

NEEDHAM MARKET TOWN COUNCIL

CCTV Policy

1. Introduction

- 1.1 This policy is to control the management, operation, use and confidentiality of any installation and use by the Town Council of a CCTV system.
- 1.2 It has been prepared taking due account of the Code of Practice published by the Data Protection Commissioner (2012).
- 1.3 This policy will be subject to periodic review by the Town Council to ensure that it continues to reflect the public interest and that the system meets legislative requirements.

2. Objectives of the CCTV Scheme

- (a) To protect land, buildings and their assets
- (b) To increase personal safety and reduce the fear of crime
- (c) To support the Police in a bid to deter and detect crime
- (d) To assist in identifying, apprehending and prosecuting offenders
- (e) To protect members of the public and private property
- (f) To assist in managing playing fields, car parks, open spaces and play areas

3. Statement of intent

- 3.1 The CCTV Scheme will be operated under the terms of the Surveillance Camera Code of Practice and will seek to comply with the requirements of both the Data Protection Act and the Commissioner's Code of Practice.
- 3.2 The Town Council will treat the system and all information, documents and recordings obtained and used, as data which is protected by the Act.
- 3.3 Cameras will be used to monitor activities within public areas to identify anti-social behaviour and/or criminal activity occurring, anticipated, or perceived, and for the purpose of securing the safety and well-being of the public areas, together with its visitors.
- 3.4 The cameras are not to focus on private homes, gardens and other areas of private property.
- 3.5 Unless an immediate response to events is required, cameras must not be directed at an individual, their property or a specific group of individuals, without authorisation being obtained using the Town Council's application process for Directed Surveillance to take place, as set out in the Regulation of Investigatory Power Act 2000.
- 3.6 Data or knowledge secured as a result of CCTV will not be used for any commercial purpose. Data will only be released to the media for use in the investigation of a specific crime and with the written authority of the Police. Data will never be released to the media for purposes of entertainment.
- 3.7 Planning and design of the CCTV Scheme endeavours to ensure that the Scheme will give maximum effectiveness and efficiency, but it is not possible to guarantee that the CCTV system will cover or detect every single incident taking place in the areas of coverage.

3.8 Warning signs, as required by the Code of Practice of the Information Commissioner have been placed at access routes to areas covered by CCTV.

4. Operation of the system

4.1 The CCTV Scheme will be administered and managed in accordance with the principles and objectives expressed in the Code of Practice of the Information Commissioner.

4.2 The day-to-day management will be the responsibility of the Town Clerk.

4.3 The CCTV system will be operated 24 hours each day, every day of the year.

5. Monitoring procedures

5.1. Camera surveillance may be maintained at all times.

5.2. A monitor is installed in a secure location in the Community Centre to which pictures will be continuously recorded.

5.3 If covert surveillance is planned or has taken place copies of the Authorisation Forms, including any Review or Cancellation must be returned to the Town Clerk.

5.4 The CCTV is viewable from the machine installed in a secure area by an authorised member of the Community Centre.

5.5 CCTV data is viewable remotely via restricted log in details and password protected internet access.

6. Recording procedures

6.1 In order to maintain and preserve the integrity of the data the following procedures for use and retention must be strictly adhered to:

- (i) Data stored on the hard drive may be copied to a USB device if required for evidence purposes under the instruction of the Town Clerk.
- (ii) Data stored on hard drive will be stored for no more than 60 days with an auto re-write regime in place.
- (iii) Data required for evidential purposes and copied to a USB device, must be witnessed, signed by the Town Clerk, dated and stored securely.

6.2 Data may be viewed by the Police for the prevention and detection of crime and the Town Clerk, for supervisory purposes, authorised demonstration and training.

6.3 A record will be maintained by the Town Clerk of the release of Data to the Police or any other authorised applicants.

6.4 Viewing of Data by the Police must be recorded. Requests by the Police can only be actioned under section 29 of the Data Protection Act 1998.

6.5 Should data be required as evidence, a copy may be released to the Police. Data will only be released to the Police on the clear understanding that the data remains the property of the Town Council, and both the data and information contained on it are to be treated in accordance with this code. The Town Council also retains the right to refuse permission for the Police to pass to any other person the data or any part of the information contained thereon. On occasions when a Court requires the release of original data this will be produced from the securely stored data item.

6.6 The Police may require the Town Council to retain the data for possible use as evidence in the future. Such data will be properly indexed and properly and securely stored until needed by the Police.

6.7 Applications received from outside bodies (e.g. solicitors) to view data will be referred to the Town Clerk. In these circumstances data will normally be released 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 can be charged in such circumstances: £10 for subject access requests; a sum not exceeding the cost of materials in other cases.

7. Breaches of the code (including breaches of security)

7.1 Any serious breach of the Code of Practice will be immediately investigated by members of the Council's Governance & Finance Committee and they may require an independent investigation to be undertaken with recommendations on how to remedy the breach.

8. Assessment of the scheme and code of practice

8.1 Performance monitoring, including random operating checks, may be carried out.

9. Complaints

9.1 Any complaints about the Town Council's CCTV system should be addressed to the Town Clerk.

9.2 Complaints will be investigated in accordance with Section 9 of this Policy.

10. Access by the Data Subject

10.1 The Data Protection Act provides Data Subjects (individuals to whom "personal data" relate) with a right to data held about themselves, including those obtained by CCTV.

10.2 Requests for Data Subject Access should be made on application to the Town Clerk.

11. Public information

11.1 Copies of this Code of Practice will be available to the public from the Town Clerk.

Policy adopted:

Date - 20th September 2023

Meeting and Minute – Town Council C065/23

