

## CCTV Policy

### 1. Background

This Policy should be read with reference to the Data Protection Act 2018, Freedom of Information Act 2000 (FOIA), the Protection of Freedoms Act 2012 (PFA), the Human Rights Act 1998 (HRA), the Secretary of State's Surveillance Camera Code of Practice (SC code) and the Information Commissioner's Office (ICO) CCTV Code of Practice.

Under the Protection of Freedoms Act 2012 and Data Protection Act 2018 the processing of personal data captured by CCTV systems is governed (including images identifying individuals). The Information Commissioner's Office (ICO) has issued a Code of Practice on compliance with legal obligations. The use of CCTV is covered by the Act, regardless of the number of cameras or how sophisticated the equipment is and Rackheath Community Council adheres to the ICO's Code of Practice. The Council is committed to informing its staff, volunteers and service users about the presence of and operation of CCTV. This Policy is available on the Rackheath Community Council's website so that all stakeholders are clear about how CCTV is utilised. Access to personal information recorded through CCTV cameras is restricted solely to the Data Protection Officer appointed by Rackheath Community Council.

### 2. Objectives and targets

This CCTV Policy explains how Rackheath Community Council will operate its CCTV equipment and comply with the current legislation. The Rackheath Community Council uses CCTV equipment to provide a safer, more secure environment for its staff, volunteers and service users and to combat vandalism and theft. Essentially it is used for:

- The prevention, investigation and detection of crime. The apprehension and prosecution of offenders (including use of images as evidence in criminal proceedings).
- Safeguarding public, volunteers and staff.
- Monitoring the security of the site.
- To protect members of the public and private property. Rackheath Community Council does not use the CCTV system for covert monitoring.
- Crime reduction
- To ensure the rules of the Council are adhered to when using the facilities and prevent any unauthorised use.

### 3. Location

Cameras are located in those areas where it has been identified there is a need and where other solutions are ineffective. The CCTV system is used solely for purpose(s) identified and is not used to routinely monitor staff, volunteers, or service users' conduct. Cameras will not be used in areas subject to a heightened expectation of privacy e.g. changing rooms or toilets. Signage alerts individuals to the use of CCTV on the Pavilion building.

Static cameras will not focus on private homes, gardens and other areas of private property. There is one trackable camera which covers the playing field and the car park but no area of private property.

Materials or knowledge secured as a result of CCTV will not be used for any commercial purpose.

Recordings will only be released to the media for use in the investigation of a specific crime and with the written authority of the Police. Tapes will never be released to the media for purposes of entertainment.

#### **4. Maintenance**

The CCTV system is maintained by Rackheath Community Council and includes periodic maintenance inspections. Rackheath Community Council is responsible for:

- Ensuring that it complies with its responsibilities in relation to guidance on the location of the cameras
- Ensuring that the date and time reference are accurate.
- Ensuring that suitable maintenance and servicing is undertaken to ensure that clear images are recorded.
- Ensuring that the Data Protection Officer is trained in the use of the equipment.
- Ensuring that cameras are protected from vandalism in order to ensure that they remain in working order.

#### **5. Identification**

At the front of the Pavilion, the Council will ensure prominent signs are in place. The signs will:

- Be clearly visible and legible.
- Contain details of the organisation operating the scheme, the purpose for using CCTV and who to contact about the scheme.
- Be an appropriate size depending on context.

#### **6. Type of equipment**

The Rackheath Community Council's standard CCTV cameras record visual images only and do not record sound.

#### **7. Administration**

Rackheath Community Council is the Data Controller and the Data Protection Officer has responsibility for the control of images and deciding how the CCTV system is used.

The Council has notified the Information Commissioner's Office of both the name of the Data Controller and the purpose for which the images are used. Only the Data Protection Officer will have access to images and is aware of the procedures that need to be followed when accessing the recorded images.

The Data Protection Officer is trained and is aware of responsibilities under the CCTV Code of Practice: <https://ico.org.uk/for-organisations/guide-to-data-protection/encryption/scenarios/cctv/>

Access to recorded images is restricted to the Data Protection Officer and recordings will be accessed as prescribed by the Council in the event of an incident. Access to the medium on which the images are recorded is documented. All employees are aware of the restrictions in relation to access and security, and disclosure of, recorded images.

#### **8. Image storage, viewing and retention**

Recorded images will be stored in a way that ensures the integrity of the image and in a way that allows specific times and dates to be identified. The Rackheath Community Council reserves the right to use images captured on CCTV where there is activity that cannot be expected to be ignored such as

criminal activity, potential gross misconduct, or behaviour which puts others at risk. The Data Protection Officer will retain images for evidential purposes in a locked area. Where images are retained, the Data Protection Officer will ensure the reason for its retention is recorded, where it is kept, any use made of the images and finally when it is destroyed. The Rackheath Community Council ensures that images are not retained for longer than is necessary and are automatically deleted after 30 days.

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 live CCTV observation. The designated and responsible individual (normally the hirer) can request temporary isolation of live CCTV monitoring of the area that the children and young people are in, by making a written application to the Community Clerk. In the event of the request being granted, images will continue to be recorded but will not be observed live by staff.

## 9. Disclosure

Disclosure of the recorded images to third parties can only be authorised by the Data Controller. Disclosure will only be granted:

- If its release is fair to all individuals concerned.
- If there is an overriding legal obligation (e.g. information access rights).
- If it is consistent with the purpose for which the system was established.

All requests for access or for disclosure are recorded (appendix A). If access or disclosure is denied, the reason is documented. N.B Disclosure may be authorised to law enforcement agencies, even if a system was not established to prevent or detect crime, if withholding it would prejudice the prevention or detection of crime.

## 10. Subject Access Requests

Individuals whose images are recorded have a right to view images of themselves and, unless they agree otherwise, to be provided with a copy of the images. If Rackheath Community Council receives a Subject Access Request under the General Data Protection Regulations 2018 it will comply with requests within 1 month. The Council may charge a fee for the provision of a copy of images.

If the Council receives a request under the Freedom of Information Act 2000 it will comply with requests within 20 working days of receiving the request. As a general rule, if the viewer can identify any person other than, or in addition to, the person requesting access, it will be deemed personal data and its disclosure is unlikely as a Freedom of Information request. Those requesting access must provide enough detail to allow the operator to identify that they are the subject of the images, and for the operator to locate the images on the system.

Requests for access should be addressed to the Data Controller. Refusal to disclose images may be appropriate where its release is:

- Likely to cause substantial and unwarranted damage to that individual.
- To prevent automated decisions from being taken in relation to that individual.

## 11. Monitoring and evaluation

Rackheath Community Council undertakes regular audits to ensure that the use of CCTV continues to be justified. The audit includes a review of:

- Its stated purpose.
- The location.

- The images recorded.
- Storage length.
- Deletion.

## 12. Period of Review

The efficacy of this Policy will be reviewed biennially by the Rackheath Community Council. If the Council decides to change the way in which it uses CCTV, it will inform the Information Commissioner within 28 days.

## 13. Guiding Principles

System operators should adopt the following guiding principles:

- 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 a country or territory outside the European Economic Area unless an
- adequate level of protection for the rights and freedoms of data subjects is ensured.

Data Controller: Rackheath Community Council

ICO Registration: ZA340315

Data Protection Officer: Anne Tandy

Rackheath Community Council

The Pavilion

Green Lane West

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Policy Adopted: 18 April 2023

Next Review: April 2025

