CCTV Policy

Lostwithiel Town Council

1. Introduction

Lostwithiel Town Council (the Council) has in place a Closed-Circuit Television (CCTV) surveillance system in Council owned Listed Buildings. This policy details the purpose, use and management of the CCTV system and details the procedures to be followed in order to ensure that Lostwithiel Town Council complies with relevant legislation and Codes of Practice where necessary.

Lostwithiel TC operates the CCTV system to ensure a safe and secure environment for staff, Councillors and visitors to its Listed Buildings as well as to prevent the loss or damage of Council property. The Council owns and manages the CCTV system directly and serves as the System Operator and Data Controller for the images produced. The Council is registered with the Information Commissioner's Office (ICO) under Registration Number Z7714007. The system operates 24 hours a day, 365 days a year and is monitored as necessary to achieve its stated purpose.

2. Purpose

This policy governs the installation and operation of the Council's CCTV cameras. CCTV surveillance is used to monitor and collect visual images for the purposes of:-

- Protecting Council assets
- Promoting the health and safety of visitors to the buildings by enhancing perceptions of public safety
- Reducing the incidence of crime
- Supporting the Police in assisting in identifying, apprehending and prosecuting offenders

3. Scope

This policy applies to Lostwithiel Town Council and must be followed by all staff. Failure to comply could result in disciplinary action, including dismissal. This policy also applies to the Council's Councillors, consultants, contractors, volunteers and users of the Listed Buildings.

All staff involved in the operation of the CCTV system will be made aware of this policy and will only be authorised to use the CCTV system in a way that is consistent with the purposes and procedures.

All system users with responsibility for accessing, recording, disclosing or otherwise processing CCTV images will have relevant skills and training on the operational, technical and privacy considerations and fully understand the policies and procedures.

4. Policy Statement

The Council is committed to operating its CCTV system responsibly and in accordance with the ICO CCTV Code of Practice (2017).

CCTV will be used professionally, ethically and legally with respect for individual privacy. Cameras are positioned to:

- Cover only areas necessary to achieve the system's purpose

- Minimise intrusion into private spaces
- Ensure recordings are of high quality and unobstructed
- Reduce the risk of damage or theft of equipment

The system will <u>not</u> be used for the purposes of live streaming of public activities. The power for a local Council to install CCTV and other surveillance equipment is conferred under Local Government and Rating Act 1997 s.31. The Council also has a duty to consider crime and disorder implications of their functions under the Crime & Disorder Act 1998 s.17.

5. Location and Signage
CCTV cameras are located at Edgcumbe House Lostwithiel, signage is displayed within the building to inform the public regarding CCTV operation.

6. Monitoring and Recording
CCTV footage is recorded on secure servers and accessible only to authorised personnel. To maintain data integrity recordings are stored with the time, date and location and the cameras are regularly checked to ensure images are of sufficient quality and timestamps are accurate.
Recorded images remain the property of Lostwithiel Town Council.

7. Covert surveillance
Covert surveillance is the use of hidden cameras or equipment to observe and/or record the activities of a subject which is carried out without their knowledge. Lostwithiel Town Council does not conduct covert surveillance under any circumstances.

8. Facial Recognition
Where cameras are used to identify peoples faces, the Council will ensure that it uses high quality cameras to make sure that it is capturing the individual accurately enough to fulfil the intended purpose.

9. Live Streaming
The Council's CCTV system is not suitable for live streaming as it is intended solely for safety and security purposes.

10. Data Protection
In its administration of its CCTV system, the Council complies with the Surveillance Camera Code of Practice 2013, the General Data Protection Regulations (GDPR), the data Protection Act 2018 and in accordance with the Council's Data Protection Policy.

11. Applications for Disclosure of Images

Requests by individual data subjects for images relating to themselves via a Subject Access Request (SAR) should be submitted to the Town Clerk together with proof of identification.

In order to locate the images on the system, sufficient detail must be provided by the data subject in order to allow the relevant images to be located ad the data subject to be identified.

Where the Council is unable to comply with a SAR without disclosing the personal data of another individual who is identified or identifiable from that information, it is not obliged to comply with the request unless it is satisfied that the individual has provided their express consent to the disclosure, or if it reasonable, having regard to the circumstances, to comply without the consent of the individual.

Third-Party requests:

Disclosure of images to third parties (e.g. law enforcement) will only occur when:

- required by law
- necessary for crime protection or detection

Requests must be made to the Town Clerk, who will log all disclosures, including:

- Date, time & camera details
- Requestor's details & reason for disclosure
- Authorisers name and the lawful basis for disclosure

Before disclosing any footage, consideration should be given to whether images of third parties should be obscured to prevent unnecessary disclosure. Where information is disclosed, the disclosing officer must ensure information is transferred securely.

If third party images are not to be disclosed, the data controllers will arrange for the third-party images to be disguised or blurred. If the CCTV system does not have the facilities to carry out that type of editing, an editing company may need to be used to carry it out. If an editing company is used, then the Data Controller must ensure that there is a contractual relationship between them and the editing company, and

- that the editing company has given appropriate guarantees regarding the security measures they take in relation to the images
- the written contract makes it explicit that the editing company can only use the images in accordance with the instructions of the Data Controller
- the written contract makes the security guarantees provided by the editing company explicit

The Data Controller will provide a written response to the data subject within 30 days of receiving the request setting out the Data Controllers decision on the request. A copy of the request and the response will be retained

12. Retention of images

Unless required for evidentiary purposes, the investigation of an offence or as required by law, CCTV images will be retained for no longer than 31 calendar days from the date of recording. Images will be automatically overwritten or destroyed after this time.

Where an image is required to be held in excess of the retention period, the Town Clerk will be responsible for authorising such a request and recordings will be protected against loss or held separately from the surveillance system and will be retained for 6 months following the date of the last action and then disposed of as per the above.

Images held in excess of their retention period will be reviewed on a three-month basis and any not required for evidentiary purposes will be deleted.

Access to retained CCTV images is restricted to the Town Clerk and other persons as required and as authorised by the Town Clerk.

13. Complaints Procedure

Complaints concerning the Council's use of its CCTV system or the disclosure of CCTV images should be made in writing to the Town Clerk. All complaints will be acknowledged within 7 days and a written response issued within 21 days.

When requested, anonymised information concerning complaints will be provided to the Surveillance Commissioner.

14. Review Procedure

The CCTV system is reviewed annually to ensure it remains necessary, proportionate and effective. The review includes:

- Assessment of camera locations and potential relocation or removal
- Evaluation of monitoring operations
- Consideration of less intrusive alternatives

15. Responsibilities

The Council is responsible for the overall management and operation of the CCTV system, including activities relating to installations, recording, reviewing, monitoring and ensuring compliance with this policy.

The Council is responsible for ensuring that adequate signage is erected in compliance with the ICO CCTV Code of practice.

The Town Clerk acts as the Council's Data Protection Officer and is responsible for authorising the disclosure of images to data subjects and third parties and for maintaining the disclosure log.

APPENDIX 1: Subject access request form

Subject Access Request Form – Lostwithiel Town Council CCTV

This form is intended to support individuals requesting access to images of themselves captured by CCTV cameras on Lostwithiel Town Council's CCTV network. Please note CCTV footage is normally retained for a maximum of 31 days.

To enable us to respond to your request promptly, please ensure that you provide us with:

- The relevant date, location and approximate time of the recording requested
- A description of what is happening in the footage
- A detailed description of what you were wearing/carrying at the time;
-
- A recent full-length colour photograph of you

The completed form should be sent to the Town Clerk using the details provided at the end of this form. If you need further assistance, please email clerk@lostwithieltowncouncil.gov.uk. You are not required to complete this form however it may help you set out your request

1. Your details

Name:	
Address:	
Postcode:	
Telephone number:	
Email address:	

2. Are you the Data Subject (the individual whose personal data is being requested)?

Yes:	Please provide proof of your identity, for example a photocopy of a valid passport or photocard driving licence; we may also request proof of address, if required.. **Please go straight to section 5 of this form**
No:	Are you acting on behalf of the Data Subject with their explicit consent, or with the appropriate legal authority? If so, this must be evidenced in writing and enclosed with this

	form. You must also enclose proof of the Data Subject's identity and address as described above. **Please ensure that you complete sections 3 and 4 of this form.**

3. Details of the Data Subject *(If different to those provided in section 1)*

Name:	
Address:	
Postcode:	
Telephone number:	
Email address:	

4. Legal status in relation to the Data Subject *(If you are not the data subject please briefly describe your relationship with them (eg legal adviser, spouse, parent, carer, etc) and explain why you are making this subject access request on their behalf)*

5. Personal information required *(Please describe as precisely as possible the nature of the images you are requesting; providing details of the exact date and location involved, together with an approximate time. Please also describe your appearance and what you were doing at the time you believe your image was captured. Please continue on a separate sheet if necessary)*

6. Submitting your request

Please email your completed copy marked 'Private and Confidential' to clerk@lostwithieltowncouncil.gov.uk

Or send the completed copy of this form in a securely sealed envelope marked 'Private and Confidential' to the following address:

Lostwithiel Town Council
Edgcumbe House
Fore Street
Lostwithiel
Cornwall
PL22 0BL

I understand that it may be necessary for me to provide additional information in order for Lostwithiel Town Council to confirm my identity (or that of the Data Subject) and/or locate relevant personal information. The statutory response period of one month specified in data protection legislation will not commence until Lostwithiel Town Council is satisfied in this regard and has received any additional information it has requested in order to process this request.

……………………………. (signature) …………………….. date of signature