CCTV Policy

Prepared by : Adele Waddington
Trawden Forest Parish Clerk and RFO

Adopted by all Councillors at the meeting on : 1st July 2024
Review Date : July 2026

1   Introduction

1.1 This Policy sets out to ensure the effective use of CCTV to prevent crime, identify the perpetrators of crime, enhance community safety and reduce the fear of crime.

1.2 Its aim is to ensure that all residents, visitors and businesses have the confidence to undertake their activities during the day or night without fear and with confidence in their safety and the security of the environment.

1.3 Ownership and copyright of recorded material remains at all times the property of Trawden Forest Parish Council who will deliver this Policy by delegating the responsibility of Data Controller to the Parish Clerk and will not be sold or used for commercial purposes or for the provision of entertainment.

1.4 Cameras are strategically located at Wycoller Country Park Car Park and on the wall of St Mary's Church and all are operated from a secure area in the Council office.

1.5 All images are recorded digitally, and the release of such imaging will be controlled in accordance with this Policy and a record made of each occasion such data is released.

1.6 Subject to storage capacity and imaging quality, material will be stored for a period of 28 days after which images will be overwritten and no longer available for use.

2   Compliance

2.1 Use of CCTV at the above locations will subscribe to the following principles in accordance with GDPR laws:

- Personal data shall be processed fairly and lawfully.
- 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.

2.2   The system is registered with the Information Commissioner under registration no ICO: 14525387.

3 Key objectives

3.1 Trawden Forest Parish Council wishes to use the CCTV system to respond to the following key objectives which will be periodically reviewed:
- To detect, prevent or reduce the incidence of crime.
- To prevent and respond effectively to all forms of harassment and public disorder.
- To create a safer community.
- To gather evidence by a fair and accountable method.
- To assist the Parish Council in managing its daily affairs including:
  the prevention and prosecution of vandalism to Parish Council Assets;
  the monitoring of contractors and/or staff for their welfare in carrying out their duties in public areas.

4 Privacy

4.1 The system is not to be used for the monitoring of any individuals without proper due cause. Any officer or volunteer so using the CCTV system to monitor any individuals' actions must enter this into the log including recording justifiable reasons for doing so.

4.2 The public will be made aware of the use of CCTV surveillance by the prominent display of fit for purpose signage and appropriately situated to view public area use only.

5 Permitted Use of CCTV Images

5.1 The Data Controller will determine whether imaging from the CCTV System is to be released to any parties in connection with:
- Where Police reasonably believe that access to recorded images is necessary for the investigation and detection of a particular offence or offences or the prevention of crime.
- Police access under the provisions of the Police and Criminal Evidence Act 1984.
- Recorded material resulting for the operation of the system will normally only be made available to the Police for criminal prosecution purposes.
- For the use of Trawden Forest Parish Council internal procedures in connection with any staff disciplinary matter.

5.2 Recorded images may also be made available, on request to the Data Controller whose decision to release such information is final, for the purposes of prosecution having taken into account compliance with the key objectives by the following bodies:
- HM Revenue & Customs
- Lancashire County Council and or Pendle Borough Council in pursuit of their statutory obligations
- Health and Safety Executive
- Trading Standards

5.3 Any such information/recordings released will be subject to an undertaking that it will only be used strictly in accordance with this Policy.

5.4 All recorded material must be of good quality, accurate in content and unable to be altered or tampered with at source.

5.5 All recordings will be downloaded onto the Parish Council computer required for evidential purposes with receipt properly acknowledged. Such use formally recorded and stored securely and not disposed of until the purpose for which it has been collected has been completed and confirmed as no longer required by the evidence gathering institution.

6. Operation of System and Cameras

6.1 The system and control of cameras will only be viewed by permitted users as defined in Section 5 above, and operated by trained persons who have been duly authorised to use the system by the Data Controller having due regard to their DBS status, SIA accreditation or other training necessary to ensure the proper use of the system, with such names recorded in the operational log.

6.2 All optical lens viewing changes away from their pre- set positions must be recorded in the operational log.

6.3 No cameras must be used for the viewing of private properties unless at the direction of the Police who must always be present when making such a request, having also recorded in the log their reason behind doing so.

6.4 Any volunteers approved by the Data Controller to use the system must do so in accordance with this Policy and any subsequent protocols between the Parish Council and the Police that are subsequently developed in addition to this Policy.

6.5 Any handheld or mobile instrument capable of linking to the main CCTV viewing system, whether used by the Police, Trawden Forest Parish Council officers or volunteers, is subject to the same Policy restrictions and operational procedures as though using the main console itself.

7 Accountability

7.1 In accordance with the Code of Practice and the Data Subject Access Rights of The Data Protection Act 1998, anyone wishing to acquire a copy of the Policy or to request further information with regard to accessing the recorded data under the Data Protection Act 1998 should be directed to contact the Data Controller in writing.

8 Subject Access Request

8.1 Under the terms of data protection, individual access to personal recordings, of which that individual is the data subject, must be permitted, subject to proper procedures followed in connection with such data, access requests. If a request is received for footage where the requestor is not the data subject will be denied.

8.2 Trawden Forest Parish Council through its nominated Data Controller will ensure that all Subject Access Requests are dealt with in accordance with current legislative requirements, such right currently provided by Section 7 of the Data Protection Act 1998.

9. Monitoring of equipment

9.1 The CCTV provider shall install a key lock switch so that the system cannot be incorrectly switched off. If power is switched on, even if the remote access is not working, images will be held on the hard drive in the Vestry.