TOTTON & ELING TOWN COUNCIL
CCTV POLICY

A policy to regulate the use of closed-circuit television cameras

Legal context

This policy aims to ensure that the Council complies with the following legislation:

- The Data Protection Act 1988,
- The Human Rights Act 1998,
- The Regulation of Investigatory Powers Acts 2000.

The purpose of this policy
This Policy is to control the management, operation, use and confidentiality of the CCTV systems at Town Council locations where CCTV is present. It sets out to comply with best practice in the CCTV Code of Practice, Charter for a democratic use of video-surveillance and other relevant guidance.

1. Introduction

1.1 This Policy is to control the management, operation, use and confidentiality of the CCTV systems at Town Council locations where CCTV is present.

1.2 This policy will be subject to review by the Town Council, when required, to ensure that it continues to reflect the public interest and that it and the systems meet all legislative requirements, principally:

a) Data Protection Act 1998,
b) Human Rights Act 1998,
c) Regulation of Investigatory Powers Acts 2000

1.3 The Council also wishes to adopt best practice and protocols set out in national guidance, including:

a) the CCT Code of Practice,
b) Charter for a democratic use of video-surveillance

1.4 This policy aims to ensure that the Council's CCTV installations:

a) are correctly and efficiently installed and operated.
b) The Town council accepts the principles of the 1998 Act based on the Data Protection Principles as follows:

i. data must be fairly and lawfully processed;
ii. processed for limited purposes and not in any manner incompatible with those purposes;
iii. adequate, relevant and not excessive;
iv. accurate;
v. not kept for longer than is necessary;
vi. processes in accordance with individuals' rights;
vii. secure;
viii. not transferred to countries with inadequate protection;
ix. subject to guidance on good practice;
x. Examples of how to implement the standards and good practice;
xi Data will not be used for personal gain or interest

2. Statement of Purpose

2.1 To provide a safe and secure environment for the benefit of those who might visit, work or live in the area. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law.

2.2 The scheme will be used for the following purposes:

a) to reduce the fear of crime by persons using Council facilities;
b) to reduce the vandalism of property and to prevent, deter and detect crime and disorder;
c) to assist the police, the Town Council and other Law Enforcement Agencies with identification, detection, apprehension and prosecution of offenders by
d) examining and using retrievable evidence relating to crime, public order or contravention of by-laws;
e) To deter potential offenders by publicly displaying the existence of CCTV, having cameras clearly sited that are not hidden and signs on display;
f) To assist all "emergency services" to carry out their lawful duties.

3. Management of the system

3.1 The CCTV operating system will be administered and managed by the Facility Managers in accordance with the principles and objectives expressed in this policy document.

3.2 All cameras are monitored on the respective site where they operate but can be monitored by authorised Council personnel.

3.3 The CCTV system will be operated 24 hours a day, 365 days of the year.

3.4 Warning signs, as required by the Code of Practice of the Information Commissioner, will be placed near to areas covered by the Council's CCTV cameras.

4. System control – Monitoring procedures:

4.1 On a regular basis, the Facility Manager will check and confirm:

a) the cameras are functional; and
b) the equipment is properly recording

4.2 Access to the CCTV System will be strictly limited to the Clerk, Deputy Clerk, Town Facility Manager and other authorised persons, such as Police Officers.

4.3 Unauthorised persons are not permitted to view live or pre-recorded footage.

4.4 Unless an immediate response to events is required, cameras may not be re-directed at an individual, their property or a specific group of individuals, without an authorisation being obtained from the Town Clerk to take place, as set out in the Regulation of Investigatory Power Act 2000.

4.5 If covert surveillance is planned or has taken place, copies of the written authorisation, including any review or cancellation, must be returned to the Clerk.

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

4.7 Recording is carried out on digital data apparatus. These are located within the facility.

4.8 Recorded data will only be released to the media for use in the investigation of a specific crime and with the written authority of the police. Recorded data will never be released to the media for purposes of entertainment.

5. Retention and disposal of material:

5.1 Data will be retained for 30 days before it is deleted from the hard drives of the recording devices.

5.2 Data disks or dongles containing material downloaded from the recorders will be disposed of by a secure method.

5.3 Footage will only be stored on data disks or dongles if footage is requested by external agencies in the process of detecting crime and in the prosecution of offenders.

5.4 In order to maintain and preserve the integrity of the Digital Video Recorder (DVR), hard disks used to record events from the CCTV cameras and the facility to use them in any future proceedings, the following procedures for their use and retention of data must be strictly adhered to:

a) Each DVR must bear the signature of the Manager and dated.
b) Each DVR must be kept in a secure location with access restricted to authorised staff.
c) The disk should be loaded with the required CCTV data and viewer programme; identical information should be loaded on both Master and Copy disks.
d) Each disk should be sealed in its own case, the Master Copy should be kept in a secure disk storage drawer. The Copy disk is handed to the person making the request on production of positive ID such as Police Warrant Card.
(f) The record sheet should then be completed and the Copy disk signed for and counter signed by the Manager.

6. Dealing with official requests: use of CCTV in relation to criminal investigations

6.1 CCTV recorded images may be viewed by the Police for the prevention, and detection of crime and authorised officers for supervisory purposes, discipline reasons or authorised demonstration and training.

6.2 A record will be maintained of the release of Data on Disk or dongle to the Police or other authorised applicants. A register will be available for this purpose.

6.3 Viewing of CCTV images by the Police must be recorded in writing and entered in the logbook. This will be under the management of the Facility Manager. Requests by the Police can only be actioned under section 29 of the Data Protection Act 1998.

6.4 Should recorded images be required as evidenced, a copy may be released to the Police under the procedures described in this Policy. Copies will only be released to the Police on the clear understanding that the copy on disk or dongle remains the property of the Council, and both the disk and information contained on it are to be treated in accordance with this policy.

6.5 The Council retains the right to refuse permission for the Police to pass to any other person the disk or any part of the information contained therein.

6.6 The Police may require the Council to retain the stored disk(s) for possible use as evidence in the future. Such disk(s) will be properly indexed and securely stored under the management of the Facility Manager until they are needed by the Police.

6.7 Applications received from outside bodies (e.g., solicitors or insurance companies) to view or release disks will be referred to the Clerk. In these circumstances disks will normally be released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, or in response to a Court Order. A fee can be charged in such circumstances.

7. Complaints

7.1 Any complaints about the Council's CCTV system should be addressed to the Totton and Eling Town Clerk.

7.2 Complaints will be investigated in accordance with Section 5 of this policy.

8. Access by the Data Subject

8.1 The Data Protection Act provides Data Subjects (individuals to whom "personal data" relate) with a right to access data held about themselves, including that obtained by CCTV.

8.2 Requests for information, including Data Subject Access Requests, should be sent to:

Town Clerk
Totton & Eling Town Council
Civic Centre
Totton
Hampshire
SO40 3AP

This policy has been approved & authorised by:

Name: Susan Cutler

Position: Town Clerk

Date: 21st June 2023

Signature: