

Crowthorne Parish Council CCTV Policy

Introduction:

In 1998, the scope of the Data Protection Act was broadened to enforce eight principals of good practice regarding the personal data captured about individuals and how this is stored and processed. It outlines that any organisations, individuals or body collecting such information must handle the data in an appropriate manner, ie, that any data collected must be:

- fairly and lawfully processed,
- processed for limited purposes,
- adequate, relevant and not excessive,
- accurate,
- not kept longer than necessary,
- processed in accordance with the data subject's rights,
- secure,
- not transferred to countries without adequate protection.

For a CCTV system owner, the Act essentially means that:

- they must register their CCTV system with the Information Commissioner,
- they must only take footage that is relevant to their property and its security,
- they should not keep footage longer than it is necessary for a crime to come to light,
- they should warn individuals when they are in a monitored area,
- they should allow access to the footage to anyone who believes that they have been captured on one of the cameras,
- they should store captured footage securely so that access to it is strictly monitored.

Access to and disclosure of images to third parties:

Access to, and disclosure of, the images recorded by CCTV and similar surveillance equipment must be restricted and carefully controlled, not only to ensure that the rights of individuals are preserved, but also to ensure that the chain of evidence remains intact should the images be required for evidential purposes.

The disclosure of copies of CCTV images must be compatible with the reason or purpose for which they originally obtained. All employees must note the restrictions set out in this code of practice in relation to access to, and disclosure of, recorded images.

Access to recorded images should be restricted to those staff who need to have access to achieve the purpose of using the equipment.

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

Disclosure of the recorded images to third parties should only made in limited and prescribed circumstances.

All requests for access or for disclosure should be recorded. If access or disclosure is denied, the reason should be documented. Recorded images should not be made more widely available - for example they should not be routinely made available to the media or placed on the Internet.

Access by data subjects:

There is a right in the 1998 Act to allow anyone believing that they have been captured on a CCTV camera to have access to that data.

The subject will be provided with a 'Subject Access Request Form'. This will ask for the necessary information to find the images of the subject on the recording, eg, the date & time when the individual believes that they have been captured, a photo if necessary. A charge of £10 will be made for such a search for images.

Individuals should also be provided documentation, which describes the types of images, which are recorded and retained, the purposes for which those images are recorded and retained. This should be provided at the time that the standard subject access request form is provided to an individual.

The Clerk should determine whether showing images to the individual would entail disclosing images of third parties. It may be necessary to consider here if a third party's privacy should be maintained. For example - members of the public whose images have been recorded in town centers or streets have less expectation that their images are held under a duty of confidence than individuals whose images have been recorded in more private space such as the waiting room of a doctor's surgery.

If third party images are not to be disclosed, the Clerk shall arrange for the third-party images to be disguised or blurred. If the Clerk decides that the request will not be complied with, they must set out their reasons in the response to the individual.

If, within 21 days of that notification, the individual requires, in writing, the decision to be reconsidered, the Chairman or designated staff member shall reconsider the decision.

Aims and Objectives of the Policy:

The organisation legally responsible for the CCTV scheme is Crowthorne Parish Council. The Data Controller will be the Clerk.

The CCTV equipment located at the Morgan Centre and Car Park is used for the following purposes; prevention, investigation and detection of crime, apprehension and prosecution of offenders, public and employee safety, monitoring the security of Morgan Centre, Recreation Ground and Morgan Centre car park.

Notification of the scheme is lodged with the Information Commissioner's Office covering the purposes for which this equipment is used and will be annually renewed whilst the CCTV system remains in place.

CCTV Warning Signs have been located at various points around the Morgan Centre and car park. When an individual enters a camera zone, by having passed the warning sign they have given their consent to be filmed.

The Warning Signs must:

- Be clearly visible and legible to members of the public,
- Be an appropriate size for who is passing the sign. Eg, A4 size at eye level for someone passing the sign on foot or A3 for a driver entering a car park.
- Have a means of contacting the controller of the CCTV scheme.

Operational Procedures:

Maintenance or service repairs to the CCTV equipment must be entered in the Visitors and Maintenance Log.

Should an incident occur, the details must be entered on the 'Incident Log Sheet' and cross referenced with the CD on which it has been recorded.

If a member of the public believes they have been recorded on the CCTV equipment, they may request to view the images. Under the Data Protection Act, CPC is obliged to allow them to see these images. The following documentation must be completed: -

A 'Subject Access Request Form' must be completed by the person requesting the information.

A Subject Access Leaflet completed by office staff and handed to the person requesting the information.

The details of the visit must be entered in the 'Visitors and Maintenance Log' by the office staff.

A charge of £10.00, per request for this information will be made and a 'Fee Slip' completed.

Requests received from the Police will be free of charge.

Only one incident per disc will be permitted. An evidence disc label must be attached to the recorded disc and the unique serial number also shown on the 'Site Incident Log' to be completed by office staff.

This scheme will be reviewed by the Clerk on an annual basis.