

# *Wirksworth Town Council*



## CCTV Policy

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Minute No: C23/98

## CCTV Policy

1. Introduction	3
2. Policy Statement	3
3. Covert Recording	4
4. Responsibility	5
5. Monitoring, Recording, View Images & Provision of Evidence	5
6. CCTV recording & Security	6
7. Partner Agencies/Agreements	7
8. Policy review	7
9. Authorised User List	appendix 1
10. View log example	appendix 2

## 1. Introduction

The following policy and procedure has been written by Wirksworth Town Council for the operation and monitoring of CCTV surveillance systems within public open spaces & buildings within the Town. The system consists of several fixed cameras located at strategic points of open spaces and buildings. Images are recorded. This policy covers the use of CCTV equipment and the gathering, storage, use and disposal of visual data and is subject to the guidance given in the Code of Practice issued by the Information Commissioners Office; *'In the Picture: [A Data Protection Code of Practice for Surveillance Cameras and Personal Information](#)' & [Amended Surveillance Camera Code of Practice](#).*

The CCTV/surveillance systems are owned and managed by Wirksworth Town Council and/or its appointed agents. The Council is the system operator and data controller, for the images produced by the CCTV and any surveillance systems. Registered with the Information Commissioner's Office, Registration number. Z521992X

This policy uses the terms 'surveillance system(s)', 'CCTV' and 'information' throughout for ease of reference, and would include (but is not limited to) the following types of systems:

- Fixed CCTV (networked)
- Body Worn Video
- ANPR
- Unmanned aerial systems (drones)
- Stand-alone cameras
- Redeployable CCTV

## 2. Policy Statement

### *Objectives and Purpose of the System*

Wirksworth Town Council has in place Closed-Circuit Television (CCTV) and other surveillance systems to monitor and collect visual images with the primary purposes of public/staff safety and crime prevention as detailed below:-

To help reduce the fear of crime

To provide a safe and secure environment for residents of, and visitors to the areas covered by the scheme.

To help deter and detect crime and provide evidential material for court proceedings.

To assist in the overall management of the Council

To assist in the management of other locations and buildings owned or controlled by the Council.

To enhance community safety, including the prevention and detection of harassment, to assist in developing the economic well-being of the Town & encourage greater use of the amenities.

To assist the local authority & Police in their enforcement and regulatory functions within the Town.

To identify breaches of tenancy terms and to supply evidence to support enforcement action, this may include civil proceedings.

To assist the Council in discharging its health and safety obligations towards staff

To investigate allegations of staff misconduct<sup>1</sup>

<sup>1</sup>*subject to HR policy*

All cameras are visible (not hidden from view<sup>2</sup>) and where possible will avoid directly focussing upon private accommodation. This policy and the procedures therein detailed, applies to all of the Council's CCTV and surveillance systems, including overt and covert installations, capturing images of identifiable individuals for the purpose of viewing, and/or recording the activities of such individuals.

<sup>2</sup>*except in the instance of covert cameras – please see relevant section.*

The systems will be maintained and every effort has been made to ensure maximum effectiveness, however it is not possible to guarantee that the system will detect every incident taking place within the area of coverage.

CCTV and surveillance system images are monitored and recorded in strict accordance with this policy. The system will not be used for any other purpose than those set out in this policy document. Any non-routine use of the CCTV system will require approval of the Town Clerk and must comply with the [Surveillance Code of Practice](#) and [Data Protection Act 2018](#).

CCTV cameras will not be used to monitor the progress of staff or other individuals during the normal course of their business activity nor will managers be permitted to use the cameras to observe staff working practices or time keeping in order to assist them in the day-to-day management of personnel<sup>3</sup>

<sup>3</sup>*lone worker policy and HR policy can supersede*

### **3. Covert Recording**

Covert cameras may be used in the following circumstances:- after legal advice has been taken and on the authorisation of both the Town Clerk and the Chair/Deputy Chair of the Council. For the purposes of crime prevention and/or staff safety, only when:-

- when informing the individual(s) concerned that recording was taking place would seriously prejudice the objective of making the recording; and
- when there is reasonable cause to suspect that unauthorised or illegal activity is taking place or is about to take place.

Covert Recording will only be undertaken in accordance with the Surveillance Camera Code of Practice and any other relevant legislation.

## 4. Responsibility

The Town Council has the overall responsibility for ensuring that the installed CCTV system is 'fit for purpose' and for authorising any further system development.

The Town Clerk is responsible for day to day operational aspects of the system, for authorising users and for ensuring that only authorised users access the system.

The Town Clerk and Assistant Town Clerk are responsible for ensuring that all authorised users are kept up to date on legislation and changes in the Town Council's procedures.

The Clerk/Assistant Clerk will routinely review the Council's CCTV policy and will maintain all necessary documents relating to the Council's CCTV system.

Authorised users are responsible for operating the system in accordance with the requirements set out in current legislation, this policy and any Town Council approved procedure that may be in place.

Signs are placed wherever CCTV systems are in operation, in order to inform individuals that CCTV is in operation, who the system owner is (if it is not obvious), and the contact details.

## 5. Monitoring, Recording, Viewing Images and the Provision of Evidence

Cameras are monitored in a secure private office

Viewings will only be undertaken for a specific, legitimate purpose. Casual viewing of recorded images is not permitted.

Any viewing of the CCTV (including access to the office and screens being viewed) must be recorded in the view log (see Appendix 2 example)

Viewings may be undertaken only by authorised users, a list of which is held by the Town Council and forms part of this document in appendix 1 (personal data redacted for online policy) All users must sign to say they comply with the policy any breaches will result in disciplinary action (including dismissal) and possible prosecution. This policy also applies to volunteers and Council Members.

Enforcement agencies such as the police have a legal right to access and retain recordings (and other relevant evidence) for crime prevention and detection, including anti-social behaviour. Subject to completing an information request form (Derbyshire Police form 807)

Other requests for CCTV recorded evidence may be made directly to the Town Clerk by prosecution agencies, relevant legal representatives, insurance companies investigating claims and emergency services investigating accidents. All will be subject to completing a Data release form.

The disclosure or release of recorded material will be controlled by the Town Clerk and only be made to third parties in strict accordance with the purposes of the system. The Town Clerk is responsible for ensuring compliance with the Data Protection Act and for ensuring that recorded personal imaging and personal information not relevant to the disclosure request is obscured.

Third party agencies requesting the disclosure or release of recorded material are responsible for all costs associated with the provision of such material including any required image blurring. The Town Council may require payment of the associated costs prior to material being released.

In requesting the disclosure or release of recorded material from the Town Council, the requesting agency accepts full responsibility for the security and management of such material and any liability issues arising from the use of such material. The Town Council shall not be liable regarding any matter arising from the security, management or use of an authorised disclosure or release of recorded material to a third party agency.

All images shall remain the property and copyright of Wirksworth Town Council.

## 6. CCTV Recordings and Security

All staff required to operate CCTV equipment are to receive training in the use of the equipment and shall comply with this Policy and any CCTV operating procedure adopted by the Council.

CCTV recorded images shall be routinely retained for a period of one month/31 calendar days, and thereafter deleted. With the exception of images subject to a notification by the police for retention, or subject to a request for disclosure or release by a third party agency. These images shall be retained for such a period as may be necessary to conclude an investigation or claim and will then be deleted.

CCTV recorded material retained by the Town Council shall be kept secure to prevent damage and maintain the confidentiality of the subject matter.

Recorded material will not be sold nor used for commercial purposes nor will it be used in conjunction with any form of social media<sup>4</sup>

*<sup>4</sup>excludes footage passed to the Police for public safety, crime prevention & detection. Any such footage becomes subject to their CCTV & Data policies.*

Recording equipment and recording media will be kept in a secure place (securely locked – with authorised only access) Only authorised access to such equipment and media will be permitted.

Requests by individual data subjects for images relating to themselves via a Subject Access Request should be submitted to the Town Clerk at [enquiries@wirksworth.gov.uk](mailto:enquiries@wirksworth.gov.uk) Further details of this process are detailed in the Council's GDPR Policy) In summary:- 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. A search request should specify reasonable accuracy i.e. within 30 minutes

Where the Council is unable to comply with a Subject Access Request 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 satisfied that the individual has provided their express consent to the disclosure, or if it is reasonable, having regard to the circumstances, to comply without the consent of the individual. Your request can also be refused if it could put an ongoing criminal investigation at risk.

## **7. Partner Agencies/Agreements**

Where a system is jointly owned or jointly operated, the governance and accountability arrangements are agreed between the partners and documented so that each of the partner organisations has clear responsibilities, with clarity over obligations and expectations and procedures for the resolution of any differences between the parties or changes of circumstance.

## **8. Policy Review**

This policy will be regularly reviewed to ensure that it is relevant to working practice and is compliant.

## Appendix 1

### 9. Authorised users list

<b>Name</b>	<b>Position</b>	<b>Signed</b>	<b>Date</b>	<b>Access</b>
Paul Jennings	Town Clerk			Full
Sue Gratton	Assistant Town Clerk			Full
April Fussell	Administration Officer			Full
Marc Worsey	Caretaker			Live View Camera 1 & 2 only
Mark Vinall	Caretaker			Live office view only
Katie Reeves	Caretaker			Live office view only
Angie Knox	Caretaker			Live office view only



## Appendix 2

### 10. View Log (example)

<b>Date</b>	<b>Camera(s)</b>	<b>Name</b>	<b>Position/Organisation</b>
<i>Date of viewing</i>	<i>Which cameras viewed (see list for number)</i>	<i>Viewer (all must be recorded separately)</i>	<i>Must be completed in full</i>
<b>Reason for viewing:</b> <i>full reason for viewing</i>			
<b>Footage.</b> <i>What footage has been viewed (ie date/timings) has it been copied and to what (data stick, CD) where its saved and retention date.</i>			
Forms completed (if applicable)		<i>Form 806, data retention etc</i>	
Authorised signatory		<i>(those listed on appendix 1 full access users only)</i>	

## Appendix 3

### Camera Locations and Identification numbers

This information is not printed and published online for security purposes.

No	Camera Name	Location
1	TH Atrium Stairs	Town Hall
2	TH Atrium overview	Town Hall
3	TH Entrance	Town Hall
4	TH Upper Atrium	Town Hall
5	TH Garden	Town Hall
6	TH Entrance lift	Town Hall
7	TH Yard	Town Hall
8	TH Arch	Town Hall
9	MH Garden	Memorial Hall
10	MH War Memorial	Memorial Hall
11	MH Plane Tree	Memorial Hall
12	MH Car Park	Memorial Hall
13	BC Front	Barmote Croft
14	BC Rear	Barmote Croft
15	BC ladies	Barmote Croft
16	BC Gents	Barmote Croft
17	FS PTZ	Fanny Shaws
18	FS Front	Fanny Shaws
19	FS Side	Fanny Shaws
20	FS Rear	Fanny Shaws