

# OAKINGTON & WESTWICK PARISH COUNCIL

## CCTV POLICY

(Revised 13 May 2019 to comply with the General Data Protection Regulation)

### **1 Introduction**

1.1 Oakington & Westwick Parish Council (the Council) uses closed circuit television (CCTV) images to deter and reduce crime and antisocial activity in order to provide a safe and secure environment for members of the public and to prevent the loss or damage to property.

1.2 The CCTV scheme is registered with the Information Commissioner, and its and the associated images are governed by the General Data Protection Regulation (GDPR). This policy outlines the Council's use of CCTV and how it complies with the GDPR.

### **2 Statement of Intent**

2.1 The Council complies with Information Commissioner's Office (ICO) CCTV Code of Practice to ensure it is used responsibly, and safeguards both trust and confidence in its continued use. The Code of Practice is published on the ICO website.

2.2 In areas where CCTV is used (namely Oakington Recreation Ground), the Council will ensure that there are prominent signs placed within the controlled area.

2.3 It is not possible to guarantee that the system will cover or detect every single incident taking place in the areas of coverage.

### **3 Description of the CCTV System**

3.1 The system shall consist of a number of fixed high-definition cameras and a multi-channel control unit complete with built in USB drive.

3.2 The system does not have sound recording capability.

3.3 The CCTV is owned and operated by the Council and is controlled by the Clerk in conjunction with Oakington & Westwick Sports Pavilion caretaker.

3.4 The CCTV may be monitored centrally from a secure location in the Sports Pavilion and remotely by Council-approved authorised personnel as necessary.

3.5 Access to recordings shall be securely password-protected to prevent unauthorised access.

3.6 Any data or images sent wirelessly or via the internet shall be suitable encrypted to prevent unauthorised access.

3.7 All authorised operators with access to images are aware of the procedures that need to be followed when accessing the recorded images. All operators are aware of the restrictions in relation to access to, and disclosure of, recorded images.

## **4 Siting the Cameras**

- 4.1 Cameras will be sited so that they only capture images relevant to the purposes for which they are intended.
- 4.2 The Council will ensure that the location of equipment is carefully considered to ensure that images captured comply with the GDPR.
- 4.3 Authorised operators shall have access to details of where CCTV cameras are situated.
- 4.4 Cameras will be mounted in such a way as to avoid pointing directly at occupied properties, and care will be taken to ensure that reasonable privacy expectations are not violated.
- 4.5 Where legitimate objections are received from occupiers of properties within the clear field of view, the Council will attempt to address these objections, which may include a demonstration of typical images obtained. If the objection cannot be addressed, measures shall be taken to fog or otherwise obscure images of the relevant property to create privacy zones. In these instances, requests for access to images of the property concerned in the event of a crime or incident cannot be considered.

## **5 Normal Operation**

- 5.1 Other than for routine testing purposes, real-time CCTV images will not be monitored.
- 5.2 CCTV images will be automatically recorded on a secure, password-protected control unit, and shall automatically be deleted after a certain suitable period.
- 5.3 Recorded CCTV images will normally be accessed by authorised personnel only in the event of a qualifying incident, or during routine system testing.

## **6 Storage and Retention of CCTV Images**

Recorded data will be retained for no longer than necessary. While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded. All retained data will be stored securely.

## **7 Applications to review CCTV Images and Disclosure of Images to Third Parties**

- 7.1 Individuals may apply for CCTV footage to be reviewed when a crime or incident has occurred, and there is a reasonable likelihood that the event or evidence has been captured by the CCTV system.
- 7.2 Individuals submitting applications for a review of CCTV recordings will be required to provide sufficient information to enable the request to be considered and for the

relevant footage to be located. This will include the date, time, location and nature of the incident.

7.3 An authorised person will then determine whether the incident warrants examination of the recording and whether there is a reasonable likelihood that the event or evidence has been captured by the CCTV system.

**7.4 The council reserves the right to refuse to examine CCTV footage for minor or trivial events, or where dates and times cannot be provided, or if the likelihood of the event being captured by the CCTV system is low.**

7.5 Access to recorded images will be restricted to those personnel authorised to view them, and will not be made more widely available.

7.6 There will be no disclosure of recorded data to third parties other than to enforcement authorities such as the Police, and statutory organisations where these would reasonable and lawfully need access to the data.

7.7 Applications should be made in writing to the Clerk

## **8 Subject Access Requests (SAR)**

8.1 Individuals have the right to request access to CCTV footage relating to themselves under the GDPR.

8.2 All requests should be made in writing to the Clerk.

8.3 Individuals submitting requests for access will be required to provide sufficient information to enable the relevant footage to be identified. For example, the date, time, location and description of the applicant. A recent photograph may also be required to aid identification.

8.4 No charge shall be made for legitimate Subject Access Requests. However, the Council reserves the right to charge an administrative fee or refuse to provide access to the recordings where requests are considered to be manifestly unfounded, excessive or repetitive.

8.5 On receipt of the required information, the Council will endeavour to provide access to the footage as soon as is reasonably practical, but in any event not more than 30 days.

8.6 The Council may be unable to provide copies of recorded images where this may prejudice the legal rights of other individuals during a Police investigation.

## **9 Policy Review**

Policies, procedures, passwords and authorised personnel shall be reviewed annually and updated as necessary.

## **10 Complaints**

Complaints and enquiries about the operation of CCTV within the Council should be directed to the Clerk in the first instance.

## **11 Further Information**

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

- CCTV Code of Practice (published by the Information Commissioners Office)
- Surveillance Camera Code of Practice (published by the Surveillance Camera Commissioner)
- Data Protection Act 1998
- Data Protection Act 2018
- General Data Protection Regulation 2018
- Protection of Freedoms Act 2012
- Human Rights Act 1998

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