

# Seascale Parish Council CCTV Policy

ADOPTED AT MEETING HELD

MINUTE REF: .....

## 1. Introduction including Data Protection Principles

This Policy is to control the management, operation, use and confidentiality of the CCTV system operating in (i) the Seascale Beachfront car park areas and, (ii) the BMX bike track.

It has been prepared in line with guidance and information contained in the 'CCTV Code of Practice' published by the Information Commissioner's Office (revised 2008 edition). This policy will be subject to periodic review by the Parish Council in order to ensure that it continues to reflect public interest and meets all legislative requirements.

Seascale Parish Council accepts the data protection principles based on the Data Protection Act 1998 as follows:

- Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless;
  - (a) at least one of the conditions in Schedule 2 of the DPA 1998 is met and,
  - (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 of the DPA 1998 is also met.
- Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- Personal data shall be accurate and, where necessary, kept up to date.
- Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes
- Personal data shall be processed in accordance with the rights of data subjects under this Act
- Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

## 2. Statement of Purpose

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. The scheme will be used for the following purposes:

- to reduce the vandalism of property and to prevent, deter and detect crime and disorder
- to reduce the fear of crime by persons using Parish Council facilities, thereby allowing them to enter and leave the car park area without fear of intimidation by individuals or groups
- to assist the police, the Parish Council and other Law Enforcement Agencies with identification, detection, apprehension and prosecution of offenders by examining and using retrievable evidence relating to crime, public order or contravention of bye-laws
- to deter potential offenders by publicly displaying the existence of CCTV, having cameras clearly sited that are not hidden and signs on display in areas being monitored.
- to assist all “emergency services” to carry out their lawful duties

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

A major change that would have a significant impact on either the purpose or this policy of operation of the CCTV scheme will take place only after discussion and resolution at full Council meeting.

**4. Responsibilities of the Owners of the Scheme**

The elected Parish Council retains overall responsibility for the scheme.

# **Seascale Parish Council CCTV Code of Practice**

## **Management of the System**

Day-to-day operational responsibility rests with the Parish Clerk / Chairman in conjunction with any Councillor authorised to do so by resolution of full Council.

Any breaches of this policy will be investigated by the Parish Clerk / Chairman and reported to the Parish Council.

A CCTV system prevents crime largely by increasing the risk of detection and prosecution of an offender. Any relevant tape or digital evidence must be in an acceptable format for use at Court hearings. This policy must be read and understood by all persons involved in this scheme and individual copies of this policy will therefore be issued for retention. A copy will also be available for reference in the secure recording areas.

## **Control and Operation of the Cameras, Monitors, and Systems.**

**The following points must be understood and strictly observed by operators:**

1. Operators must act with integrity and not abuse the equipment or change the pre-set criteria to compromise the privacy of an individual.
2. The position of cameras and monitors have been agreed following consultation with the Parish Council and security consultants in order to comply with the needs of the public.
3. No public access will be allowed to the monitors except for lawful, proper and sufficient reason, with prior approval of the Parish Clerk. The Police are permitted access to tapes and prints if they have reason to believe that such access is necessary to investigate, detect or prevent crime. The Police are able to visit the Parish office to review and confirm the Parish Council's operation of CCTV arrangements. Any visit by the Police to view images will be logged by the operator.
4. Operators should regularly check the accuracy of the date/time displayed.
5. Digital records should be securely stored to comply with data protection and should only be handled by the essentially minimum number of persons. Digital images will be erased after a period of 31 days.
6. 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. The Parish Clerk would inform the Council Chairman of any such emergency.

7. 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 that 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.
8. Any event that requires checking of recorded data should be clearly detailed in the log book of incidents, including Crime Nos. if appropriate. See Appendix A.
9. Any damage to equipment or malfunction discovered by an operator should be reported immediately to the Council Chairman. The company responsible for maintenance will be contacted and the call logged advising details of the outcome. When completed, any repair to the system should be logged showing the date and time of completion.
10. Any request by an individual member of the public for access to their own recorded image must be made on an 'Access Request Form' and is subject to a standard fee of £10.00. Forms are available from the Parish Council Office and will be submitted to the next meeting of the Parish Council for consideration and reply, normally within 40 days. (see Appendix B).
11. If images of third parties are included with the images of the person who has made the access request, consideration will be given to whether or not the release of these images would involve an unfair intrusion into the privacy of the third party. If necessary, arrangements will be made to disguise or blur the images in question, this work may need to be contracted out to another organisation.

## **Accountability**

Copies of the CCTV Policy are available in accordance with the Freedom of Information Act, as are any reports that are submitted to the Parish Council *providing it does not breach security needs*.

The Police will be informed of the installation and provided with a copy of this CCTV Policy.

Any written concerns, complaints, or compliments regarding the use of the system will be considered by the Parish Council, in line with the existing complaints policy.

Seascale Parish Council has considered the need for using CCTV and has resolved that it is required for the prevention and detection of crime and for protecting the safety of members of the public.

Seascale Parish Council will conduct an annual review of the use of the CCTV system,