

# ORWELL PARISH COUNCIL

## CCTV Policy

### Contents

Introduction .....	1
Aims and Objectives .....	2
Operation .....	2
Viewing – Appendix .....	3
Copying – Appendix.....	4
Denial – Appendix.....	4
Notes.....	5
Appendix A Checklist .....	6
Appendix B CCTV Signage .....	6
Appendix C Access Request Form – CCTV Images:.....	7
Appendix D Viewing Agreement Form .....	8
Appendix E Disc copying form .....	9
Appendix F Denial Form .....	10

### Introduction

Orwell Parish Council (the Council) uses close circuit television (CCTV) images to reduce crime and monitor the Pavilion in order to provide a safe and secure environment for members of the public and staff and to prevent the loss or damage to property.

The CCTV system uses a number of cameras to cover the Pavilion and immediate surrounding area and is controlled by the Council. The CCTV system is owned and operated on behalf of the Council by the Clerk to the Parish Council, or the Clerk's authorised deputy (an authorised operatives list is attached and forms part of this policy).

The system comprises a number of fixed cameras.  
 The system does have a sound recording capability  
 The system is not monitored with a live feed.  
 The system is a record only on a 30 day loop.

The Council recognises that public authorities and those organisations carrying out public service functions have to observe the obligations imposed by the Human Rights Act 1998 and the Data Protection Act 1998. Cameras will be sited so they only capture images relevant to the purposes for which they have been installed and care will be taken to ensure that reasonable privacy expectations are not violated.

The Council will make every effort to position cameras so that their coverage is restricted to the Council premises, which will include outdoor areas.

The CCTV Scheme is registered with the Information Commissioner (ICO), with whom Orwell Parish Council

is registered, **Reference XXXX** and is in accordance with the Data Protection Act 1998.

## Aims and Objectives

- To deter crime
- To assist in the detection of crime
- To facilitate the apprehension and prosecution of offenders in both criminal and public order offences.
- To discourage anti-social behaviour including alcohol and drug related issues
- To assist the council in monitoring and managing its assets and area of responsibility and duty of care.

This assessment is evidenced by an 'operational requirement' document. Section 163 of the Criminal Justice and Public Order Act 1994 creates the power for local authorities to provide closed circuit television coverage of any land within its area for the purposes of crime prevention or victim welfare. CCTV also fulfils its duty under the Crime and Disorder Act 1998.

## Operation

Orwell Parish Council recognises that operation of the CCTV system may be considered to infringe on the privacy of individuals. The Parish Council recognises its responsibility to ensure that the scheme should always comply with all relevant legislation, to ensure its legality and legitimacy.

The scheme will only be used as part of the response to identified problems and be used only in the interests of national security, public safety, the economic well-being of the area, for the prevention and detection of crime and disorder, for the protection of health and morals, for the protection of the rights and freedoms of others.

The CCTV system shall be operated with respect for all individuals, recognising the right to be free from inhuman or degrading treatment and avoiding discrimination on grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth or other status.

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

The Council recognises that during periods where children and young adults are present in a controlled environment that parents and guardians may have concerns with the presence of CCTV observation.

Images will be retained for 30 days. This is a reasonable time period for any incident that may have occurred within the range of the cameras to be brought to the attention of those responsible for the system. The system is routinely monitored and operates in accordance with this Policy that complies with current legislation including the Human Rights and Data Protection Act 1998.

Orwell Parish Council does not conduct covert surveillance. Unless required as part of a criminal investigation, all images are retained electronically for 30 days and then automatically overwritten. Access to the images and equipment is strictly controlled, with images only shared with the Police and other lawful enforcement agencies.

CCTV notices are displayed on the outside of the pavilion.

The Clerk or authorised personnel, will check on a regular basis of a minimum of once every 14 days that all

cameras are operational. In the event that they are not an appropriate engineer/technician or a representative of the Parish Council will be informed as soon as possible.

Access and disclosure to third parties: All requests should be recorded and the reasons for allowing or refusing the requests should be documented.

Any viewing of a recording should not necessarily require agreement of the police.

Any enquiry concerning CCTV system must be actioned through two members of the Parish Council and may involve the police.

The Council may in exceptional circumstances set up covert monitoring, For example:

- Where there is good cause to suspect that illegal or unauthorised action(s), is taking place, or where there are grounds to suspect serious misconduct.
- Where notifying the individuals about the monitoring would seriously prejudice the reason for making the recording.

In these circumstances' authorisation must be obtained from both the Parish Clerk and Parish Council. In the event that if notifying the Parish Clerk or the whole Parish Council about the monitoring may seriously prejudice the reason for making the recording then either the Parish Clerk or 2 Council members may give authorisation.

Covert monitoring must cease following completion of an investigation. Cameras sited for the purpose of covert monitoring will not be used in areas which are reasonably expected to be private, ie toilet cubicles. Individuals have the right to request access to CCTV footage relating to themselves under the Data Protection Act. All requests should be made in writing to the Parish Clerk. Individuals submitting requests for access will be asked to provide sufficient information to enable the footage relating to them to be identified (date, time and location).

The Council will respond within 28 calendar days of receiving the written request and fee.

A fee of £25 will be charged for each single time period over 1 hour. (Exception may be agreed by the Parish Clerk)

The Council reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an on-going investigation.

There will be no disclosure of recorded data to third parties other than to authorised personnel such as the Police and Service providers to the Council where these would reasonably need access to the data (investigators).

Requests should be made in writing to the Parish Clerk.

The data may be used within the Council's discipline and grievance procedures as required, and will be subject to the usual confidentiality requirements of those procedures.

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

## **Viewing – Appendix**

Where viewing of a recording is granted a VIEWING AGREED form needs to be completed. A record of the

time and date of viewing, name and signature of the person authorising the viewing, name and address of the person viewing the recording and the reason for viewing along with date and time of the recording to be viewed and the outcome (if any) of the viewing. Viewing shall be undertaken with only designated persons having access to the equipment. As owners of the system, the Parish Council reserves the right to have a representative present when viewing a recording and appointments must be by prior arrangement of the Parish Council.

Copy and removal of discs if required by the police, as evidence is permissible. Details of the Police officers number and Station should be recorded. Unauthorised use of the system or removal of discs may be a criminal offence.

Members of the public, whether or not they are representatives of organisations using any premises located on the Parish Council's property, are not permitted to view recordings.

Only the following authorised personnel are allowed to remove a disc: Law Enforcement agencies where images would assist with a specific criminal enquiry, prosecution agencies, relevant legal representatives etc.

### Copying – Appendix

Where copying and removal of a disc is granted a DISC COPYING form needs to be completed. A record is kept of the date/time of removing the disc, along with name and signature of the person who has authorised the copy and removal, name and address or police number, station or person removing the disc and the reason for removal along with crime number where applicable. The disc should be numbered and the number recorded along with the printed name and signature of the person receiving the disc.

The Parish Clerk will retain a duplicate copy for the term of any investigation. The duplicate will be held in accordance with the data storage policy.

### Denial – Appendix

Where access for viewing or copying a disc has been denied, a DENIED form should be completed. A copy of the original request form along with the VIEWING OR COPYING document to be attached to the Denied form, along with details of the authorised personnel dealing with the enquiry and the reasons for denying the request.

Date of policy: August 2020

Date of Parish Council meeting approving policy:

Policy version reference: 1.3.20

Supersedes: *new policy*

Signed:

.....  
Nigel Szembel  
Parish Council Chair

.....  
Date:

## Notes

Detailed instruction and guidance may be found on the following document: CCTV Code of Practice published by Central Government's Data Protection Information Commissioner is available from: <https://ico.org.uk/for-organisations/guide-to-data-protection/cctv/>

Authorised operatives of the Parish Council CCTV system:

- |                  |                                    |
|------------------|------------------------------------|
| 1. Judy Damant   | Clerk/Key Holder                   |
| 2. Nigel Szembel | Parish Council Chairman/Key Holder |

Orwell Parish Council also have a Data Protection Officer: LCPAS, The Vision Centre, 5 Eastern Way, Bury St Edmunds, Suffolk IP32 7AB

## Appendix A Checklist

	Checked (Date)	By	Date of Next review
<p>Notification has been submitted to the ICO and the next renewal date recorded.</p> <p>There is a named individual who is responsible for the operation of the system.</p> <p>A system has been chosen which produces clear images which the law enforcement bodies (usually the police) can use to investigate crime and these can easily be taken from the system when required.</p> <p>Cameras have been sited so they provide clear images.</p> <p>There are visible signs showing that CCTV is in operation.</p> <p>Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.</p> <p>The recorded images will only be retained long enough for any incident to come to light and the incident to be investigated.</p> <p>Except for law enforcement bodies, images will not be provided to third parties.</p>			
<p>The organisation knows how to respond to individuals making a request for copies of their own images. If unsure the Parish Clerk knows to seek advice from the ICO as soon as such a request is made.</p>			
<p>Regular checks are carried out to ensure that the system is working properly and produces high quality images.</p>			

## Appendix B CCTV Signage

It is a requirement of the Data Protection Act 1998 to notify people entering a CCTV protected area that the area is monitored by CCTV and that pictures are recorded. The Council is to ensure that this requirement is fulfilled.

The sign should include that the area is covered by CCTV surveillance and pictures are recorded.

**Appendix C Access Request Form – CCTV Images:**

Date of Recording	Place of Recording	Time of Recording	
Applicants Name	Applicants Address	Applicants Distinguishing Features (clothing). A photo may be necessary.	
Signature of Applicant or parent/guardian if under 18)			
Reason for request – to be submitted to the Parish Council			
Received by:	Clerk's signature	Date received	Time received
Fee Charged/NA	Fee Paid	Request Approved Yes/No	Date Applicant informed:

### Appendix D Viewing Agreement Form

Name of Applicant	Date of request:	
Address of Applicant		
Reason for Viewing		
Date of Viewing		
Time of Viewing		
Outcome of Viewing (if any)		
Name of Authorised Personnel		
Date of recording to be viewed		Time of recording to be viewed
Signature of Authorised Personnel		

## Appendix E Disc copying form

Name of person requesting data:	
Date of removal of data:	
Time of removal of data:	
Signature of person removing data:	
Police number: (if applicable)	
Police station: (if applicable)	
Crime number: (if applicable)	
Name of authorised personnel: (Parish Council)	
Signature of authorised personnel:	
Identification of disc being taken:	

## Appendix F Denial Form

Date of Request Denied: Time of Request Denied: Access Request Form attached from applicant:  Authorised Personnel Name: (Parish Council)	Yes  No
Reason for Denial:	
Signature of authorised personnel:	