

CHEPSTOW TOWN COUNCIL

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CCTV Code of Practice

1. INTRODUCTION AND OBJECTIVES

- 1.1 This code of practice has been written in accordance with the Information Commissioner's CCTV Code of Practice and the National Surveillance Commissioner's CCTV Code of Practice.
- 1.2 This Code of Practice applies to all CCTV cameras operated and managed by Chepstow Town Council at the Gatehouse, High Street, Chepstow, NP16 5LH and the Public Conveniences, 11 Thomas Street, Chepstow, NP16 5DH.
- 1.3 The system owner and Data Controller is Chepstow Town Council. It is responsible for the ownership of the system with overall responsibility for ensuring this Code of Practice is adhered to and the system is properly maintained. The Town Clerk is the Data Processor, responsible for the day to day management of the system including data processing and management of the code of practice.

2. STATEMENT IN RESPECT OF HUMAN RIGHTS ACT 1998

- 2.1 The system owners have considered the obligations imposed by the above legislation and consider that the use of cameras in the locations mentioned above is necessary proportionate and a suitable tool to help prevent and detect crime and disorder.
- 2.2 The system will be operated with respect to all individuals, without any discrimination on the grounds of gender, race, colour, language, religion, political opinion, national or social origin or sexual orientation.

3. OBJECTIVES OF THE SYSTEM

- 3.1 The primary objective of the CCTV system is to protect Town Council owned property and increase the safety of the users of our facilities. To achieve this objective the system will be used and data processed for the following purposes only:
 - To prevent and detect crime, providing evidential material for criminal proceedings;
 - To deter and detect incidents of anti-social behaviour, providing evidential material for criminal proceedings;
 - To assist with other civil proceedings such as insurance claims.
- 3.2 The need to assist with personal safety will override any other requirements.

4. SYSTEM REVIEW

- 4.1 The system will be reviewed annually to ensure it remains necessary, proportionate and effective.

5. STATEMENT OF PURPOSE AND PRINCIPLE

- 5.1 Purpose – The purpose of this document is to state how the Owners and System Manager intend to use the system to meet the objectives and principles outlined in Sections 1 to 4 above.
- 5.2 General Principles of Operation – The system will be operated in accordance with this Code of Practice and the Data Protection Act 2018 at all times. The system will be operated in due deference to the general right to respect for an individual and regard for their private and family life.
- 5.3 The public interest in the operation of this system will be safeguarded by ensuring the security and integrity of operational procedures.
- 5.4 Copyright – Copyright and ownership of all material recorded on the system, will remain with the Data Controller.
- 5.5 Monitoring and Recording Facilities – The images from the cameras located at the Gatehouse, High Street, Chepstow, NP16 5LH and the Public Conveniences, 11 Thomas Street, Chepstow, NP16 5DH are stored on a PC located at The Gatehouse, High Street, Chepstow, NP16 5LH.
- 5.6 The images from the cameras located at the Gatehouse, High Street, Chepstow, NP16 5LH and the Public Conveniences, 11 Thomas Street, Chepstow, NP16 5DH are stored securely on a hard drive which can only be accessed by the Data Processor.
- 5.7 Processing and Handling of Recorded Material – No record material, whether digital, analogue, hard copy or otherwise will be released by the Data Processor unless it is in accordance with this Code of Practice.
- 5.8 Changes of this Code of Practice – All changes to this Code will be agreed by the Owners of the system.

6. PRIVACY AND DATA PROTECTION

- 6.1 Data Protection Legalisation – The operator of the system has been notified to the Office of the Information Commissioners in accordance with the current Data Protection Legalisation. Data will be processed in accordance with the Data Protection Act 2018, summarised as:
- Processed fairly, lawfully and in a transparent manner
 - Collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with the original purpose
 - Adequate, relevant and limited to what is necessary in relation to the purposes
 - Accurate and kept up to date
 - Kept in a form that permits identification no longer than is necessary
 - Processed in a way that ensures appropriate security of the personal data
- 6.2 Subject Access Request – Any request from an individual for disclosure of personal data which they believe is recorded by virtue of the system will be directed in the first instance to the Data Processor and should be treated as a Subject Access Request.

- 6.3 Any personal making such a request should use the form included as Appendix 2 and must be able to provide sufficient information to prove their identify and enable the data to be located.
- 6.4 If the relevant footage shows third parties and the provision of such could involve an unfair intrusion into their privacy of the third party, the footage will not be disclosed unless all third parties have provided written agreement of the relevant footage can be obscured.
- 6.5 In accordance with the Data Protection Act 2018, personal data processed for the prevention of crime and/or the apprehension or prosecution of offenders is exempt from the subject access provisions, to the extent to which the application of the provisions to the data would be likely to prejudice these matters.
- 6.6 A request from an individual for footage for themselves is exempt from the provisions of the Freedom of Information Act. Instead this request should be treated as a data protection subject access request as explained above.

7. ACCOUNTABILITY AND PUBLIC INFORMATION

- 7.1 This Code will be made available on the Council's website and upon request to the Data Processor.

8. ASSESSMENT OF THE SYSTEM

- 8.1 The operation of the system will be audited on an annual basis to check for compliance with this Code of Practice and to ensure the system meets the objectives specified in section 3.

9. MANAGEMENT OF RECORDED MATERIAL

- 9.1 Guiding Principles – For the purposes of this Code, 'recorded material' means any material recorded by, or as the result of, technical equipment which forms part of this system; this specifically includes images recorded digitally or on other media including still prints.
- 9.2 Every recording made by the use of the system has the potential for containing material that may need to be admitted in evidence at some point during the period of its retention.
- 9.3 Members of the public must have total confidence that information recorded will be treated with due respect for private and family life. It is therefore imperative that all recorded is treated strictly in accordance with this Code of Practice until the final destruction of the material.
- 9.4 Access to and the use of recorded material will be strictly for the purposes defined in this Code of Practice only.
- 9.5 Recorded material will not be copied, sold or otherwise released or used for commercial purposes or otherwise made available for any use incompatible with this Code of Practice.

10. NATIONAL STANDARD FOR RELEASE OF DATA TO A THIRD PARTY

10.1 Requests from the Police for footage for the prevention and/or detection of crime and disorder will be submitted to the Data Processor.

10.2 In complying with the National Standard it is anticipated, as far as is reasonably practicable, to give effect to the following principles:

- Recorded material shall be processed lawfully and fairly, and used only for the purposes defined in the Code.
- Access to recorded material will only take place in accordance with the National Standard and this Code.

10.3 Subject to compliance with this Code, the Police and other agencies with a Statutory Authority to investigate and/or prosecute offences, may release details of recorded information to the media only in an effort to identify offenders or potential witnesses. In all cases this will need the permission of the Data Controller.

11. RETENTION OF FOOTAGE AND RECORDED MATERIAL

11.1 Images recorded by cameras are retained on the system for 28 days. After this time, the footage is erased.

11.2 When footage is released as recorded material a master copy is made and retained securely. This is retained for 6 years plus the financial year it is recorded in, after which it is securely destroyed.

12. REGISTER AND RELEASE OF RECORDED MATERIAL

12.1 Every item of recorded material that is produced is managed using specific software which provides a clear audit trail.

12.2 Prints of Recorded Material – Prints will be treated in the same manner as other recorded material and in accordance with this Code of Practice and the National Standard.