

# **HIGHAM with WEST CLOSE BOOTH PARISH COUNCIL**

## **CCTV POLICY**

### **1. Introduction**

**1.1.** This policy describes the rationale, management, operation, use and confidentiality of the Closed Circuit Television (CCTV) system installed in Higham Village. The CCTV system is implemented, owned and managed by Higham with West Close Booth Parish Council (“the Council”) and covers a defined area via five camera positions on Higham Hall Road and Sabden Road (Back Lane). It is supported by more detailed operational and procedural documents as set out or referred to in the Schedule.

**1.2.** This policy has been prepared with due regard to the Amended Surveillance Camera Code of Practice published by Gov.UK June 2013 as Amended November 2021 and Updated March 2022, and to the General Data Protection Regulations 2018. This policy will be subject to periodic review by the Parish Council to ensure that it continues to reflect the public interest and that it and the system meets all legislative requirements.

**1.3.** The Council accepts the data protection principles based on the Data Protection Act 1998 as follows:

Data must be:

- fair, lawful and transparent;
- processed for specific limited purposes and not in any manner incompatible with those purposes;
- adequate, relevant and not excessive;
- accurate and up to date;
- not kept for longer than is necessary;
- processed in accordance with individuals’ rights;
- kept safe and secure;
- not transferred outside the European Economic Area unless an adequate level of protection for data subjects is ensured.

### **2. Statement of Purpose**

**2.1.** The CCTV system will be used to protect public safety, deter and prevent disorder or crime and protect the rights and freedoms of individuals, in particular by assisting the Police, other law enforcement agencies, the Parish Council and other lawfully entitled persons with the identification, detection, apprehension and prosecution of offenders by examining and using retrievable evidence relating to crime, public order or contravention of bye-laws. Its principal aim is to deter and/or identify road traffic offences, anti-social driving or behaviour and other criminal activity throughout Higham Village and the surrounding area.

**2.2.** The position of cameras and monitors has been optimised to capture activities on the main village roads. The system will not be used to invade the privacy of any individual, except when carried out in accordance with the law.

**2.3.** Exclusions: The system does not include any facility for Automatic Number Plate Recognition (ANPR) or facial recognition software. No data recorded is routinely stored or transferred off-site, on cloud systems, or is accessible remotely, over public internet or private networks.

### **3. Changes to the Purpose or Policy**

This Policy may be discussed and amended at meetings of the Parish Council.

### **4. Responsibilities of the Owner and Operators of the Scheme**

**4.1.** The Parish Council retains overall responsibility for the scheme.

**4.2.** Day to day operational responsibility will rest with a designated member of the Parish Council (“the designated Councillor”) and the Clerk to the Parish Council (“the Clerk”).

**4.3.** A log of relevant matters relating to the operation and maintenance of the system will be maintained and include:

- Any event which requires checking of recorded data – which should be clearly detailed in the log book of incidents, including Crime Numbers if appropriate, and the Parish Council notified at the next available opportunity.
- Any damage to equipment or malfunction discovered by an operator – which should be reported immediately to the Clerk and the Chairman of the Parish Council (“the Chairman”) and recorded in the log. When a repair has been made, this should also be logged showing the date and time of completion.

**4.4.** Operators must act with integrity and not abuse the equipment or change the pre-set criteria to compromise the privacy of an individual.

**4.5.** Operators should regularly check the accuracy of the date, time and location displayed.

**4.6.** Digital records should be securely stored to comply with data protection and should only be handled by an essential minimum number of persons.

**4.7.** Digital images will be erased after a period of 31 days unless relating to a relevant occurrence or suspected occurrence within the purposes of this policy of which the Parish Council has been made aware, in which event they may be retained for any necessary period of investigation and evidence provision.

**4.8.** Adequate and clear public notices of the operation of the system will be displayed.

### **5. Access to System Information**

**5.1.** No public access will be allowed to the monitors or system information except for lawful, proper and sufficient reason, with prior approval of the Clerk or the Chairman and in accordance with the Scheduled Forms and/or other decided procedure.

**5.2.** The Police are permitted access to digital copies if they have reason to believe that such access is necessary to investigate, detect or prevent crime.

**5.3.** As records may be required as evidence at Court, each person handling a digital record may be required to make a statement to a police officer and sign an exhibit label. Any images which are handed to a police officer should be signed for by the police officer and information logged to identify the recording, and showing the officer's name and police station. The log should also show when such information is returned to the Parish Council by the police and the outcome of its use.

**5.4** Images will not normally be supplied to the media, except on the advice of the police if it is deemed to be in the public interest, in which case the Clerk and the Chairman (or either of them in an emergency) should be advised and agree.

**5.5.** Any request by an individual member of the public for access to their own recorded image must be made to the Clerk. Unless immediately urgent, such requests will be submitted to the next meeting of the Parish Council for consideration and reply, normally within one calendar month. If immediately urgent, a decision on the request may be made by any two of the Clerk, the Chairman and the designated Councillor. There will be no fees or charges for information on a reasonable first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee.

**5.6.** Applications received from outside bodies (e.g. solicitors) to view footage will be referred to the Clerk and/or Chairman. In these circumstances viewing will normally be permitted where satisfactory documentary evidence is produced showing that they are required for legal proceedings, a subject access request, or in response to a Court Order. A fee may be charged in such circumstances: £10 for subject access requests; a sum not exceeding the cost of materials in other cases.

## **6. Breaches and Complaints**

**6.1.** Any breach of this policy will be initially investigated by the Clerk so that appropriate action may be taken. A report of the incident will be made to Council together with any recommended actions to remedy the breach.

**6.2.** Any concerns or complaints regarding the use of the system should be addressed in writing to the Clerk and will be considered by the Parish Council in line with its complaints policy].

**6.3.** Any serious breach of this policy or complaint may be further investigated by an independent investigator reporting on recommendations to remedy the issue.

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This policy was adopted by the Parish Council at a meeting of the Council on 17<sup>th</sup> January 2023.

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**SCHEDULE**

**APPENDIX 1 - FORMS**

**FORM A.**

**SAMPLE OF ACCESS LOG BOOK**

<b>Date</b>	<b>Who had Access</b>	<b>Reason for Access</b>	<b>Outcome</b>
e.g. 01/01/2022	e.g. A N Other (Chair)	e.g. complaint re parked car hit by speeding vehicle	e.g. Data viewed, incident confirmed, perpetrating vehicle identified and reported to the police

**FORM B.****DATA SUBJECT****REQUEST TO VIEW CCTV IMAGES**

<b>Date of Requested Recording:</b>	<b>Place of Recording:</b>	<b>Time of Recording:</b>
<b>Applicants Name and Address:</b>		<b>Evidence of Description of Applicant and any distinguishing features (e.g. clothing)</b>
<b>Post Code:</b>		<b>(A recent photograph may be necessary to aid identification)</b>
<b>Tel. No:</b>		
<b>Signature of Applicant: (or parent/guardian if under 18)</b>		
<b>Reason for request:</b>		
<b>Were you alone? YES/NO/N.A. If not, please describe any accompanying persons:</b>		

**FOR OFFICE USE ONLY**

<b>Received by:</b>	<b>Date Received:</b>	<b>Time Received:</b>
<b>Fee Charged: N/A</b>	<b>Fee Paid:</b>	<b>Request Approved: YES / NO</b>
		<b>Date Applicant Informed:</b>
<b>Actioned By:</b>	<b>Image Identified on:</b>	<b>In the presence of:</b>
<b>On: ...../...../.....</b>		

**FORM C.**

**POLICE**

**REQUEST TO VIEW CCTV IMAGES**

<b>Date and Time of Recording:</b>	<b>Place of Recording:</b>
<b>Police Contact Details:</b>	<b>Reason for Request:</b>
<b>Date Request Received:</b>	<b>Date Viewed by Police:</b>
<b>Signed: (Council Clerk)</b>	<b>Signed: (On behalf of the Police)</b>

## APPENDIX 2 :

### References and support documentation

<u>Surveillance Camera Code of Practice</u>	<a href="https://www.gov.uk/government/publications/update-to-surveillance-camera-code/amended-surveillance-camera-code-of-practice-accessible-version">https://www.gov.uk/government/publications/update-to-surveillance-camera-code/amended-surveillance-camera-code-of-practice-accessible-version</a>
<u>Biometrics and Surveillance Camera Commissioner (« SCC »)</u>	<a href="https://www.gov.uk/government/organisations/biometrics-and-surveillance-camera-commissioner">https://www.gov.uk/government/organisations/biometrics-and-surveillance-camera-commissioner</a>
<u>SCC</u>	<u>Self Assessment Tool</u>
<u>SCC</u>	<u>Data Protection Impact Assessment</u>