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| **SOUTH WOOTTON PARISH COUNCIL** |
| Procedure relating to the use of CCTV equipment owned by SWPC |
| Lead Officer | Mr David Price |
| Date of Report to Policy CommitteeFull Council |  |
| Outcome |  |
| ReviewedDate of next Review:  |  Nov 2017Nov 2020 |

**Data Controller**

The Data Controller is the Parish Council acting by the Parish Council Chairman

Any enquiries in relation to CCTV are to be made to that person, and to be passed to the System Operation Person to be dealt with in accordance with the Policy and procedure.

**Systems Operating Person**

The person designated as the system operating person is Mrs Tracey Cornwell or Mrs Moira Kirby.

**Authorised Persons**

A member of the Parish Council is deemed an authorised person, for the purposes of viewing captured images.

**Location of Equipment**

Position of Cameras:- 3 situated on the Village Hall, 2 on the Parish Office, one directed at the Car Park and one into the Cemetery. 2 on Lighting Columns directed into the Car Park.

Position of Base Recording Unit:- The Base recording unit is located in the Parish Office, 24 Church Lane, South Wootton, PE30 3LJ. Access to this unit is restricted to the Systems Operating personnel.

Recording Medium:- Images will be recording on Hard Drive.

Signs:- Appropriate CCTV signage is installed on the Village Hall, Parish Office, in the Cemetery and on the fence of the Village Hall Car Park.

**Viewing the images**

* There will be no facility for viewing of live images by way of monitors.
* Viewing of images will only be permitted upon the receipt of a Data Access request in the presence of the Systems Operating Persons and at **least 1 other authorised person only.** Viewing is to take place in the Parish Office. Viewing is never to take place in a private home.
* Should the Parish Council wish to view any capture images, the consent of the Systems Operating Personnel is required.
* The Systems Operating Person will make a report to the Parish Council.

**Disclosure of images**

Disclosure of images will be for the purpose of the prevention of crime and or public safety, it will be appropriate to disclose images to law enforcement agencies. Any other type of request (third parties) not in the relation to the prevention of crime or public safety should be considered on its merits. The Systems Operating Person has a right to refuse any request for information unless there is an overriding legal obligation to do so such as a court order or information access rights.

1. All requests for disclosure must be made by way of a signed Data Access Request or a Subject Access Request.

Data Access Request. These are usually made by the Police or Third Parties.

Subject Access Request. Members of the Public have a right to view images of themselves and to be provided with a copy of the images (and unless they agree otherwise) at a cost disclosed by the Parish Council.

Freedom of Information Act 2000 Requests

Made under S38 or S40 DPA, and the Parish Council must respond within 20 days of receipt of a request. Note that two part exemption relate. 1. Can a request be dealt with under Subject Access Request (if they can do so). 2. Are the images of third parties? If so ensure that if disclosing, the information does not breach the data protection principles.

* Information should be provided by the Subject Access Request with sufficient details to locate the captured image; ie the date and time and location, photograph to identify the person, description of what they were wearing and doing at the time they believe their image was captured.
* A fee of **£10.00 will be charged**
* Information **must be provided within 40 calendar days** of receiving the request.
* All requests will be logged on a Record Sheet Log to ensure compliance with this Policy.
* IMPORTANT – If images of other third parties are also captured with the Subject Access Request consideration will have to be given whether the identities of third parties need to be obscured/edited to protect privacy.
1. Any images disclosed under an Access Request must be sent securely or signed for by the intended recipient.
2. Other requests. Requests made under
* S10 DPA – from an individual to prevent processing likely to cause substantial and unwarranted damage or distress or
* S12 DPA – one to prevent automated decision-taking in relation to the individual should be referred to ICO for guidance.

**Retention of images**

Images are not to be retained for longer than strictly necessary. Therefore in accordance with the CCTV’s main purpose, any request made for disclosure should be received with **14 days** of any crime or public safety concern becoming known.

Captured images will be retained for a period of 14 days only and will be destroyed on a rolling basis.

Therefore images captured from 1st February to 14th February, will be destroyed from 15th February onwards.

Images will be recorded over on a rolling basis.

**Confidentiality**

All Officers shall exercise care in disclosing information, which comes within the Date Protection legislation and ensure that the CCTV code of practice , DPA 1988 and this policy is adhered to at all times.

**Conflict**

Where there is any conflict in the policy/procedure with any other code or practice or such like the Systems Operating Persons in conjunction with two other Authorised Persons will review the conflict and make an overriding decision which will need to be documented.

**Review of Policy**

A review of this Policy/Procedure will be conducted triennially.

**Appendices;**

1. The Data Protection Act 1988 – Principles
2. CCTV – Code of Practice – Information Commissioners Office
3. Record Sheet Log

 **Other Sources of Information**

1. Borough Council of Kings Lynn & West Norfolk – CCTV Manager Karl Weeks

**The Data Protection Act 1998: data protection principles**

1. Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless-
2. At least one of the conditions in Schedule 2 is met, and
3. In the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
4. 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.
5. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
6. Personal data shall be accurate and where necessary, kept up to date.
7. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
8. Personal data shall be processed in accordance with the rights of data subjects under this Act.
9. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing or personal data against accidental loss or destruction of, or damage to, personal data.
10. 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 in relation to the processing of personal data.

Date Reviewed: November 2017

Date of next Review: November 2020

Signed……………………………………… Dated…………………………….