



Okehampton Town Council

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CCTV Policy

Policy Summary

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

This policy and the procedures herein, applies to the Council's CCTV system which captures images of identifiable individuals for the purpose of viewing and or recording the activities of such individuals. CCTV images are monitored and recorded in strict accordance with this policy.

Images are recorded 7 days a week, 24 hours a day. Recordings are retained for 30 days unless a request is received to retain a particular piece of footage for a longer period. Footage from the system can be used as evidence in both criminal and civil court cases.

Police access to CCTV footage

Where an offence has been reported in an area covered by our CCTV cameras, the Police may ask to view any CCTV footage that might be helpful.

Request CCTV footage

By law, you have a right (subject to certain exemptions) to be told whether [any personal data is held about you](#), including CCTV footage.

If you would like to apply for subject access to our CCTV footage please visit our website for more information.

Insurance Company access to CCTV Footage

If you have been involved in a road traffic collision or incident (without Police involvement), please contact your insurance provider to request the relevant footage in accordance with Schedule 2, Part 1(5) of the Data Protection Act 2018. Please be aware there is a fee for this service.

If your incident involved Police and you have been provided with a crime reference number, please contact the Police directly to request CCTV footage. The Council cannot provide this information, and you will be advised to liaise with the Police for assistance.

Introduction

The Council uses closed circuit television (CCTV) images for the prevention, identification and reduction of crime in order to provide a safe and secure town centre, recreational facilities and environment for residents and visitors and to prevent the loss of or damage to Council property.

The CCTV system is owned by Okehampton Town Council, Town Hall, Fore Street Okehampton and is registered with the Information Commissioner's Office, Registration number Z6445185. Torbay Council is the data controller for the images produced by the CCTV system and all Subject Access Requests (SAR) will be forwarded to Torbay Council.

The CCTV system is operational and is capable of being monitored for 24 hours a day, every day of the year.

Purpose

This Policy governs the installation and operation of all CCTV cameras at the Council.

CCTV surveillance is used to monitor and collect visual images for the purposes of:

- protecting the Council's assets;
- promoting the health and safety of residents and visitors;
- reducing the incidence of crime and anti-social behaviour (including theft and vandalism);
- supporting the Police in a bid to deter and detect crime;
- assisting in identifying, apprehending and prosecuting offenders;

Scope

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

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 contained herein.

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.

Where required, CCTV operators will be properly licensed by the Security Industry Authority.

Definitions

CCTV – closed circuit television camera. A TV system in which signals are not publicly distributed but are monitored, primarily for surveillance and security purposes and where access to their content is limited by design only to those able to see it.

Covert surveillance - observation, and/or recording, carried out without the subject's knowledge, and may be done using camera's or devices that are not visible to the subject.

Data controller - the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of CCTV images.

Data Protection Act 2018 (DPA) - UK data protection framework, regulating the processing of information relating to individuals.

Facial/automated recognition - the use of camera technology to identify individuals' faces and to make automated matches.

General Data Protection Regulations 2016 (GDPR) - European Union data protection framework, regulating the processing of information relating to individuals.

ICO CCTV Code of Practice 2017 - recommendations on how the legal requirements of the Data Protection Act 1998 can be met when using CCTV, issued by the Information Commissioner's Office. The guidance will be updated to comply with current legislation.

Security Industry Authority (SIA) - the organisation responsible for regulating the private security industry in the UK, under which private use of CCTV is licensed. It is an independent body reporting to the Home Secretary, under the terms of the [Private Security Industry Act 2001](#).

Surveillance Camera Code of Practice 2013 - statutory guidance on the appropriate and effective use of surveillance camera systems issued by the Government in accordance with Section 30 (1) (a) of the Protection of Freedoms Act 2012.

System Operator - person or persons that take a decision to deploy a surveillance system, and/or are responsible for defining its purpose, and/or are responsible for the control of the use or the processing of images or other information obtained by virtue of such system.

System User - person or persons who may be employed or contracted by the system operator who have access to live or recorded images or other information obtained by virtue of such a system.

Principles of Use

The use of the CCTV system will observe the 12 principles of the Surveillance Camera Code of practice:

Principle 1	Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need
Principle 2	<p>The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.</p> <p>CCTV monitoring of public areas for security purposes will be conducted in a manner consistent with all existing policies adopted by Okehampton Town Council, including Equality and Diversity Policy, Dignity at Work Policy, Codes of Practice for dealing with complaints of Bullying and Harassment and Sexual Harassment and other relevant policies, including the provisions set down in equality and other related legislation.</p>
Principle 3	There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
Principle 4	There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
Principle 5	Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.

Principle 6	No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
Principle 7	Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
Principle 8	Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
Principle 9	Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
Principle 10	There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
Principle 11	When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
Principle 12	Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

Information obtained in violation of this policy may not be used in a disciplinary proceeding against an employee of Okehampton Town Council.

All CCTV systems and associated equipment will be required to be compliant with this policy. Recognisable images captured by CCTV systems are 'personal data' and are subject to the provisions of the Data Protection Act 2018.

Policy

Policy statement

The Council will operate its CCTV system in a manner that is consistent with respect for the individual's privacy.

The Council complies with the Information Commissioner's Office (ICO) CCTV Code of Practice 2017 to ensure CCTV is used responsibly and safeguards both trust and confidence in its continued use.

The CCTV system will be used to observe the areas under surveillance in order to identify incidents requiring a response. Any response should be proportionate to the incident being witnessed.

The use of the CCTV system will be conducted in a professional, ethical and legal manner and any diversion of the use of CCTV security technologies for other purposes is prohibited by this policy.

Cameras will be sited so they only capture images relevant to the purposes for which they are installed. In addition, equipment must be carefully positioned to:

- a cover the specific area to be monitored only;

- b keep privacy intrusion to a minimum;
- c ensure that recordings are fit for purpose and not in any way obstructed (e.g. by foliage);
- d minimise risk of damage or theft.

CCTV will **not** be used for the purposes of live streaming activities in the public realm.

Location and signage

Monitoring and recording

Cameras are not generally monitored in real time. Live monitoring may be undertaken by Torbay Council in a secure office within their premises – Town Hall, Castle Circus, Torquay, Devon, TQ1 3DS, or by police officers in a secure area of the Town Hall, Fore Street, Okehampton, EX20 1AA.

Where an offence has been reported in an area covered by our CCTV cameras, the Police may view CCTV footage that might be helpful.

Images are recorded on secure servers and are viewable by the police and authorised members of Torbay Council staff only.

Recorded material will be stored in a way that maintains the integrity of the image and information to ensure that metadata (e.g. time, date and location) is recorded reliably, and compression of data does not reduce its quality.

Viewing monitors are password protected and switched off when not in use to prevent unauthorised use or viewing.

The cameras installed provide images that are of suitable quality for the specified purposes for which they are installed, and all cameras are checked periodically to ensure that the images remain fit for purpose and that the date and time stamp recorded on the images is accurate.

All images recorded by the CCTV System remain the property and copyright of the Okehampton Town Council.

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.

The Council will not engage in covert surveillance.

Facial Recognition

Where cameras are used to identify people's 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.

Live Streaming

CCTV is not suitable for live streaming as it is intended solely for safety and security purposes.

Data Protection

In its administration of its CCTV system, the Council complies with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 and in accordance with the Council's Data Protection Policy.

Data Protection Impact Assessments

The CCTV system is subject to a Data Protection Impact Assessment. Any proposed new CCTV installation is subject to a Data Protection Impact Assessment identifying risks related to the installation and ensuring full compliance with data protection legislation. This will include consultation with relevant internal and external stakeholders.

Applications for disclosure of images

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

Any SAR sent to the Town Clerk will be forwarded to Torbay Council who are authorised to manage this process on behalf of the Town Council. Further details of this process are detailed on the Application for Subject Access to CCTV Information form on the Council's website OR can be obtained by contacting the Town Clerk: townclerk@okehampton.gov.uk OR from Torbay Council 01803 310403.

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 and the data subject to be identified.

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 30 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, Torbay Council 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 in accordance with their policies and then disposed of as per above.

Complaints Procedure

Complaints concerning the Council's use of its CCTV system or the disclosure of CCTV images should be made to the Town Clerk: townclerk@okehampton.gov.uk who may refer them to Torbay Council for a response.

The complaints procedure is available on the Council's website

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

Review Procedure

There will be an annual review of the use of the CCTV system to ensure it remains necessary, proportionate and effective in meeting the stated purposes.

As part of the review of the Council will assess:

- a. whether the location of cameras remains justified in meeting the stated purpose and whether there is a case for removal or relocation;

- b. the monitoring operation, e.g. if live monitoring in any or all camera locations is necessary;
- c. whether there are alternative and less intrusive methods for achieve the stated purposes.

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 the Council has passed control of the CCTV system monitoring and management of SARs to Torbay Council who are responsible for authorising the disclosure of images to data subjects and third parties and for maintaining the disclosure log.

The Town Clerk will ensure that the use of CCTV systems is implemented in accordance with the policy set down by Okehampton Town Council.

The Town Clerk will complete a Data Protection Impact Assessment (DPIA) for any CCTV systems and carry out a review of the DPIAs on an annual basis.

Torbay Council will maintain a record of access (eg an access log) to, or the release of, any material recorded or stored in the system and the Town Clerk will maintain a record of access to the recording facility in the Town Council premises.

The Torbay Council will ensure that the field of view of cameras conforms to their policy.

The Town Clerk will consider feedback/complaints from staff/members of the public regarding possible invasion of privacy or confidentiality due to the location of a particular CCTV camera or associated equipment in consultation with Torbay Council and/or the Police as necessary.

The Town Clerk will ensure that external cameras are non-intrusive in terms of their positions and views and comply with the principle of 'Reasonable Expectation of Privacy'.

Torbay Council will ensure that recordings are stored for a period not longer than 30 days and are then erased unless required as part of a criminal investigation or court proceedings (criminal or civil) or other use as authorised by the Town Council in consultation with the Data Protection Officer.

The Town Clerk in conjunction with Torbay Council will ensure that camera control is not infringing an individual's reasonable expectation of privacy in public areas.