the *Protection of Freedoms Act 2012* the processing of personal data captured by CCTV systems (including images identifying individuals) is governed by the *Data Protection Act 1998*.

On 25 May 2018 the *General Data Protection Regulation (GDPR)* comes into force across the EU and will replace all data protection legislation in EU member states (including the UK's Data Protection Act 1998). This is without the need for further national legislation.

This Policy explains how West Lavington Parish Council will operate the CCTV system owned by it and located at West Lavington Village Hall and will comply with current legislation. It is prepared after taking due account of the *Code of Practice for Surveillance Cameras and Personal Information* published by the Information Commissioner.

The Policy should also be read in conjunction with the Parish Council’s *Privacy Notice* (currently under review) and the council’s *Privacy Impact Assessment on Surveillance Camera System (CCTV) at West Lavington Village Hall and Recreation Ground*, available on the Parish Council website.

# Statement of Purpose

The purpose(s) of the CCTV system installed by the Parish Council is:

* to monitor the security of the Village Hall and Youth Club buildings and Parish Council equipment and assets in the surrounds of both and the vicinity of the BMX track and shelter on the recreation grounds;

* to assist the Police with identification, detection and prosecution of offenders of crime and anti-social behaviour in the vicinity of the Village Hall, Youth Club, BMX track and shelter by providing them with still images and video;
* to provide a safe and secure environment for users, visitors and staff and to help prevent loss or damage to the Village Hall, Youth Club and equipment and assets of the Parish Council;
* to assist the Police in the identification of perpetrators of crime across the wider community where images of offences or offenders may inadvertently be captured outside the Village Hall and recreation grounds boundaries;

* to reduce the fear of crime and anti-social behaviour for members of the public using the Village Hall, Youth Club and the recreation grounds, as well as individuals working in the buildings and outside areas;
* to deter potential offenders by publicly displaying the existence of CCTV and signs of its operation around the West Lavington Village Hall, Youth Club and the BTX track and shelter on the recreation grounds.

**Lawful basis for processing**

The Parish Council is a public authority and has certain powers and obligations. Most personal information collected by it is processed for compliance with a legal obligation which includes the discharge of the council’s statutory functions and powers.

A parish council may for the detection or prevention of crime in its area, install and maintain any equipment, establish and maintain any scheme, or assist others to install and maintain any equipment or to establish and maintain any scheme.

The purpose of installing the council’s CCTV system is as set out above and inthe council’s *Privacy Impact Assessment on Surveillance Camera System (CCTV) at West Lavington Village Hall and Recreation Ground,* available on the Parish Council website. Any personal information collected and used in connection with the CCTV system will be processed to provide for the general public’s benefit a safe and secure environment, free from crime and anti-social behaviour, and damage to buildings and assets provided for community use and enjoyment.

**Location**

The installation consists of 7 high definition cameras fixed to the Village Hall and Youth Club both externally and internally, and positioned to cover the perimeter of the building and the windows and doors of the main entrance and kitchen. A long range sweeping camera fixed at high level on the Village Hall focuses on the far eastern end of the playing fields in the vicinity of the location of the BMX track and shelter, a distance of 200 yards. All the cameras have built-in infra-red ability for night-time usage. An 8 channel recorder is situated within a designated secure cupboard, protected by a separate but dedicated security coded intruder alarm.

Every effort has been made to ensure that the CCTV cameras are sited and image capture is restricted so as not to view or record areas that are not intended to be the subject of surveillance, such as individuals’ private property, the pre-school and primary school.

The external cameras do not have sound recording capability, however, the two internal cameras which are positioned to face the entrance doors and windows also record sound.

**Maintenance**

The CCTV system Will be maintained by an appropriately qualified contractor appointed by the parish council.

**Signage**

In areas where the CCTV is installed the Parish Council will ensure that there are prominently placed signs at both the entrance to the CCTV zone and within the controlled area. The signs will be clearly visible and readable, of an appropriate size depending on the context and will signal that West Lavington Parish Council is operating the system, the purpose for it and who to contact about the scheme.

**Management of the system**

West Lavington Parish Council has sole responsibility for the control of images and decisions on how the CCTV system is used.

Day-to-day operational responsibility rests with the Clerk to the Council and any Councillor(s) nominated by the council (*Operators*).

Access to recorded images is restricted to the Operators.

The Operators are aware of the procedures that need to be followed when accessing recorded images and are trained in their responsibilities under the CCTV Code of Practice.

All access to the medium on which the images are recorded is documented.

All Councillors are aware of the restrictions in relation to access to, and disclosure of, recorded images.

The Parish Council has notified the Information Commissioner’s Office of both the name of the Parish Council, as data controller, and the purpose for which the images are used.

**Image storage, viewing and retention**

Recorded images will be stored in a way that ensures the security and integrity of the image and allows specific times and dates to be identified.

Access to live images is restricted to the Operators and recorded images can only be viewed by Operators with authorisation from the Parish Council.

Periods of retention of images are intended to reflect the Parish Council’s purpose for recording the information. Normally, images will be automatically deleted at roughly 30 day intervals which will provide adequate time for any incidents of a criminal or anti-social nature to have come to light and to have been reported to Law Enforcement Agencies (usually the police). On occasion, however, footage may need to be retained longer where, for example, an incident has been identified and an access request has been made, or time is required to enable the police to collect relevant images, or the police are investigating a crime and ask for images to be preserved to afford them the opportunity to view the information as part of an active crime investigation.

Images retained for evidential purposes will be kept securely and accessible by the Operators only in line with ICO guidance.

**Disclosure of images**

Disclosure to third parties can only be authorised by the Parish Council, as data controller, with the right to refuse any request for information unless there is an overriding legal obligation, such as a court order or information access rights.

Disclosure of information will be controlled and consistent with the purpose(s) for which the system is established. It is intended that CCTV images produced on the system will be used by the Police for their purposes of detecting, investigating and preventing criminal or anti - social behaviour. Once information is disclosed to the Police or any other law enforcement body, they will become data controller for the copy they hold.

All requests for disclosure are recorded. If disclosure is denied, the reason is documented.

**Individuals’ access requests**

Individuals whose images are recorded have a right to be provided with a copy of the images caught by the request since it constitutes personal data. Requests for access should be made by email or in writing to the Clerk.

If a request is received, the Clerk will raise it with the Council and a response to the request will be provided within one month of receiving the request. The Council does not have to agree to the request if it does not meet the criteria of the ICO. No fee will be charged unless the request is manifestly unfounded or excessive.

Those requesting access must provide enough detail to allow the Operators to identify that they are the sole subject of images, and for the Operators to locate the images on the system, for example: date, time and location.

All requests for access are recorded. If disclosure is denied, the reason is documented and the individual will be informed within at least one month of the reason and their right to complain to a statutory authority.

**Other Individuals’ Rights**

***Unless subject to an exemption***, the law gives individuals additional rights to control what personal information the Parish Council uses and how.

***Right to erasure***

An individual can ask for their personal information to be deleted where it is no longer necessary, was unlawfully processed, they withdraw their consent or object to the processing, or they need to comply with a legal obligation.

***Right to restrict use of personal information***

Where there is a dispute in relation to the accuracy or processing of personal information, or it is needed regarding a legal claim, the individual has the right to request a restriction is placed on further processing.

***Right to object***

Individuals have the right to object to the processing of their personal information.

***Right to complain***

Individuals have the right to lodge a complaint with the Information Commissioner

The Parish Council will consider any request made to the Clerk.

**Enquires about the operation of the CCTV**

Requests can be made to a public authority for information under the Freedom of Information Act 2000 relating to surveillance systems, such as the operation of the system, its siting or the cost of using and maintaining it. If such a request is received by the Parish Council it will consider whether disclosure is appropriate and/or whether an exemption under the Act applies.

Requests under the Freedom of Information Act must be in writing and will receive a written response within 20 working days from the Clerk.

**Monitoring, compliance, evaluation and review**

The Parish Council is committed to the recommendations of the *Code of Practice for Surveillance Cameras and Personal Information* published by the Information Commissioner.

To exercise any rights, queries or complaints, please in the first instance contact the Clerk to the Parish Council at clerk@westlavington.org.uk.

For independent advice, data protection compliance concerns or to lodge a formal complaint, contact the Information Commissioner’s Office on 0303 123 1113 or at https://ico.org.uk/global/contact-us/email or Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

The Parish Council will undertake regular audits to ensure the use of the CCTV continues to be relevant and appropriate in accordance with its stated purpose, location, images recorded, storage length and deletion.

The efficacy of this policy will be reviewed at least annually by the Parish Council and any updates will be placed on this web page and the date below will indicate when this policy was last updated. Any changes are effective when we post the updated policy.

Any major change that would have a significant impact on either the purpose(s) or this policy will take place after discussion by the Parish Council and resolution at a full Council meeting. All agendas are posted on the Parish Council notice board and website at least 3 clear days excluding weekends before Council meetings.

If the Parish Council decides to change the way in which it uses the CCTV, it will provide members of the public with information of the new purpose(s) prior to commencing the processing and setting out the relevant purposes and processing conditions and will inform the Information Commissioner within 28 days.

**Adopted 1 February 2018 (amended February 2019 and April 2023)**